

## **Committee Report**

**Item No: 2**

**Reference:** DC/17/06286

**Case Officer:** Samantha Summers

**Ward:** Berners.

**Ward Member/s:** Cllr Peter Patrick. Cllr Derek Davis.

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### **Description of Development**

Full Planning Application - Change of Use of agricultural land (part site), Erection of 9 No dwellings with associated access to Queens Road, landscaping, and parking.

### **Location**

Land to North of Queens Road, Erwarnton, IP9 1LL

**Parish:** Erwarnton

**Site Area:** 6802 m<sup>2</sup>

**Conservation Area:**

**Listed Building:** Affects Setting of Grade II

**Received:** 22/12/2017

**Expiry Date:** 17/02/2018

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**Application Type:** FUL - Full Planning Application

**Development Type:** Minor Dwellings

**Environmental Impact Assessment:**

**Applicant:** Mr W Wrinch

**Agent:** Roger Balmer Design

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## **DOCUMENTS SUBMITTED FOR CONSIDERATION**

This decision refers to drawing number as the defined red line plan with the site shown edged red. Any other drawing showing land edged red whether as part of another document or as a separate plan/drawing has not been accepted or treated as the defined application site for the purposes of this decision.

The plans and documents recorded below are those upon which this decision has been reached:

Application Form

Drawing Nos. 4017-01, 03, 04, 05, 06, 07, 08, 09, 10, 11 and 12

Design and Access Statement

Ecology Assessment

Planning Statement

Land Contamination Report

Landscape and Visual Impact Assessment

Habitats Regulations Assessment

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The application, plans and documents submitted by the Applicant can be viewed online at [www.babergh.gov.uk](http://www.babergh.gov.uk). Alternatively, a copy is available to view at the Mid Suffolk and Babergh District Council Offices.

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## **PART ONE – REASON FOR REFERENCE TO COMMITTEE**

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The application is referred to Committee for the following reason:

This is a Member call-in because there is a lack of a five-year land supply and need for this type of housing.

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## **PART TWO – APPLICATION BACKGROUND**

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### **History**

There is no planning history relevant to the application site. However, it should be noted that the social housing of Boleyn Place is recently constructed as this was a rural exception site and satisfied a local need for housing in Erwarton.

### **All Policies Identified as Relevant**

The proposal has been assessed with regard to adopted development plan policies, the National Planning Policy Framework and all other material considerations. Highlighted local and national policies are listed below. Detailed assessment of policies in relation to the recommendation and issues highlighted in this case will be carried out within the assessment:

### **Summary of Policies**

Please see the relevant policies below

### **List of other relevant legislation**

- Human Rights Act 1998
- Town & Country Planning (Listed Buildings & Conservation Areas) Act 1990
- Natural Environment and Rural Communities (NERC) Act 2006 (any rural site)
- The Conservation of Habitats and Species Regulations 2010
- Localism Act
- Consideration has been given to the provisions of Section 17 of the Crime and Disorder Act, 1998, in the assessment of this application but the proposal does not raise any significant issues.

### **Details of Previous Committee / Resolutions and any member site visit**

A committee site visit has been requested by the Ward Member.

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## **Details of any Pre-Application Advice**

Pre-application was sought for this proposal and received a negative response.

## **Consultations and Representations**

During the course of the application Consultation and Representations from third parties have been received. These are summarised below.

### **A: Summary of Consultations**

SCC Highways – Conditions required to secure visibility splays, entrance width of access, details to be agreed for refuse/recycling bin storage and surface water drainage.

BMSDC Environmental Health Land Contamination – No objection

Erwarton Parish Council – Objection. The general consensus of Erwarton Parish Planning Committee is that the scheme is out of proportion to the size of this section of the village. The proposed units 1, 2 and 3, being in the curtilage of Church Farm Cottages, would be supported. However, Units 4, 5, 6, 7, 8 and 9, being on agricultural land, should not be developed, in order to retain the rural character of the village.

SCC Archaeological Service – Standard conditions for a written scheme of investigation is required.

Natural England – Financial contribution is required under the emerging Suffolk Recreational Disturbance Avoidance and Mitigation Strategy (RAMS).

Suffolk Wildlife Trust – Satisfied with the findings of the ecological survey report. Habitat Regulations Assessment (HRA) is required.

SCC AONB Officer – Holding objection until further information is received concerning the HRA. We note that the site lies outside of the established settlement boundary and as such we question whether the proposal is overwhelmingly in the public interest to warrant an exception from policy.

Place Services Ecology – No objection subject to conditions to secure: A proportionate financial contribution towards visitor management measures for the Stour & Orwell Estuaries SPA/Ramsar and Ecological mitigation and enhancements

BMSDC Heritage Team – No formal comments have been received. However, a verbal response has been received that raises concerns over the development, in particular the Plots 1-3 and their impact on the historic relationship of the Church Farm Cottages with Church Farmhouse.

### **B: Representations**

8 objections and 1 comment have been received for this proposal. Concerns raised by local residents include:

- No footways to facilities and services in Shotley
  - Public footpaths across fields are sometimes inaccessible
  - Rural location with no settlement boundary
  - Inappropriate building on agricultural land
  - Highway safety and intensification of the road network
  - Loss of light to Boleyn Place
  - Garaging to the rear of the plot is unsightly
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- Surface water drainage problems
- Huge increase in housing for the village
- Bus service very limited
- Negative visual impact on the village and landscape
- No services or facilities in the village
- Proposed dwellings are not affordable
- No high-speed internet
- Ribbon development
- Proposal would change the character of this rural village

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## **PART THREE – ASSESSMENT OF APPLICATION**

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From an assessment of relevant planning policy and guidance, representations received, the planning designations and other material issues the main planning considerations considered relevant to this case are set out including the reason/s for the decision, any alternative options considered and rejected. Where a decision is taken under a specific express authorisation, the names of any Member of the Council or local government body who has declared a conflict of interest are recorded.

### **1. The Site and Surroundings**

- 1.1. The application site is located on The Street in Erwarnton. Erwarnton is a hamlet on the shotley peninsula. The Street forms the boundary with an Area of Outstanding Natural Beauty (AONB), the southern side of the road is within the AONB. The application site is on the northern side of the road with views of the River Stour and is therefore outside of the AONB. The Street has a number of dwellings and the parish church, St Mary the Virgin. The public house, The Erwarnton Queens Head has been closed since 2009.
- 1.2. The application site currently has a pair of semi-detached dwellings (Church Farm Cottages) of red brick with slate roofs in a large plot. A single access serves both dwellings. The western cottage has a large plot with much of its land to the side of the dwelling. The eastern cottage has a more modest sized plot which forms a narrow strip. The remaining land of the application site is currently to the east of the cottages and is an agricultural field which sits between the cottages and a small group of recently constructed dwellings (Boleyn Place).
- 1.3. Directly opposite the application site to the south is Church Farm, which is a Grade II Listed Farmhouse. The name of the cottages suggests that that they were historically connected with the farmhouse. The Cottages are considered to be undesignated Heritage Assets. The settlement of Erwarnton is to the east and there are open fields to the north and west of the site. The existing gardens of church Farm Cottages have hedging as a form of enclosure. The field to the east has a hedge to the road frontage.

### **2. The Proposal**

- 2.1. This application seeks full planning permission for the erection of three pairs of two storey (Plots 6 and 7 are two storey) semi-detached dwellings to the east of the existing dwellings, in what is currently an agricultural field. Four of the dwellings would have two bedrooms (Plots 4, 5, 8 and 9) and two would have three bedrooms (Plots 6 and 7). To the west of the site, in the side garden of the existing western cottage would be a row of three dwellings. The row includes a two-storey dwelling with three bedrooms (Plot 3) and a single storey element to the western elevation which includes a two-bedroom dwelling (Plot 2) and a three-bedroom dwelling (Plot 1).
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- 2.2. The floorspace created by the development is 988 square metres.
- Plot 1 – 85m<sup>2</sup>
  - Plot 2 – 76m<sup>2</sup>
  - Plot 3 – 165m<sup>2</sup>
  - Plot 4 – 70m<sup>2</sup>
  - Plot 5 – 70m<sup>2</sup>
  - Plot 6 – 101m<sup>2</sup>
  - Plot 7 – 101m<sup>2</sup>
  - Plot 8 – 70m<sup>2</sup>
  - Plot 9 – 81m<sup>2</sup>
  - Garages/Carlidges – 169m<sup>2</sup>
- 2.3. A new access point is proposed for all proposed dwellings in addition to the existing two dwellings. The access would be moved to the east of the existing access and away from the bend further to the west. The six dwellings to the east of Church Farm Cottage would be served by two detached three bay garages with an additional parking spaces to the front of the garaging. These are located to the rear of the dwellings. The three dwellings to the west of the Cottages are served by a garage and parking space each which is incorporated into the building arrangement.
- 2.4. The existing dwellings on the site are two storeys. There is a mixture of single storey and two storey dwellings proposed.
- 2.5. Each dwelling has a private amenity space provided to the rear which includes a patio area and also a grassed area. All gardens are an acceptable size. Plot 5 has a smaller garden but still provide a patio and grassed area and is therefore considered to be acceptable.
- 2.6. The proposed dwellings would follow the existing linear form of development that is seen in The Street. This minimises overlooking issues.
- 2.7. The proposed external materials reflect those of the surrounding area and include the use of soft red brick, painted weatherboard, render, natural slate and peg tiles. These materials are widely used on buildings in The Street.
- 2.8. Site Area – 0.68Ha.

### **3. National Planning Policy Framework**

- 3.1. The National Planning Policy Framework (NPPF) contains the Government's planning policies for England and sets out how these are expected to be applied. Planning law continues to require that applications for planning permission are determined in accordance with the Development Plan unless material considerations indicate otherwise. The policies contained within the NPPF are a material consideration and should be taken into account for decision-making purposes.

### **4. Core Strategy**

- 4.1. CS1 – Applying the Presumption in Favour of Sustainable Development in Babergh  
CS2 – Settlement Pattern Policy  
CS3 -Strategy for Growth and Development  
CS15 -Implementing Sustainable Development in Babergh
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## **5. Neighbourhood Plan/Supplementary Planning Documents/Area Action Plan**

### 5.1. Parking Standards

## **6. Saved Policies in the Local Plans**

- 6.1. CN01 – Design Standards
- CR02 – AONB Landscape
- TP15 – Parking Standards – New Development

## **7. The Principle of Development**

- 7.1. The National Planning Policy Framework (NPPF) requires Councils to identify and update, on an annual basis, a supply of specific deliverable sites sufficient to provide for five years worth of housing provision against identified requirements (paragraph 47). For sites to be considered deliverable they have to be available, suitable, achievable and viable.
  - 7.2. Relevant policies for the supply of housing should not be considered up-to-date if the local planning authority cannot demonstrate a five-year supply of deliverable housing sites (as stated in paragraph 49 of the NPPF). Where policies cannot be considered up-to-date, the NPPF (paragraph 14) cites the presumption in favour of sustainable development and states that planning permission should be granted unless i) any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF taken as a whole; or ii) specific policies in the NPPF indicate development should be restricted.
  - 7.3. The precise meaning of 'relevant policies for the supply of housing' has been the subject of much case law, with inconsistent results. However last month, the Supreme Court gave judgment in a case involving Suffolk Coastal District Council which has clarified the position. The Supreme Court overruled earlier decisions of the High Court and the Court of appeal in this and other cases, ruling that a "narrow" interpretation of this expression is correct; i.e.it means policies identifying the numbers and location of housing, rather than the "wider" definition which adds policies which have the indirect effect of inhibiting the supply of housing, for example, countryside protection policies. However, the Supreme Court made it clear that the argument over the meaning of this expression is not the real issue. The absence of a five-year housing land supply triggers the application of paragraph 14 of the NPPF. In applying the 'tilted balance' required by this paragraph, the Council must decide what weight to attach to all of the relevant development plan policies, whether they are policies for the supply of housing or restrictive 'counterpart' polices such as countryside protection policies.
  - 7.4. In accordance with National Planning Policy Guidance paragraph 030 (Reference ID: 3-030-20140306) the starting point for calculating the 5-year land supply should be the housing requirement figures in up-to-date adopted Local Plans. It goes on to state that '...considerable weight should be given to the housing requirement figures in adopted Local Plans, which have successfully passed through the examination process, unless significant new evidence comes to light.... Where evidence in Local Plans has become outdated and policies in emerging plans are not yet capable of carrying sufficient weight, information provided in the latest full assessment of housing needs should be considered. But the weight given to these assessments should take account of the fact they have not been tested or moderated against relevant constraints...'
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- 7.5. The Council published the Ipswich and Waveney Housing Market Areas Strategic Housing Market Assessment (SHMA) in May 2017 which is significant new evidence for the emerging Babergh and Mid Suffolk Joint Local Plan. Therefore, the 5-year land supply has been calculated for both the adopted Core Strategy based figures and the new SHMA based figures. For determining relevant planning applications, it will be for the decision taker to consider appropriate weight to be given to these assessments and the relevant policies of the development plan.
- 7.6. A summary of the [BDC] Council's 5-year land supply position is:
- i. Core Strategy based supply for 2017 to 2022 = 4.1 years
  - ii. SHMA based supply for 2017 to 2022 = 3.1 years
- 7.7. The NPPF requires that development be sustainable and that adverse impacts do not outweigh the benefits to be acceptable in principle. Paragraph 7 of the NPPF sets out three dimensions for sustainable development, economic, social and environmental:
- "an economic role - contributing to building a strong, responsive and competitive economy, by ensuring that sufficient land of the right type is available in the right places and at the right time to support growth and innovation; and by identifying and coordinating development requirements, including the provision of infrastructure:
  - a social role - supporting strong, vibrant and healthy communities, by providing the supply of housing required to meet the needs of present and future generations; and by creating a high quality built environment, with accessible local services that reflect the community's needs and support its health, social and cultural well-being; and
  - an environmental role - contributing to protecting and enhancing our natural, built and historic environment; and, as part of this, helping to improve biodiversity, use natural resources prudently, minimise waste and pollution, and mitigate and adapt to climate change including moving to a low carbon economy."
- 7.8. In light of all of the above, this report will consider the proposal against the three strands of sustainable development, and also give due consideration to the provisions and weight of the policies within the development plan, in the context of the authority not being able to demonstrate a 5-year land supply.

## **8. Sustainability Assessment Of Proposal**

- 8.1. As detailed above, in applying the 'tilted balance' required by paragraph 14 of the NPPF, the Council must decide what weight to attach to all the relevant development plan policies, whether they are policies for the supply of housing or restrictive 'counterpart' policies such as countryside protection policies.
- 8.2. In that regard, whilst it is for the decision maker to determine the weight that is to be given to these policies, it is your officer's opinion that policies CS2, CS3, and CS15 provide a framework to consider the sustainability of this site, having regard to the three strands of sustainable development set out in the NPPF. As such, these policies and their requirements are assessed further here.
- 8.3. Policy CS2 (Settlement Pattern Policy) identifies Erwarton as Countryside. Sites outside of a defined settlement form part of the countryside and Policy CS2 limits development in the countryside so that it will only be permitted in exceptional circumstances subject to a proven justifiable need.
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- 8.4. Paragraph 55 of the NPPF sets out that development in rural areas should be located where it would enhance or maintain or enhance the vitality of rural communities, and that except under special circumstances, local planning authorities should avoid isolated homes in the countryside.
- 8.5. The proper interpretation of development plan policy is a matter of law and, in principle, policy statements should be interpreted objectively in accordance with the language used, read as always in its proper context; however, statements of policy should not be construed as if they were statutory or contractual provisions (see *Tesco Stores Ltd v Dundee City Council* [2012] UKSC 13).
- 8.6. Erwarnton is a small rural hamlet which has no local facilities apart from the church. Facilities and services for residents are located in Shotley which is some 2km away. There are no made up footways to Shotley. There is a network of public footpaths across fields, but these are not considered to be an acceptable access route for parents with prams and pushchairs to the school. There is a limited bus service, but the bus stop is located at the former public house and would require residents to walk along a highway, with no footway, to use the bus.
- 8.7. Although the proposed housing is within a cluster of dwellings, the application site is not considered to be well located to access essential services other than by the means of a motor vehicle and is therefore not considered to be a sustainable form of development.

## **9. Site Access, Parking and Highway Safety Considerations**

- 9.1. A new access is proposed to serve the existing and proposed nine new dwellings. The existing access will be stopped up. The proposed access is considered to be a safer means of entry and exit to the site as it has been moved away from the sharp bend to the west of the site, therefore increasing the visibility. Suffolk County Council Highways have requested that conditions be applied to any permission granted to secure the visibility splays, entrance width, details of refuse/recycling bins to be agreed, details of how surface water will be discharged.
- 9.2. The proposed parking arrangements are in line with current parking standards and are therefore consistent with Local Plan policy TP15. In addition to this vehicle are able to enter and leave the site in a forward gear due to the turning heads provided within the site.

## **10. Design and Layout [Impact On Street Scene]**

- 10.1. The layout of the site has followed the existing linear form of development found in this part of Erwarnton. The roof ridge heights match those of the existing dwellings both on the site and also the dwellings in Boleyn Place. There is good spacing between each pair of dwellings and the site does not appear to be cramped or over-developed. There is sufficient parking and private amenity space provided for each dwelling. The dwellings are modest and are considered to be acceptable in terms of their design with the use of external materials that reflect the character of the area.

## **11. Landscape Impact**

- 11.1. Although the site is not within the AONB it is adjacent to it and therefore any development on the site will impact this sensitive landscape. The comments of the AONB Officer includes a holding objection which relates to the HRA which has been produced by the Ecologist. The AONB Officer has raised concerns of whether this development is overwhelmingly in the public interest to warrant an exception from policy. No Local Needs Survey for housing has been produced with this application or dedicated affordable dwellings introduced into the scheme as this development is for less than 10 units of accommodation and there is no statutory obligation to do so.
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Therefore, it is considered to conflict with Local Plan policy CR02 as there has been no local need for housing in this location highlighted.

- 11.2 The Layout Plan shows a landscaping scheme which includes soft and hard landscaping. This includes enhancements to the existing hedging on the site. A more detailed landscape plan would be required by condition if approved including the density and mix of the hedging.

## **12. Environmental Impacts - Trees, Ecology and Land Contamination**

- 12.1. The relevant land contamination report was submitted with the application and the Environmental Health Team have reviewed the paperwork and confirm that they have no objection to the proposal.

## **13. Heritage Issues [Including the Impact on The Character and Appearance Of The Conservation Area And On The Setting Of Neighbouring Listed Buildings]**

- 13.1. Church Farm is a Grade II Listed building and is directly opposite the site to the south. The Heritage Team had not commented formally on the application. However, a verbal response has been received which raised concerns over the impact of the scheme on the relationship between the pair of Victorian Cottages and the Farmhouse. It is likely that agricultural workers to Church Farm would have been tenants in the cottages. The setting of the Cottages, which are considered to be undesignated Heritage assets within this rural landscape would be compromised by building new dwellings in the side garden of the western cottage. The Heritage Team feel strongly that there should be no development within the existing gardens of the cottages in order to protect their significance to the Grade II Listed farmhouse.

## **14. Impact On Residential Amenity**

- 14.1. The proposed dwellings will follow an existing linear form of development which infills and extends the existing residential development in The Street. There are no side windows at first floor level proposed which would overlook the existing or proposed dwellings. It is not anticipated that the new dwellings will cause a significant loss of light to any of the neighbouring properties because of the layout.

## **15. Biodiversity and Protected Species**

- 15.1. An ecology survey accompanied the application and has been reviewed by Natural England, Place Services and Suffolk Wildlife Trust. The findings of the report are satisfactory, and it is noted that "swift bricks" form part of the construction of the dwellings. A condition to secure further enhancement to protect and encourage wildlife can be used on a planning permission.
- 15.2 It is noted that the application site is within 13km of the River Stour Estuary and therefore a further condition will be required to secure a financial contribution for the Recreation Disturbance Avoidance Mitigation Strategy (RAMS).

## **16. Planning Obligations / CIL (delete if not applicable)**

- 16.1. A financial contribution is required for RAMS this can be secured by condition.
- 16.3. In accordance with the Community Infrastructure Levy Regulations, 2010, the obligations recommended to be secured by way of a planning obligation deed are (a) necessary to make the Development acceptable in planning terms (b) directly related to the Development and (c) fairly and reasonably relate in scale and kind to the Development.
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## **17. Details of Financial Benefits / Implications (S155 Housing and Planning Act 2016)**

- 17.1. Granting this development will result in the following financial benefits:
- New Homes Bonus
  - Council Tax
  - CIL
  - RAMS

These are not material to the planning decision

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## **PART FOUR – CONCLUSION**

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### **18. Statement Required by Article 35 Of The Town And Country Planning (Development Management Procedure) Order 2015.**

- 18.1. When determining planning applications, The Town and Country Planning (Development Management Procedure) (England) Order 2015 requires Local Planning Authorities to explain how, in dealing with the application they have worked with the applicant to resolve any problems or issues arising.
- 18.2. In this case there were no issues to resolve from the consultation responses received.

### **19. Identification of any Legal Implications and/or Equality Implications (The Equalities Act 2012)**

- 19.1. The application has been considered in respect of the current development plan policies and relevant planning legislation. Other legislation including the following have been considered in respect of the proposed development.
- Human Rights Act 1998
  - The Equalities Act 2010
  - Town and Country Planning (Listed Building and Conservation Areas) Act 1990
  - Natural Environment and Rural Communities (NERC) Act 2006 (any rural site)
  - The Conservation and Habitats and Species Regulations 2010
  - Localism Act
  - Consideration has been given to the provisions of Section 17 of the Crime and Disorder Act 1998, in the assessment of this application but the proposal does not raise any significant issues.

### **20. Planning Balance**

- 20.1. This application brings about a number of issues which require careful attention in reaching a decision upon this proposal. What follows, therefore, is a balancing of those issues in light of the assessment carried out within the preceding paragraphs of this report.
- 20.2. In accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004 and section 70(2) of the Town and Country Planning Act 1990, applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise. The consideration is, therefore, whether the development accords with the development plan and, if not, whether there are material considerations that would indicate a decision should be taken contrary to the development plan.
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20.3. In light of this application relating to a proposal for new housing, a further important consideration in determining this application is that Babergh does not currently have a five-year supply of deliverable housing sites. Paragraph 47 of the NPPF requires LPAs to identify a 5-year supply of specific deliverable housing sites. Paragraph 49 of the NPPF states that 'relevant policies for the supply of housing should not be considered up-to-date if the local planning authority cannot demonstrate a five-year supply of deliverable housing sites'.

20.4. Paragraph 14 of the NPPF states;

“At the heart of the National Planning Policy Framework is a presumption in favour of sustainable development, which should be seen as a golden thread running through both plan-making and decision-taking.

For decision-taking this means:

- approving development proposals that accord with the development plan without delay; and
- where the development plan is absent, silent or relevant policies are out-of-date, granting permission unless:

– any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole; or – specific policies in this Framework indicate development should be restricted”.

20.5. As such, the effect of paragraphs 47, 49 and 14 are that;

- the local authority should be able to identify a supply of specific deliverable sites sufficient to provide five years worth of housing against their housing requirements;
- that where such a supply cannot be demonstrated, policies for the supply of housing should not be considered up-to-date, and;
- where policies are not up-to-date, permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits when assessed against the policies in this Framework taken as a whole or where specific policies in this Framework indicate development should be restricted. Policy CS1 sets out a similar approach where relevant Core Strategy policies are out-of-date

20.6. As set out above, the Supreme Court in May 2017 has clarified the position with regards to 'policies for the supply of housing' and how that is to be considered. Officers note that the judgement makes it clear that the meaning of that expression is not the real issue, and that the absence of a five-year housing land supply triggers the application of paragraph 14 of the NPPF, and that in applying the 'tilted balance' required by this paragraph, it is necessary to consider the weight to attach to all of the relevant development plan policies.

20.7. It is considered that policy CS3, is a policy for the supply of housing. It is, therefore, considered that paragraph 14 of the NPPF is engaged with regards to this proposal. So, too, is policy CS1.

20.8. However, prior to considering the presumption in favour of sustainable development identified by paragraph 14, it is necessary to consider whether there are specific policies in the Framework that indicate development should be restricted. The footnote to this part of the NPPF identifies, amongst other things, policies relating to land designated as an Area of Outstanding Natural Beauty and designated heritage assets, as being those which may indicate development should be refused.

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- 20.9. This report has not found that there is harm to heritage assets. Having assessed the proposal against the specific policies in the Framework, it is not considered that there are specific policies that indicate development should be restricted. As such, paragraph 14 is engaged.
- 21.0. In consideration of the contribution towards the Council's housing targets (that has now become more acute due to the accepted lack of five-year housing land supply), the provision of affordable housing and economic, social and infrastructure benefits which arise from the development, it is considered that the proposal would make a contribution to the Council's housing land supply.
- 21.1. In this respect, whilst paragraph 14 of the NPPF provides a presumption in favour of sustainable development, it is necessary to consider whether any adverse impacts of granting planning permission would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole; or specific policies in this Framework indicate development should be restricted. The assessment of the application has identified that the proposal does not comply with the development plan and, notwithstanding that the Council does not have a five-year housing land supply, it is considered that the unsustainable location and the poor connectivity with services significantly and demonstrably outweigh the benefits of the development when considered against the Framework as a whole.
- 21.2. The proposal would cause some harm to the character and appearance of the settlement as set out earlier within your report. Whilst there would be economic benefits of the scheme both while the houses were being constructed and resulting from future residents using local facilities contributing to the wider local economy, the economic benefits from construction would be temporary and the residents would be largely reliant on the car to access services outside of the village, it is likely that many economic benefits would be received outside of Erwarton and therefore these are given limited weight.
- 21.3. Whilst the provision of 9 dwellings would contribute to the identified significant undersupply of housing, the site would not be in an accessible location to accommodate the proposed number of houses and the development would not meet a locally identified need. In addition to this there will be a negative and unnecessary impact on both the AONB and also a Heritage Asset. Therefore, the public benefits of an additional 9 dwellings is not considered to outweigh the harm to the rural landscape of Erwarton or the Heritage Asset.
- 21.4. Therefore, the totality of the harm that would be a consequence of the adverse impacts identified would significantly and demonstrably outweigh the limited benefits referred to above when assessed against the policies of the Framework when taken as a whole. Therefore, the proposal does not constitute sustainable development for which the Framework carries a presumption in favour and therefore application is recommended for refusal.

## **RECOMMENDATION**

That planning permission be refused for the following reasons:

1. Policy CS2 of the Babergh Core Strategy (2014) states that planning permission will be permitted only in the Countryside in exceptional circumstances subject to proven justifiable need. CS15 requires new development to demonstrate how the proposal addresses the key issues and objectives identified in the Core Strategy. The site is not well related to the existing settlement, and no supporting evidence has been provided that justifies the need for the proposal, and that the site is a sustainable location. As a result, the proposal does not accord with policies CS2, and CS15.
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Whilst paragraph 14 of the NPPF provides a presumption in favour of sustainable development, it is necessary to consider whether any adverse impacts of granting planning permission would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole; or specific policies in this Framework indicate development should be restricted. The assessment of the application has identified that the proposal does not comply with the development plan and, notwithstanding that the Council does not have a five-year housing land supply, it is considered that the unsustainable location significantly and demonstrably outweigh the benefits of the development when considered against the Framework as a whole.

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