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COMMITTEE:	PLANNING COMMITTEE
DATE:	WEDNESDAY, 17 JULY 2019 9.30 AM
VENUE:	MEAD ROOM (ROSE) - ENDEAVOUR HOUSE, 8 RUSSELL ROAD, IPSWICH

Members		
<u>Conservative</u> Sue Ayres Melanie Barrett Peter Beer (Chair) Zachary Norman Adrian Osborne	<u>Independent</u> John Hinton Lee Parker Stephen Plumb (Vice-Chair) <u>Liberal Democrat</u> David Busby	<u>Labour</u> Alison Owen <u>Green</u> Leigh Jamieson

The Council, members of the public and the press may record/film/photograph or broadcast this meeting when the public and the press are not lawfully excluded.

AGENDA

PART 1

MATTERS TO BE CONSIDERED WITH THE PRESS AND PUBLIC PRESENT

Page(s)

1 SUBSTITUTES AND APOLOGIES

Any Member attending as an approved substitute to report giving his/her name and the name of the Member being substituted.

To receive apologies for absence.

2 DECLARATION OF INTERESTS

Members to declare any interests as appropriate in respect of items to be considered at this meeting.

3 PL/19/5 TO CONFIRM THE MINUTES OF THE MEETING HELD ON 19 JUNE 2019

To Follow

4 TO RECEIVE NOTIFICATION OF PETITIONS IN ACCORDANCE WITH THE COUNCIL'S PETITION SCHEME

5 **SITE INSPECTIONS**

In addition to any site inspections which the Committee may consider to be necessary, the Acting Chief Planning Officer will report on any other applications which require site inspections.

The provisional date for any site inspections is Wednesday 24 July 2019.

6 **PL/19/6 PLANNING APPLICATIONS FOR DETERMINATION BY THE COMMITTEE** 1 - 4

An Addendum to Paper PL/19/6 will be circulated to Members prior to the commencement of the meeting summarising additional correspondence received since the publication of the agenda but before 12 noon on the working day before the meeting, together with any errata.

a **DC/19/01708 LAND EAST OF CHURCH ROAD, CHURCH ROAD, STUTTON, IPSWICH, IP9 2SG** 5 - 18

b **DC/19/01463 SITE OF FORMER MONKS ELEIGH C P SCHOOL CHURCHFIELD, MONKS ELEIGH, COLCHESTER, SUFFOLK, IP7 7JH** 19 - 30

c **DC/18/01634 LAND ADJACENT WOODLANDS, MAIN ROAD, CHELMONDISTON, IP9 1DW** 31 - 42

Notes:

1. The next meeting is scheduled for Wednesday 31 July 2019 commencing at 9.30 a.m.
2. Where it is not expedient for plans and drawings of the proposals under consideration to be shown on the power point, these will be displayed in the Council Chamber prior to the meeting.
3. The Council has adopted Public Speaking Arrangements at Planning Committees, a link is provided below:

[Public Speaking Arrangements](#)

Those persons wishing to speak on an application to be decided by Planning Committee must register their interest to speak no later than two clear working days before the Committee meeting, as detailed in the Public Speaking Arrangements (adopted 30 November 2016).

The registered speakers will be invited by the Chairman to speak when the relevant item is under consideration. This will be done in the following order:

- A representative of the Parish Council in whose area the application site is located to express the views of the Parish Council;
- An objector;
- A supporter;
- The applicant or professional agent / representative;
- County Council Division Member(s) who is (are) not a member of the Committee on matters pertaining solely to County Council issues such as highways / education;
- Local Ward Member(s) who is (are) not a member of the Committee.
- Public speakers in each capacity will normally be allowed **3 minutes** to speak.

Local Ward Member(s) who is (are) not a member of the Committee are allocated a maximum of **5 minutes** to speak.

Date and Time of next meeting

Please note that the next meeting is scheduled for Wednesday, 31 July 2019 at 9.30 am.

For more information about this meeting, including access arrangements and facilities for people with disabilities, please contact the Committee Officer, Committee Services on: 01449 724930 or Email: Committees@baberghmidsuffolk.gov.uk

Introduction to Public Meetings

Babergh/Mid Suffolk District Councils are committed to Open Government. The proceedings of this meeting are open to the public, apart from any confidential or exempt items which may have to be considered in the absence of the press and public.

Domestic Arrangements:

- Toilets are situated opposite the meeting room.
- Cold water is also available outside opposite the room.
- Please switch off all mobile phones or turn them to silent.

Evacuating the building in an emergency: Information for Visitors:

If you hear the alarm:

1. Leave the building immediately via a Fire Exit and make your way to the Assembly Point (Ipswich Town Football Ground).
2. Follow the signs directing you to the Fire Exits at each end of the floor.
3. Do not enter the Atrium (Ground Floor area and walkways). If you are in the Atrium at the time of the Alarm, follow the signs to the nearest Fire Exit.
4. Use the stairs, not the lifts.
5. Do not re-enter the building until told it is safe to do so.



PL/19/6

BABERGH DISTRICT COUNCIL

PLANNING COMMITTEE

17 JULY 2019

SCHEDULE OF APPLICATIONS FOR DETERMINATION BY THE COMMITTEE

Item	Page No.	Application No.	Location	Officer
6A	5-18	DC/19/01708	Land East of Church Road, Church Road, Stutton, Ipswich, IP9 2SG	LB
6B	19-30	DC/19/01463	Site of Former Monks Eleigh C P School, Churchfield, Monks Eleigh, Colchester, Suffolk, IP7 7JH	SS
6C	31-42	DC/19/01634	Land Adjacent Woodlands, Main Road, Chelmondiston, IP9 1DW	SS

Philip Isbell
Acting Chief Planning Officer

BABERGH DISTRICT COUNCIL

PLANNING COMMITTEE

SCHEDULE OF APPLICATIONS MADE UNDER THE TOWN AND COUNTRY PLANNING ACT 1990, AND ASSOCIATED LEGISLATION, FOR DETERMINATION OR RECOMMENDATION BY THE PLANNING COMMITTEE

This Schedule contains proposals for development which, in the opinion of the Acting Chief Planning Officer, do not come within the scope of the Scheme of Delegation to Officers adopted by the Council or which, although coming within the scope of that scheme, she/he has referred to the Committee to determine.

Background Papers in respect of all of the items contained in this Schedule of Applications are:

1. The particular planning, listed building or other application or notification (the reference number of which is shown in brackets after the description of the location).
2. Any documents containing supplementary or explanatory material submitted with the application or subsequently.
3. Any documents relating to suggestions as to modifications or amendments to the application and any documents containing such modifications or amendments.
4. Documents relating to responses to the consultations, notifications and publicity both statutory and non-statutory as contained on the case file together with any previous planning decisions referred to in the Schedule item.

DELEGATION TO THE ACTING CHIEF PLANNING OFFICER

The delegated powers under Minute No 48(a) of the Council (dated 19 October 2004) includes the power to determine the conditions to be imposed upon any grant of planning permission, listed building consent, conservation area consent or advertisement consent and the reasons for those conditions or the reasons to be imposed on any refusal in addition to any conditions and/or reasons specifically resolved by the Planning Committee.

PLANNING POLICIES

The Development Plan comprises saved policies in the Babergh Local Plan adopted June 2006. The reports in this paper contain references to the relevant documents and policies which can be viewed at the following addresses:

The Babergh Local Plan: <http://www.babergh.gov.uk/planning/planning-policy/adopted-documents/babergh-district-council/babergh-local-plan/>

National Planning Policy Framework:

<http://www.communities.gov.uk/documents/planningandbuilding/pdf/2116950.pdf>

LIST OF ABBREVIATIONS USED IN THIS SCHEDULE

AWS	Anglian Water Services
CFO	County Fire Officer
LHA	Local Highway Authority
EA	Environment Agency
EH	English Heritage
NE	Natural England
HSE	Health and Safety Executive
MoD	Ministry of Defence
PC	Parish Council
PM	Parish Meeting
SPS	Suffolk Preservation Society
SWT	Suffolk Wildlife Trust
TC	Town Council

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Agenda Item 6a

Committee Report

Item No: 6A

Reference: DC/19/01708

Case Officer: Lynda Bacon

Ward: Stour

Ward Members: Cllr Mary McLaren

RECOMMENDATION – GRANT PLANNING PERMISSION SUBJECT TO CONDITIONS

Description of Development

Planning Application - Erection of 34 dwellings with associated public open space, access roads, garaging and car parking (revised proposal to that approved under B/17/00950)

Location

Land east of Church Road Church Road Stutton Ipswich IP9 2SG

Parish: Stutton

Expiry Date

Application Type: Full planning application

Development Type: Major Small Scale - Dwellings

Applicant: Hopkins & Moore (Developments) Limited

Agent: NA

PART ONE – REASON FOR REFERENCE TO COMMITTEE

The application is referred to committee for the following reason:

It is a 'Major' application for: -

- a residential development for 15 or over dwellings.

Details of Previous Committee/Resolutions and Member Site Visit

None.

PART TWO – POLICIES AND CONSULTATION SUMMARY

Summary of Policies

Babergh Core Strategy 2014:

- CS1 Applying the Presumption in favour of sustainable development in Babergh
- CS2 Settlement Pattern Policy
- CS3 Strategy for Growth and Development
- CS11 Strategy for Development for Core and Hinterland Villages
- CS15 Implementing Sustainable Development in Babergh

- CS18 Mix and Types of Dwellings
- CS19 Affordable Homes
- CS21 Infrastructure Provision
- HS28 - Infilling/Groups of dwellings

Relevant saved policies of the Babergh Local Plan (Alteration No.2) 2006:

- CN01 Design Standards
- CN06 - Listed Buildings - Alteration/Ext/COU
- CN08 - Development in/near conservation areas
- CR02 - AONB Landscape
- CR07 Landscaping Schemes
- CR08 - Hedgerows
- TP15 Parking Standards – New Development

Relevant Supplementary Planning Document:

- Suffolk Adopted Parking Standards (2015)
- Rural Development and Core Strategy Policy CS11 Supplementary Planning Document, 2014

NPPF - National Planning Policy Framework

The draft Joint Local Plan has been published and is currently out to consultation. This carries limited weight and the policies within do not fundamentally alter the matters at hand.

Planning History

B/17/00950 - Erection of 34 dwellings and associated access, landscaping, and parking. Construction of road and pedestrian access to Church Road and Lower Street. As amended by drainage documents received 4 September 2017; energy report received 7 September 2017 and highway documents received 8 September 2017 – granted planning permission in April 2018 (Planning Committee resolved to grant planning permission, in accordance with the officer recommendation, at its meeting held on 27 September 2017). The permission has not been implemented.

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

Stutton Parish Council

Recommends refusal:

This site is in an AONB and this development would drastically change the visual impact of the area particularly with the new changes to the frontage. The council feels that the proposed double story dwellings facing onto Church Road are not in keeping with the surrounding area, this is very relevant as no Landscape and Visual Appraisal has been submitted. The green spaces indicated on the plans will not be parish land and the parish council will not be taking over the responsibility for them, and would like to know who will be responsible? The plans do not show any street lighting, the council would like to see

discreet bollard lighting included within the plans. The Council would also like to see swift boxes installed on all properties.

SCC Highways Authority

No objections subject to standard conditions.

BMSDC Heritage

The Heritage Team has no comments to make in regard to this revised application – other than to say that the Team did not support the previous development, planning application reference no. B/17/00950 – and it continues not to support the scheme for the reasons first given. Please see our original comments.

SCC Strategic Development

Education:

Based on existing primary school forecasts, SCC will have enough surplus places available at the catchment primary school.

Based on existing secondary school forecasts, SCC will have no surplus places available at the local schools. On this basis, at the secondary school level a future CIL funding bid of at least £111,682 (2019/20 costs) will be made.

Pre-school:

From these development proposals SCC would anticipate up to 3 pre-school children arising. However, there is a predicted surplus of places in the local ward.

Libraries:

A CIL contribution of £216 per dwelling is sought.

The above will form the basis of a future bid to Babergh District Council for CIL funds if planning permission is granted and implemented.

SCC Flood and Water

Have reviewed the submitted documents and recommend removal of their holding objection and approval subject to suggested conditions.

Anglian Water

There are assets owned by Anglian Water or those subject to an adoption agreement within or close to the development boundary that may affect the layout of the site. Anglian Water would ask that the following text be included within your Notice should permission be granted.

The foul drainage from this development is in the catchment of Brantham Water Recycling Centre that will have available capacity for these flows. The sewerage system at present has available capacity for these flows via a gravity connection to manhole 2603. If the developer wishes to connect to our sewerage network they should serve notice under Section 106 of the Water Industry Act 1991.

The preferred method of surface water disposal would be to a sustainable drainage system (SuDS) with connection to sewer seen as the last option. Building Regulations (part H) on Drainage and Waste Disposal for England includes a surface water drainage hierarchy, with infiltration on site as the preferred disposal option, followed by discharge to watercourse and then connection to a sewer.

From the details submitted to support the planning application the proposed method of surface water management does not relate to Anglian Water operated assets.

BMSDC Environmental Protection – Other

I have no objection in principle to the proposed development. However, as the site is in close proximity to existing residential premises, I would advise that conditions 23 (probation of burning of waste) and condition 24 (construction management plan) of permission B/17/00950 should also be attached to any new permission.

I would also recommend that condition 14 (details of illumination) of permission B/17/00950 should also be attached to any new permission and would advise that the polar luminance diagram would need to be based on the vertical plane and marked with 5, 1 and 0 lux counter lines in order to assess the potential lighting spill to properties (both proposed and existing).

Finally, I note that a substation is proposed to be located in the north eastern part of the site, in relatively close proximity to both proposed dwellings and existing dwellings in Stutton Close. Although I note a design for the substation has been submitted, I would request that the acoustic details of the substation are also provided in order to establish the likely impact (if any) on residential amenity.

Further to above final comments, I have since had regard to applicant's email, dated 03 June 2019 in respect of the proposed output of the electric substation and the predicted noise level at the nearest dwelling. On this basis, I am of the opinion that noise from the substation is very unlikely to result in loss of amenity at nearby dwellings.

BMSDC – Environmental Management - Land Contamination

No objection subject to minimum precautions being undertaken.

BMSDC – Environmental Management – Sustainability

Have reviewed the sustainability statement provided by the applicant and find it to be below the standard expected. It is full of caveats and generalisations with minimal commitments to standards and specifications. Strongly recommend refusal of permission.

OFFICER COMMENT – This matter will be dealt with by condition.

County Archaeological Service

This large development site proposal lies on the edge on a street fronted by listed medieval and post-medieval buildings. A Neolithic axe was located immediately adjacent to the proposed development area (STU 013) and large numbers of cropmarks are recorded in the vicinity (STU 010, 071, 077 and HBK 004). A geophysical survey and trial trenched archaeological evaluation undertaken within the proposed development area, defined features of prehistoric date. As a result, there is high potential for the discovery of additional below-ground heritage assets of archaeological importance within this area, and groundworks associated with the development have the potential to damage or destroy any archaeological remains which exist.

There are no grounds to consider refusal of permission in order to achieve preservation in situ of any important heritage assets. However, in accordance with the National Planning Policy Framework (Paragraph 199), any permission granted should be the subject of a planning condition to record and advance understanding of the significance of any heritage asset before it is damaged or destroyed.

In this case two conditions would be appropriate.

Place Services - Ecology

Summary We have reviewed the ecological survey report (Southern Ecological Solutions, March 2019) provided by the applicant, relating to the likely impacts of development on designated sites, Protected & Priority habitats & species.

We are not satisfied that sufficient ecological information is available for determination of this application. This due to the following reasons:

Further Surveys required for Bat Species The ecological survey report has recommended that an inspection of an Elder tree 'Tree 4' should be conducted to determine whether bat species will be present and affected by its removal. It is also highlighted that an emergence and re-entry surveys may be required as a result of this further inspection. A further update will be provided at the meeting.

Further Surveys required for reptile species

The ecological survey report has highlighted that the reptile survey report, provided by Eco-Planning UK (October 2016), is now out of date. Therefore, to provide certainty of impacts for protected species, further surveys should be conducted prior to determination as to whether reptile species have colonised the site since the initial survey.

Compensation for removal of Priority Habitat -Traditional Orchard

The application involves the removal of a traditional orchard within the north-west corner of the site. This has not been highlighted within the ecological survey report (Southern Ecological Solutions, March 2019), despite the site being verified by the Suffolk Traditional Orchard Group and referenced in the Eco-Planning UK report. As compensation for the loss of this Priority habitat was not secured within the previously approved application (B/17/00950), we recommend that a landscape plan should contain replacement fruit trees with traditional varieties of apples, pears & cobnuts in line with Defra's biodiversity metrics. This is likely to be a condition of any consent for the revised proposal and could provide the opportunity to deliver measurable net gain as required by NPPF.

Consequently, this further information is required to provide the LPA with certainty of impacts on legally protected and Priority species and enable it to demonstrate compliance with its statutory duties, including its biodiversity duty under s40 NERC Act 2006.

Suffolk Wildlife Trust

We have read the up-to-date ecological survey report (Southern Ecological Solutions, March 2019) and we are satisfied with the initial findings of the consultant.

We note that the consultant has requested further internal examination of an elder tree on site for its potential to support a bat roost. In addition to this another seven-visit reptile survey is required as the original survey is now out-of-date. These assessments should be undertaken prior to the determination of this application in order to ensure that the decision is made based on all relevant material considerations and in accordance with ODPM Circular 06/2005 (sections 98 and 99).

At present we have a holding objection to this application due to a lack of information on the potential impacts to protected species. We would be happy to provide further comment once the above survey reports have been submitted.

Natural England

This development falls within the 13 km 'zone of influence', as set out in the emerging Suffolk Recreational Disturbance Avoidance and Mitigation Strategy ('RAMS'). It is anticipated that new housing development in this area is 'likely to have a significant effect', when considered either alone or in combination, upon the interest features of European Sites due to the risk of increased recreational pressure caused by that development.

As such, we advise that a suitable contribution to the emerging Suffolk RAMS should be sought from this residential development whilst ensuring that the delivery of the RAMS remains viable. If this does not occur in the interim period then the per house tariff in the adopted RAMS will need to be increased to ensure the

RAMs is adequately funded. We therefore advise that you should not grant permission until such time as the implementation of this measure has been secured.

SCC Fire and Rescue

No objection.

BMSDC Public Realm

Public Realm have no specific comments on the public open space within the proposed development at Stutton - noting that the landscaping is indicative only at this point. The open space appears to serve the residents of the new development and a local solution to the future maintenance of this open space should be sought. These are not areas that the District Council would seek to acquire or maintain in the future as the open space has a purely local function.

OFFICER COMMENT – The landscaping is not indicative, but is the proposal. However, the final details will be subject to a landscaping condition.

Environmental Agency

No comments.

Suffolk Coasts & Heaths Project

No response received.

BMSDC Arboricultural Officer.

No response received.

BMSDC Waste Strategy Team.

No response received.

BMSDC Communities.

No response received.

BMSDC Planning Policy.

No response received.

BMSDC Strategic Housing.

No response received.

Suffolk Police – Designing Out Crime.

No response received.

SCC Minerals.

No response received.

B: Representations

Twelve submissions have been received, including 10 objections. The grounds of objection are summarised as follows:

- Air/ground source heat pumps should be the only primary source of heating all the dwellings.
 - 5 large two storey houses are unacceptable and incongruous with Church Road
-

- The special qualities of the Suffolk Coast and Heaths Area of Outstanding Natural Beauty demonstrably outweigh the benefits of these developments when considered against the Framework as a whole (and also where specific policies within the NPPF nevertheless indicate that development should be restricted).
- Increase in traffic volume
- Highway safety
- Lack of infrastructure to meet demand
- Removal of the existing frontage hedge is contrary to CS14 and CS15 conditions (i) and (ii).
- 12 affordable houses should be provided to be policy compliant
- Plot 32 has no architectural merit, no garden to speak of, the largest frontage of the plots bordering the road, no harmonisation with the street, the village, the AONB and the county, a brick wall as the view from the road, the distinction of contravening Policies CS11 and CS15
- Density – reduction in smaller houses and increase in larger houses
- Loss of amenity land
- Insufficient information has been provided
- Traffic assessment inaccuracies

PART THREE – ASSESSMENT OF APPLICATION

1.0 The Site and Surroundings

- 1.1. The application site comprises an irregularly-shaped parcel of land measuring 1.75 ha. The site is located outside of, but enclosed by, the defined settlement boundary of the village of Stutton, which is identified as a Hinterland village within the Holbrook functional cluster. The application site sits within the Dedham Vale area of Outstanding Natural Beauty (AONB) and is located to the north of a number of Grade II listed buildings.
- 1.2. The application site forms an area of enclosed land, formerly in horticultural use, located between Church Road, Lower Street and Stutton Close. The site is private land with no public access. The site is level, albeit that it slopes gently towards the south-western corner, and is within the buffer zone of an area of archaeological potential. There is no defined vehicular access into the site although there is a narrow track accessed from Stutton Close, which currently allows some limited access on to the site.
- 1.3. The surrounding development is of mixed character and comprises historic houses and cottages, 1950s through to 1980s-style development, some of which comprises bungalows and houses, including former local authority-owned homes. The boundaries of the site are varied. To the west the boundary comprises an overgrown elm hedge, to the north the boundary of the site is well vegetated with a mixture of hawthorn, holly and laurel with rear gardens and housing development beyond. On the eastern and north-eastern sides of the site the boundary is defined by a low picket fence resulting in clear views into the site from neighbouring properties and rear gardens. To the south the boundary is defined by an overgrown hawthorn hedgerow and trees (holly and sycamore).
- 1.4. The local character of the site and its immediate environs is comprised of the historic lane of Lower Street, the overgrown elm hedgerow along Church Road, the remnant fruit trees, modern development along Stutton Close and Church Road and the cluster of historic buildings to the south of the site, all of which influence the character of the site.

2.0 The Proposal

- 2.1 The application seeks full planning permission for the erection of 34 dwellings, including 11 affordable and 23 market dwellings. The proposal is a revision to the 34-dwelling scheme previously approved in April 2018. The number of dwellings, including affordable units, is

unchanged, however the mix of housing is different. The approved mix comprises: affordable - 4 x 1 bed units, 5 x 2 two bed units and 2 x 3 bed units; market - 3 x 1 bed, 11 x 2 bed and 9 x 3 bed units. The proposed mix comprises: affordable – 4 x 1 bed units, 5 x 2 bed units, 2 x 3 bed units; market – 3 x 2 bed units, 11 x 3 bed units, 8 x 4 bed units and 1 x 5 bed unit.

- 2.2 The proposed access from Church Road is unchanged from the previous scheme. The internal cul-de-sac arrangement is largely the same as that previously approved. The general layout of dwellings is similar to the previous approval, with clusters of housing located along the Church Road frontage and to the northern and eastern portions of the site. The central north-south axis continues to be set aside as an expansive landscaped public open space corridor. The approved pedestrian accesses via Lower Street and Stutton Close are retained. Also retained are the previously approved ponds for stormwater attenuation and wildlife habitat, located within the central open space corridor.
- 2.3 The existing hedgerow along Church Road would be removed and reinstated along the site boundary to both sides of the new access. The previous scheme proposed hedging only to the southern side of the new access. As per the previous scheme, existing boundary enclosures to the perimeter of the site would, for the most part, be retained. The proposed hedging to the eastern boundary adjacent to 35 – 40 Stutton Close, which was previously approved, is no longer proposed.
- 2.4 The proposed scheme retains the previously approved range of building heights, with taller buildings located mostly within the central section and Church Road frontage of the site. Single-storey dwellings continue to be proposed adjacent to the eastern, northern and north-western boundaries of the site. Notable is the replacement of the barn-style two storey building fronting Church Road with two detached two-storey dwellings and a one-and-a-half-storey semi-detached pair of dwellings. The approved two-storey terrace north of the site access is replaced with a detached two-storey dwelling and a two-storey semi-detached pair of dwellings.
- 2.5 The external construction materials include brick, render, timber-boarding and white painted timber joinery. Pantiles and slate are the proposed roofing materials. Driveways and hardstands are finished in a mix of tarmac, block-paving and tarspray and shingle. These materials are largely the same as those previously approved.

3.0 The Principle of Development

- 3.1 The starting point for assessment purposes is the extant planning permission. The acceptability of developing the site for residential purposes has been established by virtue of the grant of full planning permission in 2018. Residential development at this outside-of-settlement boundary location is therefore accepted.
- 3.2 The proposed revisions to the approved scheme essentially relate to changes to the layout, dwelling design, housing mix and landscaping. In light of the previous permission and the revisions proposed, the key tests for consideration are:
 - the impact of the revised layout, dwelling design and landscaping on the character and appearance of the area, including the AONB;
 - the appropriateness of the proposed revised landscaping response;
 - whether the revised housing mix meets a locally identified need;
 - residential amenity impacts resulting from changes to layout and dwelling design.
- 3.3 The proposed vehicle access arrangement off Church Road is unchanged, noting also the absence of an objection from the Highway Authority. The revised layout offers a policy-compliant scheme in respect to parking provision. The scheme changes have no implications for surface water drainage,

and conditions relating to this matter, as imposed on the previous permission, can be re-imposed. The same applies to ecological matters, noting a Ramsar contribution via condition is recommended, consistent with the previous approval. For these reasons these matters are not considered further in this report.

4.0 Layout and Character

- 4.1 The changes internal to the site associated with the road layout are very minor and will be near indiscernible from outside the development. The central landscaped corridor is retained, which is welcomed, as this moderates the visual impact of the housing clusters. The clustering of single-storey development to the north and east of the site continues to be supported at officer level.
- 4.2 The most significant change relates to the presentation of the development to Church Road. It is this element of the scheme that attracts the most criticism from objectors. The original scheme featured a one-and-a-half-storey barn style building and a two-storey terrace of housing fronting Church Road. As noted above, the Church Road frontage would now comprise detached and semi-detached two-storey dwellings and a one-and-a-half-storey semi-detached pair of dwellings. The location of the front building line remains unchanged, with small front gardens incorporated. There continues to be an absence of vehicle access points, allowing a continuous front boundary treatment to be incorporated.
- 4.3 The change in presentation to Church Road does not result in an adverse streetscape character outcome. It is clearly different to that approved, but it is not deemed an unacceptable design response. The response is arguably more consistent with the spacing and rhythm of buildings on Church Road, with a greater number of side setbacks introduced. This offers greater visual relief than the approved scheme. The two blocks of buildings are replaced with individual buildings or dwelling pairs, more consistent with the housing pattern along Church Road. Roof forms are varied, façades are well articulated, and the overall streetscape result is deemed appropriate. Village and AONB character is deemed to be satisfactorily respected.
- 4.4 The most significant landscaping change is also at the Church Road frontage and also attracts objections. Like the approved scheme, the revised development proposes the removal of the prominent frontage hedgerow and replacement with a lower-level hedge. The revised scheme proposes a replacement hedge north of the new access, whilst the previous scheme did not. Officers did not object to the replacement hedgerow approach previously and this position remains unchanged. By incorporating additional replacement hedging, the proposal now provides a more positive response to local landscape character and is supported.
- 4.5 The hedging that formed part of the previous scheme, proposed along the eastern boundary, has been omitted from the current proposal. This is not fatal to the application. This common boundary adjoins the rear garden boundaries of properties fronting Stutton Close. This interface is already domestic in nature and hedging along this boundary offers very little value in landscape character terms. The proposed retention of hedging along the northern boundary is welcomed.
- 4.6 In response to comments received from Essex Place Services, the applicant has agreed to include compensatory fruit tree planting as part of the proposed landscaping plan for the site, which will be secured by condition.
- 4.7 In relation to heritage, the design revisions will not result in any discernible change in respect to the level of harm that was previously identified by officers, which was categorised as being low to moderate. The proposed changes do not detract from the nearby heritage assets to any greater degree than the previously approved scheme.

5.0 Locally Identified Need

- 5.1 The Council's 2014 Suffolk-Wide Housing Needs Survey has demonstrated that there is a need for smaller homes, across all tenures. The application proposes no change to the previously approved affordable housing mix and is therefore acceptable. There is a reduction in the number of smaller dwellings, however the number of one and two-bedroom units, a combined total of 12 units, does still represent a fair proportion of the total dwelling number and responds to local need. The continued provision of a good number of single-storey dwellings, 12 in total, responds to the demand for this type of housing generated by an aging population. Although a housing needs survey has not been completed, and therefore there is conflict with Policy CS11 in this regard, the conflict is not deemed fatal to the application. The range of housing types is considered sufficiently diverse and varied, offering an increase in housing choice for future residents.

6.0 Residential Amenity

- 6.1 The design and layout changes do not result in unacceptable amenity interfaces. Separation distances to neighbouring properties are largely unchanged. Plot 4 is brought closer to the northern dwelling Penlee. However, its orientation to this property, and the proposed siting of first floor habitable windows, are such that direct overlooking is prevented. Adverse visual bulk effects are also avoided by setting the dwelling off the common boundary a sufficiently generous distance. The approved scheme proposed an 11-space carpark adjacent to Penlee, this is replaced with a conventional dwelling arrangement, a significantly improved amenity interface for the occupants of Penlee.
- 6.2 Plot 30 is brought closer to the southern dwelling Rosevine House. However, plot 30 is occupied by a single-storey dwelling and therefore the residential amenity of the occupiers of Rosevine House is adequately respected.
- 6.3 The depth of the rear gardens of the plots that back onto 35 – 40 Stutton Close remain largely unaltered and this distance, coupled with the single- storey scale of development in this part of the site, ensures that the sensitive eastern interface is suitably respected.
- 6.4 The previously approved substation is retained and set back sufficiently from the nearest proposed dwelling and existing neighbouring dwellings as to not cause the potential for amenity concern. As confirmed by Council's Environmental Health Officer.
- 6.5 Officers agree with the Environmental Health Officer's recommendation to re-impose the amenity-related conditions that were placed on the previous permission. These relate to a construction management plan (24), waste burning (23) and details of illumination (14).

PART FOUR – CONCLUSION

7.0 Planning Balance and Conclusion

- 7.1 The site benefits from an extant permission for the same quantum of development – 34 dwellings including 11 affordable units. The permission expires in April 2021 and could be implemented at the current time.
- 7.2 A thorough assessment of planning policy was undertaken prior to the determination of the previous application in September 2017 and this earlier assessment, albeit in relation to the now superseded NPPF, remains pertinent to the current proposal. The extant permission is a material consideration

that is attached substantial weight. The site continues to comprise a sustainable location for housing, well related to the village and served by sustainable linkages to village services.

- 7.3 The previous application was determined at a time when the Council could not demonstrate a five-year supply of deliverable housing sites and likewise, the current application also falls to be determined at a time when Babergh's land supply position has dipped to below a five-year supply. In both cases, the presumption in favour of sustainable development applies as there are no specific policies in the Framework that indicate that development should be restricted.
- 7.4 The Local Planning Authority is aware of its statutory duties and responsibilities in relation to listed buildings and the AONB, notably i) the general duty in section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 to have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses and ii) the purposes of the AONB (S. 85 Countryside and Rights of Way Act, 2000): to conserve and enhance the area's natural beauty. For the reasons detailed in the previous application, the Local Planning Authority is satisfied that i) the public benefits of the proposal outweigh the less than substantial harm to heritage assets and ii) NPPF paragraph 172 is not engaged in this application circumstance.
- 7.5 The proposed revisions to the previously approved layout, design and housing mix are considered not to negatively impact landscape, heritage, highway safety, ecology, archaeology, drainage or residential amenity.
- 7.6 Like the previously approved development, environmental harm is moderated, and significant social and economic benefits outweigh the identified harm. The proposal delivers sustainable development and the application is recommended for approval.

RECOMMENDATION

(1) That, subject to the satisfactory resolution of outstanding ecology issues and subject to the prior agreement of a Section 106 Planning Obligation on appropriate terms to the satisfaction of the Acting Chief Planning Officer to secure:

- (a) Affordable housing
- (b) Recreational Amenities Contribution (Stour and Orwell SPA)

(2) That the Acting Chief Planning Officer be authorised to grant Planning Permission upon completion of the legal agreement subject to conditions as summarised below and those as may be deemed necessary by the Acting Chief Planning Officer:

subject to conditions:

- Commencement within 3 years
- Development to be implemented in accordance with submitted details
- As recommended by the LHA
- As recommended by SCC Archaeology
- As recommended by SCC Flood and Water Management
- Sustainability measures to be submitted and agreed
- All external lighting, including any street lighting, to be approved
- Fire hydrants to be provided

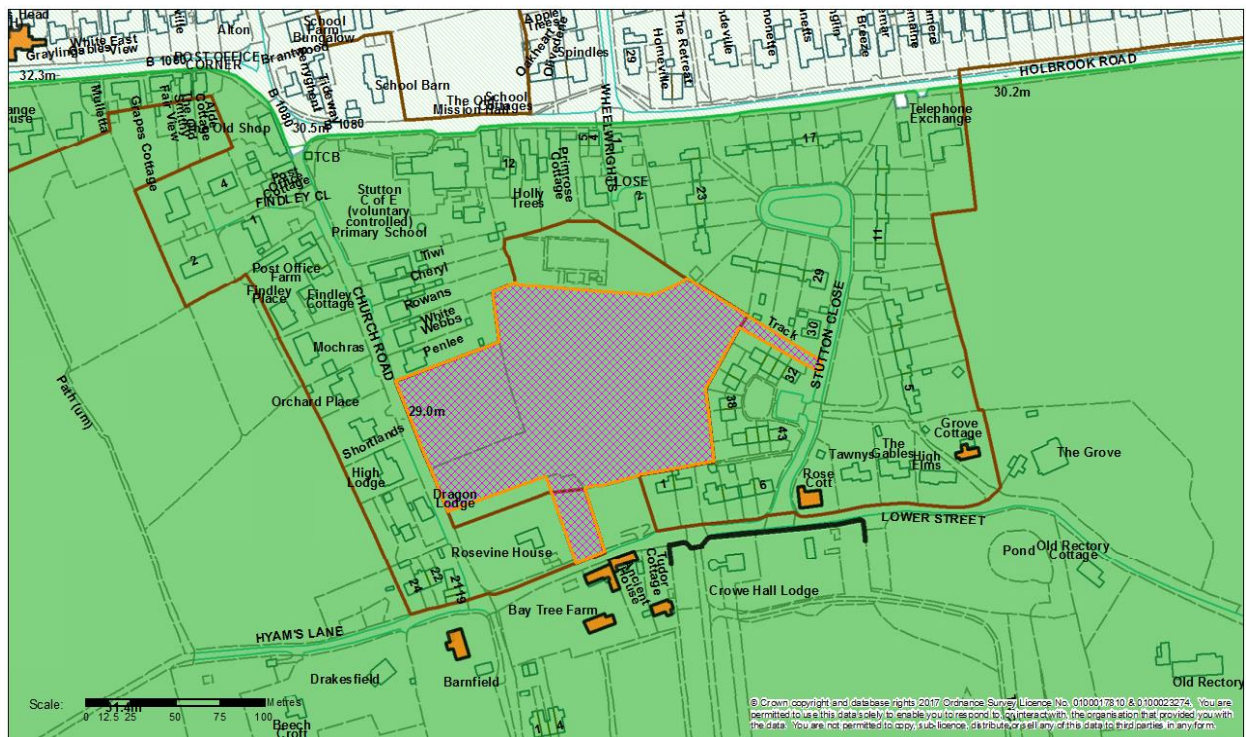
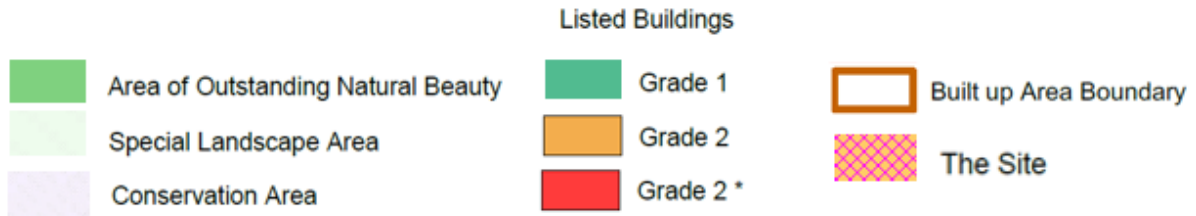
- Hard and soft landscaping to be submitted and agreed
- Boundary enclosure details to be submitted and agreed
- Levels to be submitted and agreed
- Tree and hedgerow protection fencing to be installed with details to be approved
- Ecological enhancement strategy to be approved
- Boundary hedge and landscape management plan
- Provision and management of public open space including boundary hedge to the east and south
- No burning to take place on the site
- Construction Management Plan
- Provision of open space
- Maintenance of open space

(3) That in the event of the Planning Obligations referred to in Resolution (1) above not being secured that the Corporate Manager- Planning for Growth be authorised to refuse planning permission on appropriate grounds.

Application No: DC/19/01708

Parish: Stutton

Location: Land East of Church Road



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Agenda Item 6b

Committee Report

Item No: 6B

Reference: DC/19/01463

Case Officer: Sarah Scott

Ward: Box Vale

Ward Member: Cllr Bryn Hurren

RECOMMENDATION – APPROVE RESERVED MATTERS SUBJECT TO CONDITIONS

Description of Development

Submissions of details under Outline Planning Permission B/16/01718. Appearance, landscaping, layout and scale for 17 dwellings to be considered.

Location

Site of Former Monks Eleigh C P School Churchfield Monks Eleigh Colchester
Suffolk IP7 7JH

Parish: Monks Eleigh

Application Type: Reserved Matters

Development Type: MAJOR

Applicant: Mr C Lee

Agent: David Watts Architects

PART ONE – REASON FOR REFERENCE TO COMMITTEE

The application is referred to committee for the following reason:

It is a 'Major' application for:

- a residential development for 15 or more dwellings.

Details of Previous Committee/Resolutions and Member Site Visit

None.

PART TWO – POLICIES AND CONSULTATION SUMMARY

Summary of Policies

NPPF National Planning Policy Framework

Babergh Core Strategy 2014

- CS1 Applying the Presumption in favour of sustainable development in Babergh
- CS2 Settlement Pattern Policy
- CS3 Strategy for Growth and Development

- CS11 Strategy for Development for Core and Hinterland Villages
- CS15 Implementing Sustainable Development in Babergh
- CS18 Mix and Types of Dwellings
- CS19 Affordable Homes
- CS21 Infrastructure Provision

Babergh Local Plan Alteration No.2 (2006)

- CS19 - Affordable Homes
- CS18 - Mix and Types of Dwellings
- HS32 - Public Open Space
- CN01 - Design Standards
- CS01 - Applying the presumption in Favour of Sustainable Development in Babergh
- CS02 - Settlement Pattern Policy
- CS03 - Strategy for Growth and Development
- CS11 - Core and Hinterland Villages
- CS15 - Implementing Sustainable Development

Supplementary Planning Documents

- Suffolk Adopted Parking Standards (2015)
- Rural Development and Policy CS11 (2014)
- Affordable Housing (2014)

Planning History

B/16/01718 - Outline Application - all matters reserved except means of access - Redevelopment of former Monks Eleigh C of E Primary School site for residential development (Class C3) comprising up to 17 dwellings maximum; formation of new vehicular means of access off Churchfield to replace existing together with associated landscape and related improvements – granted March 2018.

DC/19/01460 - Discharge of Conditions Application for B/16/01718 - Conditions 5 (Levels), 6 (External Facing Materials), 7 (Landscaping), 8 (Energy), 9 (Natural England Licence), 12 (Refuse /Recycling Bins), 14 (Tree Protection Scheme), 15 (Fire Hydrants), 19 (Vehicular Accesses), 20 (Road Surface Treatment), 21 (Estate Roads and Footpaths), 22 (Levels - Dwelling Carriageways and Footways), 23 (Estate Road Junctions), 24 (Manoeuvring / Parking of Vehicles, Cycle Storage and EV Charging), 25 (Access Visibility / Maintenance), 26 (Surface Water Drainage Scheme), 27 (Implementation, Maintenance and Management) and 30 (Waste Water Strategy) – part granted (5, 6, 9, 12, 14, 19, 20, 21, 22, 23, 24, 25, 26, 27, 30) and part refused (7, 8 and 15) May 2019.

DC/18/02628 - Discharge of Conditions for Application B/16/01718 - Conditions 4 (No. of dwellings), 5 (Levels), 6 (Materials), 7 (Hard and soft landscaping), 10 (Biodiversity mitigation and enhancement strategy), 12 (Bin storage), 14 (Tree protection plan), 21 (Details of estate road and footpaths), 26 (Surface water drainage scheme submission), 27 (Surface water drainage scheme implementation) and 28 (Details of SUDS) – part granted (10, 14, 27) and part refused (4, 5, 6, 7, 12, 21, 26, 28) October 2018.

Consultations and Representations

During the course of the application consultation and representations from third parties have been received as follows.

A: Summary of Consultations

Monks Eleigh Parish Council

Monks Eleigh Parish Council met last night to consider the above planning application which they resolved to support but subject to clarification of the route of the footpath from the estate to the playing field. I would be grateful if you could let me know the detail of the proposed footpath route.

SCC Highways

No objection subject to standard highways conditions.

Place Services – Ecology

No ecological objection. As Condition 10 relating to Biodiversity Mitigation and Enhancement of consent under B/16/01718 has already been discharged under DC/18/2628, we have no further ecological comments to make on this Reserved Matters application. We note however that Condition 11 is still to be discharged.

Place Services - Landscape

We welcome the changes shown on the submitted site layout plan (A100/Rev L). However, we propose that the following amendments are made to the development proposal before approval is given:

- 1) The main view through the development from the Church Field access is dominated by a wide area of tarmac. In the interest of visual amenity, the current road alignment should be reviewed and the area of tarmac reduced. For instance, a tarmac alternative such as resin bound aggregate could be applied to reduce visual impact.
- 2) T21 has been identified as a category B1 tree and proposed to be removed. While we do not object for its removal to accommodate the proposed development we would expect its replacement to be a long life expectancy tree species to mitigate the loss.
- 3) As seen on the proposed street scenes (drawing no. A201/Rev D and A202/Rev D), the development lacks sufficient landscaping and tree planting along the access road and proposed parking areas. This should be provided to soften the built form and provide good quality public realm. Furthermore, soft landscaping should be used to soften the appearance of the proposed close board fencing.
- 4) There is an opportunity for tree planting on the proposed green link to the recreation grounds to the north of the site and this should be considered and embedded in the revised layout.

We would expect that a hard and soft landscaping plan to inform the revised layout design is submitted as part of a new planning condition.

Anglian Water

We have reviewed the drainage supporting documents and we can confirm the foul drainage is acceptable to Anglian Water. Surface Water: The surface water drainage strategy is to connect surface water to an existing ditch via attenuation ponds, this is outside of Anglian Waters jurisdiction for comment.

Suffolk Wildlife Trust

We note that the Natural England Mitigation Licence period was active between 5th July 2018 and 31st March 2019, and query whether the destruction of the common pipistrelle day roost located within the roof structure, and the brown long-eared day roost located at the ridge beam of roof at Monks Eleigh Primary School was completed in this time?

Subject to completion of works within the licence period, we have no further comments on this application.

BMSDC Arboricultural Officer

No objection.

BMSDC – Communities

The proposal provides a reasonable amount of informal open space, which bearing in mind the location of the village hall and associated open space/area for sport and play (adjacent), would appear to be a suitable provision for this development.

BMSDC Public Realm

The Public Realm Team note the provision of a small area of open space associated with this application. This is not an area that the District Council should seek to maintain in the future and a local arrangement should be put in place to secure the future maintenance of this area.

(Case Officer Note: The maintenance of the open space will fall with a private management company and secured through the Outline Application).

BMSDC Affordable Housing

We would refer to the completed s106 for the associated outline application B/16/01718 which requires the position of the affordable housing to be agreed with the district council. It also details the type of unit required.

The initial plans accompanying this application show the affordable homes in one area of the site, it is preferred that they are integrated into the scheme. A revised plan has been received showing the terrace split into a semi and three dwelling terrace which as agreement from our housing officer.

The scheme proposes 5 affordable dwellings. The mix outlined in the s106 states the affordable homes should be:

3 affordable rental dwellings (2 x 1b 2p flats and 1 x 2b 4p house) and 2 shared ownership dwellings (2 x 2b 4p houses).

Whilst this mix of dwelling types is outlined within the S106, it has been agreed with Housing that although the dwellings are houses, the tenure will remain unchanged and is agreed.

SCC - Flood and Water

The initial submitted document were reviewed and a holding objection was recommended at the time due to insufficient information to show the landscaping, management and maintenance of the attenuation basin, however further plans have been received and this objection has been removed.

SCC - Archaeological Service

The school and its adjacent playing field lie in an area of archaeological interest recorded in the County Historic Environment Record (HER). Scatters of Roman finds, including a large quantity of tile suggestive of a Roman building, are recorded within the school site itself (MKE 004). Archaeological evaluation immediately to the north detected a series of ditches of Iron Age or Roman date (MKE 028). In addition, the medieval church of St Peter is located to the east of the school (MKE 007). As a result, there is high potential for encountering archaeological remains at this location and the proposed works would damage or destroy any surviving archaeological remains.

There are no grounds to consider refusal of permission in order to achieve preservation in situ of any important heritage assets. However, in accordance with the National Planning Policy Framework (Paragraph 199), any permission granted should be the subject of a planning condition to record and advance understanding of the significance of any heritage asset before it is damaged or destroyed.

In this case two conditions would be appropriate.

(Case Officer Note: These conditions have already been secured via the S106).

Environmental Health - Land Contamination

No objection.

Sport England

No comments.

SCC Strategic Development

No objection.

Natural England

No comments.

SCC Fire and Rescue

No objection.

B: Representations

None received.

PART THREE – ASSESSMENT OF APPLICATION

1. The Site and Surroundings

- 1.1. The application site is located on the northern side of Church Field, on the northern fringe and within the built up area boundary of Monks Eleigh. The site comprises the former Monks Eleigh Primary School, which was closed in 2014. The 0.7ha site has a south- westerly fall of around 5 metres. The site is bounded by agricultural land to the north and residential development to the west, east and south. The site perimeter contains a mixture of mature hedgerow, large mature trees and blocks of young trees. The main access road (Church Field) forms the site's southern boundary.
- 1.2. The site is not in a Conservation Area and there are not any listed buildings nearby.

2. The Proposal

- 2.1 Outline planning permission has been granted for up to 17 dwellings. Approval of reserved matters in respect to appearance, landscaping, layout and scale are now sought.
- 2.2 The outline approval included means of vehicle access. Vehicle access is therefore not considered further in this report.
- 2.3 The layout of development differs from the indicative layout that was submitted in support of the outline application in 2016. Key elements of the development are as follows:
 - Mix of two and three storey dwellings, including detached, semi-detached and terraced properties.
 - The dwellings are set in a cul-de-sac type development on a west-east axis, with single vehicle access provided via Church Field.
 - An affordable housing cluster (five dwellings) is located at the site's north-eastern corner.
 - An area of public open space, including SUDs attenuation pond, is located in the site's southwestern corner.
 - The architectural response comprises a traditional vernacular found locally.
 - Dwellings are generally positioned close to the back of the pavement as per the established built form of the village.
 - Buildings will be predominantly rendered in colours similar to those in the village. Openings are of uPVC construction. Slate and plain tile pitched roofs are incorporated.
 - Retention of hedgerow and trees at site boundaries.

3. The Principle of Development

- 3.1 The principle of development has been established by grant of outline planning permission B/16/01718. The key test is whether the proposed appearance, landscaping, layout and scale of development responds appropriately to the character and amenity of the area, having regard to relevant guiding development plan policies.

4. Layout

- 4.1 As noted above, the development layout is not consistent with that shown in the indicative layout considered at the time of the outline application. This is not uncommon as the detailed design stage will often bring to light site constraints not considered at the outline stage. In this instance, site topography has been identified as a significant site constraint and the design response has been informed accordingly. As a result, development is set away from the lower southwestern corner of the site. This area has been set aside as a landscaped public open space, incorporating an attenuation pond.
- 4.2 The plots are set around a single internal road (cul-de-sac). Given the site topography and limited site dimensions a cul-de-sac response is a logical and legitimate one. It is a response supported by the Suffolk Design Guide.

- 4.3 Dwellings are positioned to the back of the pavement. This is a traditional design element evident in the village and reflective of local distinctiveness, and therefore an appropriate streetscape response.
- 4.4 The internal road incorporates footpaths on both sides that connect with the existing footpath network on Church Field. A footpath connection to the recreation ground northeast of the site is shown as a potential link, this is subject to the Third Party providing an access gateway, however this does not form part of the outline application or reserved matters for consideration as it has not been secured.
- 4.5 The layout offers a clear definition of public and private space. It is respectful of its surrounds. The layout is not contentious in character terms, largely consistent with the pattern of development in the village.
- 4.6 In residential amenity terms the layout does not result in adverse site externalities. The design has responded respectfully to the sensitive residential interfaces to the west, east and south. The taller built form is located well away from the western common boundary which adjoins dwellings on Lower Byfield. The dwellings at the eastern end of the site are sited in a manner that will ensure overlooking is largely prevented to the adjacent eastern dwellings. Plots 1 to 4 will overlook adjacent land however this only comprises a car park area, not sensitive private amenity space. Plot 5 is nearest to the eastern dwellings and its eastern flank wall is devoid of habitable room windows, ensuring no loss of privacy for neighbouring residents. Daylight and sunlight levels for neighbouring residents will not be compromised by the development. It is noted that the proposal has not attracted any residential amenity based objections.
- 4.7 On-site parking provision is standard compliant and no concerns are raised with the proposed vehicle/turning areas given the absence of objection from the Highways Authority.

5. Scale

- 5.1 The proposed quantum of development, in terms of dwelling number, does not exceed the outline approval. The mix of two and three storey dwellings is not inappropriate having regard to the height of buildings evident in the village and the articulated façade treatments. Noteworthy is the fact that the taller built form is located on lower parts of the site, limiting the prominence of the taller dwellings. The proposal offers a good variety of housing stock as well as visual interest. The proposed scale of development is acceptable.

6. Appearance

- 6.1 The applicant has paid careful attention to design details. The design rationale is informed by a careful analysis of the prevailing village character. It is clear that many of the design cues have been taken from the village, including traditional coloured rendered exteriors, small openings subdivided into vertical elements, gable fronted elements, pitched roofs running parallel to the street and garages set back from the street.
- 6.2 The architectural language adopted across the development is well considered, responding positively to the character of the area. The terraced housing is well articulated, with alternating rendered colours to the front elevations ensuring an appropriate degree of visual relief, breaking up the mass of the terrace. The solar

panels to the front elevations of dwellings are not preferred, however they are centred on their respective roofslopes, set well in from ridgelines and eaves, and will not project out from roofslopes by any appreciable degree. They will have limited visual prominence.

- 6.3 The streetscape will be visually attractive, add to the overall built form quality of the area and establish an appropriate sense of place for future residents. The proposal responds favourably to Local Plan Policy CN01.

7. Landscaping

- 7.1 Condition 7 of the outline approval requires the submission of hard and soft landscaping. An application to discharge condition 7 was made earlier this year (DC/19/01460) and included landscape drawings JBA 18-114 01 REV F and JBA 18-114 02 REV F. These are the drawings that have been considered by the landscape consultant as part of their review of this application. Owing to the suggested amendments required by the landscape consultant, the application to discharge condition 7 is outstanding. The preferred approach is to rely on condition 7 of the outline approval to control final landscaping details, both hard and soft.

An advice note to this effect is recommended and landscaping shall be dealt with under this condition.

- 7.2 SCC Flood and Water require landscaping details associated with the attenuation pond. Drawing JBA 18-114 01 REV F submitted in support of DC/19/01460 details a seeded wet wildflower area. This is deemed acceptable as it is a standard approach to treating publicly accessible attenuation areas.

The signed s106 agreement associated with the outline approval requires the applicant to agree the terms of the Open Space Scheme prior to the occupation of the development. The Scheme details have not yet been submitted to Council for approval. When they are it will be important that they are referred to SCC Flood and Water.

An advice note is recommended in respect to this matter as it is imperative that public open space management responsibilities are clearly understood, implemented and set out in a manner so as they can be monitored and enforced by Council (the latter if required).

PART FOUR – CONCLUSION

8. Planning Balance

- 8.1 The principle of the 17 dwelling development is established by the grant of outline planning permission B/16/01718. The quantum of development accords with the outline approval.
- 8.2 The design, layout, scale and appearance of the development are acceptable, responding appropriately to local village character. Minor revisions to some landscaping elements, as suggested by Council's landscape consultant, can be controlled by the application process associated with discharging condition 7 (landscaping) of the outline approval.

8.3 The details submitted in support of the reserved matters application are to an appropriate standard. The reserved matters are recommended for approval.

RECOMMENDATION

(1) That the Acting Chief Planning Officer be authorised to approve reserved matters of appearance, layout, scale and landscaping subject to conditions.

Approved Plans

Highways – parking implemented prior to occupation

Highways – refuse storage implemented prior to occupation

Withdrawal PD rights

Advice Notes:

Open Space Scheme details – S106 Requirement

Condition 7 (landscaping) of outline approval, amongst other matters, remains outstanding

Highways

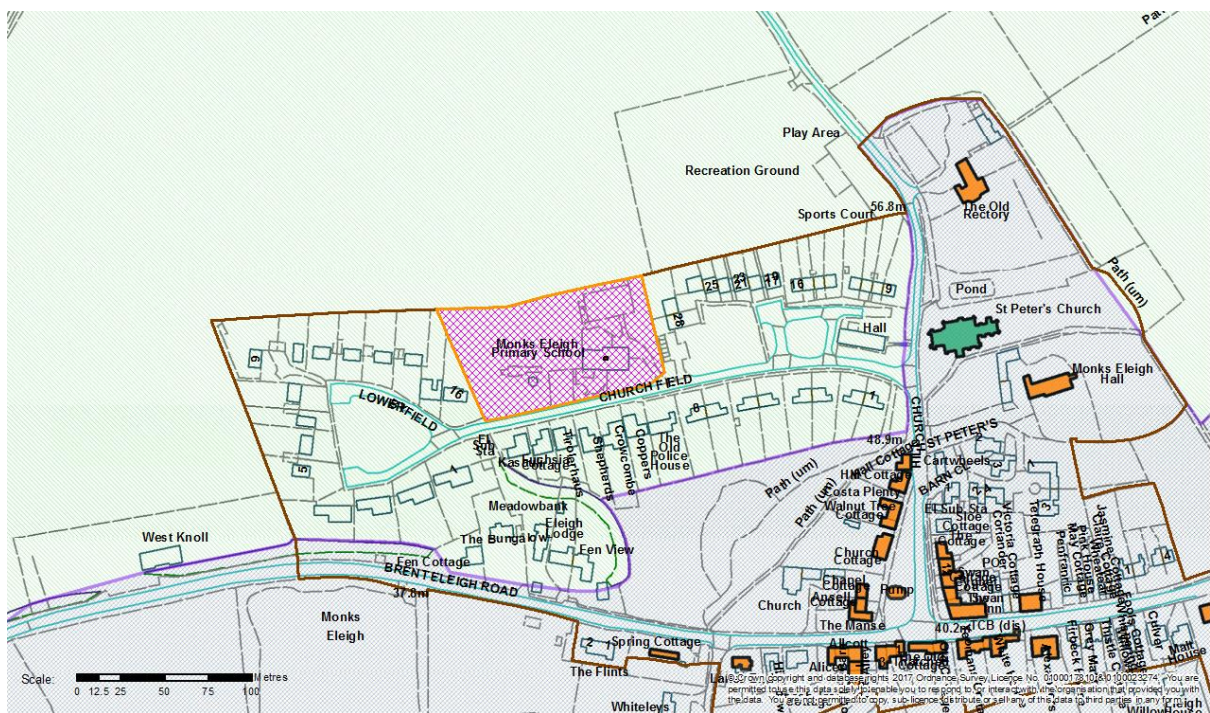
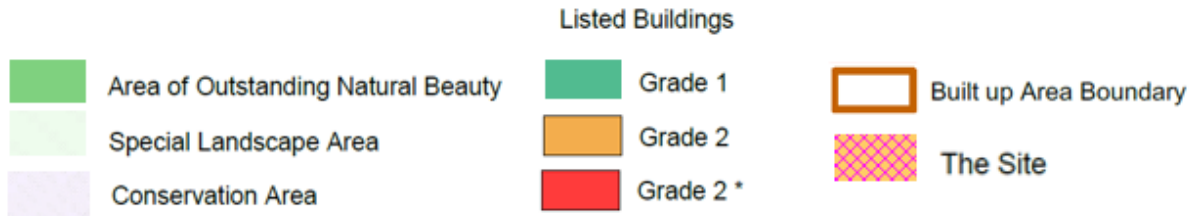
Contamination

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Application No: DC/19/01463

Parish: Monks Eleigh

Location: Site Of Former Monks Eleigh C P School



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Agenda Item 6c

Committee Report

Item No: 6C

Reference: DC/19/01634

Case Officer: Samantha Summers

Ward: Orwell

Ward Member: Cllr Jane Gould

RECOMMENDATION – APPROVE RESERVED MATTERS SUBJECT TO CONDITIONS

Description of Development

Submission of details under Outline Planning Application DC/18/00236 - appearance, landscaping, layout and scale for erection of 24 dwellings (including 8n affordable dwellings)

Location

Land adjacent Woodlands Main Road Chelmondiston IP9 1DW

Parish: Chelmondiston

Expiry Date:

Application Type: Reserved Matters

Development Type:

Applicant: Birch Homes Ltd

Agent: Artisan PPS Ltd

PART ONE – REASON FOR REFERENCE TO COMMITTEE

The application is referred to committee for the following reason:

It is a 'Major' application for:

- a residential development for 15 or more dwellings.

Details of Previous Committee/Resolutions and Member Site Visit

Members carried out a Committee Site Inspection on the 14th February 2018. The Planning Committee approved the outline planning application on the 18th April 2018.

PART TWO – POLICIES AND CONSULTATION SUMMARY

Summary of Policies

NPPF National Planning Policy Framework

Babergh Core Strategy 2014

- CS1 Applying the Presumption in favour of sustainable development in Babergh
- CS2 Settlement Pattern Policy

- CS3 Strategy for Growth and Development
- CS11 Strategy for Development for Core and Hinterland Villages
- CS15 Implementing Sustainable Development in Babergh
- CS18 Mix and Types of Dwellings
- CS19 Affordable Homes
- CS21 Infrastructure Provision

Babergh Local Plan Alteration No.2 (2006)

- CS19 - Affordable Homes
- CS18 - Mix and Types of Dwellings
- HS32 - Public Open Space
- CN01 - Design Standards
- CR02 - AONB Landscape

Supplementary Planning Documents

- Suffolk Adopted Parking Standards (2015)
- Rural Development and Policy CS11 (2014)
- Affordable Housing (2014)

Planning History

DC/18/00236 – Outline Planning Application (means of access to be considered) - Erection of 24 dwellings (including 8 affordable dwellings) including access – granted by Planning Committee in July 2018.

Section 106 legal agreement signed June 2018 – secures eight affordable dwellings and habitat mitigations contribution in respect to outline planning permission DC/18/00236.

DC/18/04891- Discharge of Conditions 16 (Archaeological Recording) and 17 (Archaeological Works) – granted December 2018.

DC/19/01684 - Discharge of Conditions 5 (Lighting Design Scheme for Biodiversity), 7 (Construction Management Plan), 10 (Details of Estate Roads and Footpaths), 12 (Surface Water Discharge Prevention), 13 (Details of Bin Storage Areas), 14 (Deliveries Management Plan), 15 (Loading, Unloading, Manoeuvring, Parking and Secure Cycle Storage), 16 (Archaeology), 18 (Sustainability Statement), 19 (Surface Water Drainage Scheme), 20 (Details of Surface Water Drainage Strategy), 23 (Site Landscaping Plan) and 25 (Landscape Management Plan) – awaiting decision.

Consultations and Representations

During the course of the application consultation and representations from third parties have been received as follows.

A: Summary of Consultations

Chelmondiston Parish Council

The Planning Committee of Chelmondiston Parish Council Supports the submission details Under the Outline Planning Application.

However, the Planning Committee wishes the following comments to be noted and fairly considered:

1. The Planning Committee stresses that this support in one way detracts from the original objection towards the initial Outline Planning Application (DC/18/00236). This Support is for the Submission of Details only.
2. The developer has agreed to discuss a financial contribution towards existing play area/equipment and will discuss this further with the Playing Field Charity. The Planning Committee wants assurances that any financial contribution from the developers will exceed the expected cost of the play equipment that was indicated in their Landscaping Document.
3. The Planning Committee is keen to work with the site manager and it will be agreed for the next Planning Meeting. The Committee would want one single member who will liaise between the Planning Committee/Parish Council and the developers ensuring that the development meets its obligations.
4. The Planning Committee require the wording of the last sentence in section 7 paragraph 1, of the Construction and Deliveries Management Plan to read all construction traffic MUST avoid 8.30-9.15 & 15.00-15.45(school drop off and pick up times) due to the proximity of the school.
5. Landscaping the Planning Committee would ask that there are facilities provided in the construction phase, for electric car charging points. This will elevate the need for further construction work to be done at some point in the near future with the move towards electric cars.
6. The Planning Committee also requires assurances that when work is required that will affect the bridleway, it will be diverted via the adjacent field. This is as per the email received from the ARISTAN on the 17/06/2019.

Discharge of Conditions Application for DC/18/00236

5,7,10,12,13,14,15,16,18,19,20,23 and 25

The Planning Committee voted to support this application on all items except item 18.

However, the Planning Committee wishes the following comments to be noted and fairly considered:

1. Supports and trusts the judgement of the professional bodies in relation to these conditions.
2. The Planning Committee felt that inadequate consideration was given to the sustainability of the development under condition 18. Although the Committee acknowledges sustainability is good, as it is in an AONB, the sustainability should be exceptional. The Committee felt that there were missed opportunities in this area

SCC Highways

No objection subject to standard highways conditions.

BMSDC Heritage

The details are acceptable.

BMSDC Infrastructure Team

This development lies within the BDC High Value CIL Charging Zone and therefore the development, if granted planning permission, would be liable for CIL at a rate of 115m² subject to indexation. A s106 agreement will be required to secure affordable housing.

Place Services - Landscape

The following submitted documents have been reviewed:
Landscape Detail drawing no. LS 1012-03 Rev B
Landscape Management Plan dated - Revised 13.05.19

We refer to our previous consultation reply (dated 01/05/2019), in particular to the following design aspects:

- a. Proposed surfacing around the access to private drives on plots 15-22 should be revised to reflect a simplified material palette. Block paving should also be extended across the 'turning-head' feature on the southern part of the proposed development.
- b. Additional planting alongside close board fence on parking bays to the back of plots 22 and 21.
- c. We refer to previous comments with regards the sustainable drainage feature proposed to the north-west of the site. The proposed contours do not deliver a natural looking feature. No planting has been specified on the SuDS feature which could support and enhanced habitat creation.

In addition, we recommend that *Viburnum tinus* spp. is removed from the planting palette. The species can be severely damaged by *Viburnum* beetle and often produces an unpleasant smell particularly when the foliage is wet.

We recommend that the above amendments are made to the development proposal before approval is given.

Dedham Vale AONB and Stour Valley Project

These comments relate to the landscaping scheme proposed in drawing LS 1012 03 Rev B Drawing LS 1012 -03 Rev B identifies the habitats (new hedges, trees belts and grassland area) species mixes to be planted. We are broadly supportive of the changes proposed in the landscaping scheme with regards tree species to be planted

The site sits in the Ancient Estate Farmlands. The dominant tree and hedge cover is suckering elm and holly hedges with oak trees. There are other tree species i.e. Hornbeam, Cherry and the occasional mature Holly growing along the PROW that runs north west- southeast from Richardsons Lane to Woodlands.

Birch is a relatively short lived tree species compared to Oak, Hornbeam and Cherry and it is not a common species in the landscape in this part of the AONB.

The number of Birch trees in the tree belt running along the northern edge of the site and within the new hedges and thickets along the south west and southern boundaries of the site have been reduced which is welcomed.

In our response to application DC/19/01684 the AONB replacement with Oak, Hornbeam and Cherry species which are already growing close to this site.

It is acknowledged that 18 of the initially proposed Birch trees have been replaced with the species requested. It is also noted that it is proposed to replace some of them with 6 no. Sweet Chestnut.

As before we would request that the proposed Sweet Chestnut (*Castanea Sativa*) are removed from the plans and substituted with Oak , Hornbean or Cherry to better reflect the species growing locally, to provide a landscape setting for the development that has longevity

and to help conserve the local landscape character of this part of the Suffolk Coast & Heaths AONB.

Similarly the single Sweet Chestnut proposed for planting in the new hedgerow to the south should also be replaced with Oak again to help conserve local landscape character within this part of the nationally designated landscape.

The Guidance note for the Ancient Estates Farmland LCT in the SCC Landscape Character Assessment identifies deer damage to new planting as an issue. The guide recommends that all new planting including mitigation schemes will require effective protection from deer to support their establishment. I could not find any references to how the new planting will be protected therefore we recommend that clarification is sought on this point before the Landscape Management Plan is signed off.

Subject to the requested changes to the tree species being made and clarification regarding deer protection provided to the LPA we have no further comments regards this scheme.

SCC - Flood and Water

We recommend maintaining our holding objection at this time because the applicant has not supplied the information as required in our previous consultation reply.

1. Detail landscaping design and planting details of the of SuDs features.
 - a. specifically reference the SuDs feature, in the Landscape Management Plan, including the planting requirements for both the swale and the detention basin and the need for the specified planting to be established before it is put into use.

SCC - Archaeological Service

This site lies in an area of archaeological potential recorded on the County Historic Environment Record. This site was subject to trenched archaeological evaluation in January 2019. It recorded numerous below-ground heritage assets of archaeological importance within this area, and groundworks associated with the development have the potential to damage or destroy any archaeological remains which exist.

There are no grounds to consider refusal of permission to achieve preservation in situ of any important heritage assets. However, in accordance with the National Planning Policy Framework (Paragraph 199), any permission granted should be the subject of a planning condition to record and advance understanding of the significance of any heritage asset before it is damaged or destroyed.

In this case two conditions would be appropriate.

Suffolk Wildlife Trust

No comment.

Place Services – Ecology

We have reviewed the submitted the Lighting Design Scheme for Biodiversity (Patrick Allen & Associates Architects), the Landscape Proposal (Land & Sculpture Design Partnership, March 2019) and the Landscape Management Plan (Land & Sculpture Design Partnership, April 2019).

These documents were provided to meet the requirements of Conditions 5, 23 & 25, contained within the decision notice at outline stage. Therefore, we have the following comments regarding these submitted documents:

Lighting Design Scheme

The Lighting Design Scheme for Biodiversity highlights that: 'There is no street lighting proposed to the development. All external lighting is to be via bulkhead lighting fixed to the individual properties.' Therefore, we do not consider it reasonable that contour plans should be provided for this application and request that technical specification of the bulkhead lighting should be submitted prior to occupation following Bat Conservation Trust (Guidance note 08/18).

Landscape Proposal & Landscape Management Plan

The Landscape Proposal has outlined that appropriate ecological enhancement measures will be incorporated for this application. However, it is recommended the following details should also be included regarding the ecological enhancement measures:

Detailed designs should be provided for the proposed enhancement measures;

- the persons responsible for implementing the enhancement measures; and
- additional aftercare of the enhancement measures (if necessary).

This could be submitted by a revised Landscape Management Plan or via an addendum to accompany both documents. If necessary, these details could be submitted prior to occupation.

Environmental Health - Land Contamination

No objection.

BMSDC Public Realm

The Public Realm team have discussed this application and note its contents with respect to open space provision. The provision of open space is adequate for a development of this size. Consideration should be given to the provision of dog and litter bins. The Council would not wish to adopt the open space and so support the management company option of managing this development.

SCC Fire Officer

No objection.

B: Representations

Eight households have objected to the scheme, principally on grounds relating to the principle of development, raising concerns such as traffic, vehicle access, housing supply, insufficient local infrastructure demand, broadband speeds and inappropriateness of developing in an AONB.

PART THREE – ASSESSMENT OF APPLICATION

1.0 The Site and Surroundings

- 1.1. The application site is located at the north-western end of Woodlands, an established residential street, on the northern periphery of the village of Chelmondiston. The site has dual frontage, to both Woodlands in the east and Richardsons Lane to the west. A public right of way known as Church Lane abuts the site's northern boundary. Chelmondiston is defined as a 'Hinterland Village' in the Babergh District Local Plan Core Strategy 2014. The site's eastern boundary forms part of Chelmondiston's north-western Built Up Area Boundary (BUAB).

- 1.2. The site comprises a mix of Grade 2 and 3a agricultural land. Land to the north and south comprises agricultural land. Land to the west and east is residential, fronting Richardsons Lane and Woodlands respectively. There are no protected trees on the site. Hedging and trees line the northern, western and eastern site boundaries. There is an informal vehicle access to the land off Woodlands.
- 1.3. The whole site, along with the majority of the village, is located within the Suffolk Coast and Heaths AONB. The site is not in or adjoin a Conservation Area, Special Area of Conservation or Special Landscape Area. Pinmill Conservation Area is located approximately 520m east of the site. Woolverstone Conservation Area is located approximately 170m north of the site. Three listed buildings are located within 150m.
- 1.4. Footpaths are located on both sides of Woodlands and these, together with the public right of way to the north, provide pedestrian connectivity to the village's amenities.

2.0 The Proposal

- 2.1 Outline planning permission has been granted for 24 dwellings. Approval of reserved matters in respect to appearance, landscaping, layout and scale are now sought.
- 2.2 The outline approval included means of vehicular access. Vehicle access is therefore not considered further in this report.
- 2.3 The layout of development matches the indicative layout presented in support of the outline application assessed in 2018. Key elements of the development are as follows:
 - Mix of single and double storey dwellings, predominantly detached and set in a cul-de-sac type development, with single vehicle access provided via Woodlands.
 - Rear of dwellings address Richardsons Lane.
 - An extensive landscaped public open space corridor to adjoin the site's northern boundary.
 - Two swales, to be managed as wildflower meadow, located within the northern landscaped public open space area.
 - 5m landscaping corridor to the Richardsons Lane frontage.
 - Landscaping and 1.2m high post and rail fence to site's southern boundary.
 - 220sqm play area
 - Landscaped plot frontages.
 - Retention of hedgerow and trees at site boundaries.

3.0 The Principle of Development

- 3.1 The principle of development has been established by the granting of outline planning permission 18/00236. The key test is whether the proposed appearance, landscaping, layout and scale of development respond appropriately to the character and amenity of the area, having regard to relevant guiding development plan policies. The issues raised by objectors relate to the principle of development and were assessed as part of the outline application process; they are not considered further in this report.

4.0 Layout

- 4.1 As noted above, the development layout is consistent with that shown in the indicative layout considered at the time of the outline application. The layout offers a conventional residential character outcome that is consistent with the established

development pattern of the village to the southeast. Most dwellings are detached, set on generous plots, set back from the internal road and featuring deep rear gardens.

- 4.2 The layout essentially comprises one cul-de-sac which is an extension of Woodlands. Woodlands is, in effect, an estate comprising two cul-de-sacs. Given the irregular shape of the site and the constraint this presents for alternative layout options, and the existing Woodlands culs-de-sacs, the cul-de-sac response is a logical and legitimate one. It is a response supported by the Suffolk Design Guide.
- 4.3 A key feature of the layout is the extensive landscaped northern public open space corridor. This corridor serves as an appropriate natural buffer to the northern open countryside and provides a sympathetic interface to the AONB. It is noted that the AONB planning team does not object to the proposed layout.
- 4.4 The internal road incorporates footpaths on both sides that connect with the existing footpath network along Woodlands. The footpath connection also links with the northern PROW. Pedestrian and cycling connectivity is appropriate.
- 4.5 The layout offers a clear definition of public and private space. It is respectful of its surrounds. The layout is not contentious in character terms, respecting the character and appearance of the broader area.
- 4.6 In residential amenity terms, the layout is deemed acceptable, as concluded by officers at the outline stage. Separation distances to neighbouring dwellings are generous. Interfaces to adjoining residences are sympathetically treated. The proposal will not result in unreasonable overlooking or present unacceptable visual bulk. Daylight and sunlight access for neighbours is not unduly impeded. It is noted that the proposal has not attracted objections relating to residential amenity impacts.

5.0 Scale

- 5.1 The proposed quantum of development, in terms of dwelling number, does not exceed the outline approval. The mix of single and double storey dwellings offers a good variety of housing stock as well as visual interest. The proposed scale of development is acceptable.

6.0 Appearance

- 6.1 The applicant has paid careful attention to design details. The form and profile of dwellings is traditional with contemporary design detailing successfully incorporated. The architectural language adopted across the development is well considered, responding positively to the character of the area. Where integral to dwellings, garages are subordinate. The siting of detached garages generally to the rear of dwellings is welcomed, ensuring these structures will appear visually recessive. The variation in finishing materials is appropriate. The spacing between dwellings is generous, varied and also offers visual relief. The streetscapes will be visually attractive, add to the overall built form quality of the area and establish an appropriate sense of place for future residents. The proposal responds favourably to Local Plan Policy CN01 with respect to design standard.
- 6.2 There are three listed buildings within 150m of the site. Despite their proximity, impacts on the setting of these buildings will be negligible given the separation distances involved. The proposal has not attracted an objection from Council's Heritage team.

7.0 Landscaping

7.1 The application is supported by a comprehensive landscape masterplan, which is also the same as that considered at the outline stage. The masterplan has been reviewed by Council's landscape consultant and the Dedham Vale AONB and Stour Valley Project team. It has been amended to take account of recommendations made earlier by these parties. Both parties support the landscape masterplan although seek some minor refinements and additional information which can be readily secured by planning conditions. These requirements are:

- replace proposed Sweet Chestnut with Oak, Hornbeam or Cherry
- clarification regarding deer protection for new planting
- revised access surface treatments plots 15-22 and across the 'turning-head' feature on the southern part of the proposed development
- additional planting alongside close board fence on parking bays to the back of plots 22 and 21
- revised landscaping to the northern SUDs area (also a requirement of SCC - Flood and Water)
- removal of Viburnum tinus species.

7.2 The ongoing management and maintenance of the public open space areas is detailed in the submitted landscape management plan. As noted by Council's Public Realm Officer, this will not be the responsibility of Council. Landscape management is a requirement of condition 25 of the outline permission and will therefore be considered as part of application 19/01684 which seeks to discharge that condition. It is expected that the details, including specifications and timing of construction, associated with the play equipment for the proposed 220sqm play area will be considered as part of 19/01684.

7.3 It is concluded that the landscaping response respects the landscape qualities of the area, consistent with Policies CS11 and CS15 of the Core Strategy.

8.0 Other Matters

8.1 Conditions 16 and 17 of the outline permission relate to archaeology. These conditions have been discharged. The conditions recommended in the SCC - Archaeological Service referral response are therefore not necessary.

8.2 The conditions recommended by the Highways Authority have already been imposed on the outline permission. It is not necessary to repeat the requirements.

PART FOUR – CONCLUSION

9.0 Planning Balance

9.1 The principle of the 24 dwelling development is established by the grant of outline planning permission 18/00236. The quantum of development accords with the outline approval.

9.2 The design, layout, scale and appearance of the development are acceptable, responding appropriately to local village character and the AONB. The nearest designated heritage assets will be unaffected by the development. Minor revisions to

some landscaping elements, as suggested by Council's Landscape Consultant, the AONB planning team and SCC Flood and Water (concerning the SUDs area), can be addressed by condition.

- 9.3 The details submitted in support of the reserved matters application are to an appropriate standard. The scheme's appearance, layout and scale, together with the landscaping response, are recommended for approval.

RECOMMENDATION

- (1) That the Corporate Manager- Planning for Growth be authorised to approve reserved matters of appearance, layout, scale and landscaping subject to conditions, including

Approved Plans and Documents

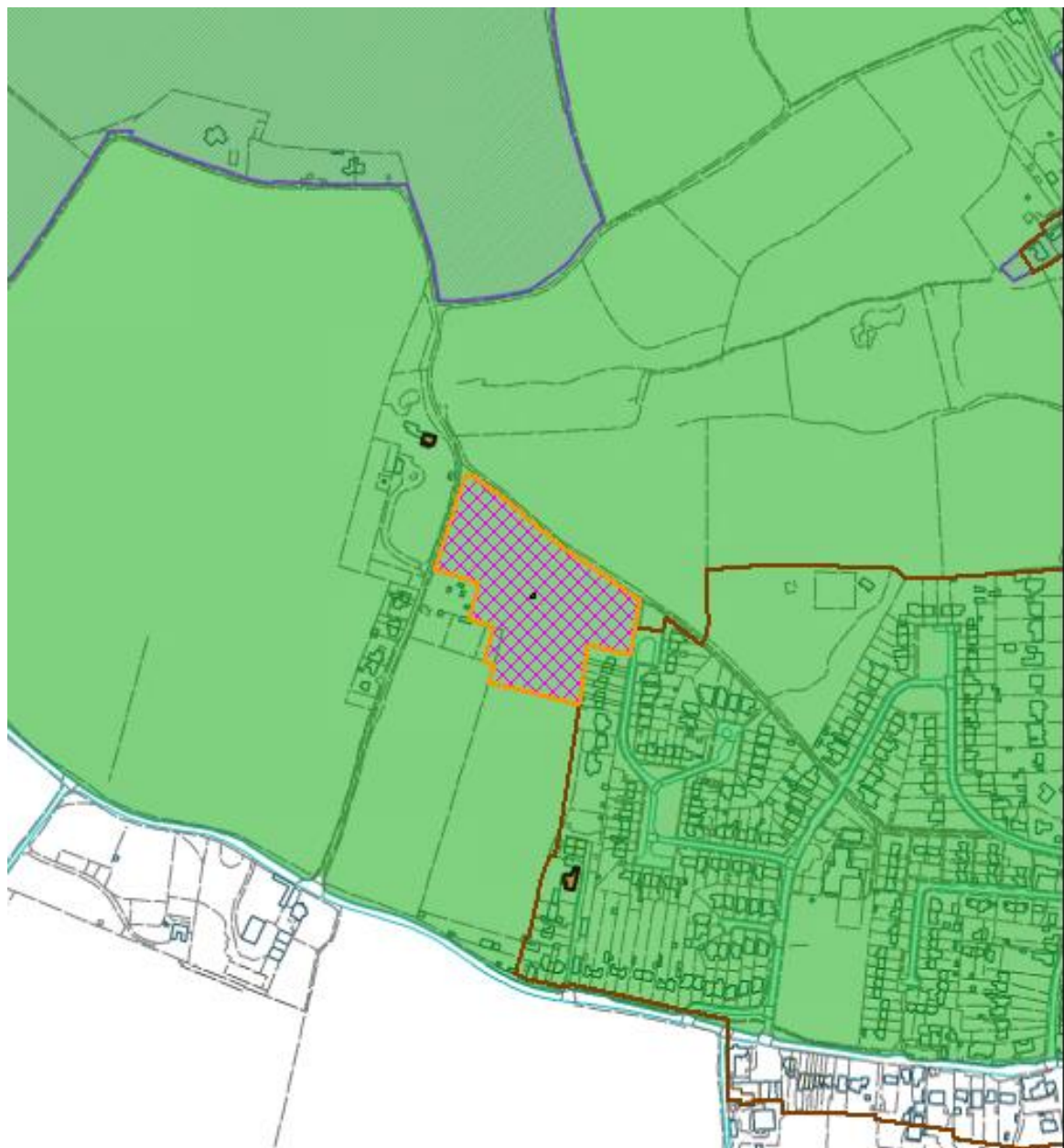
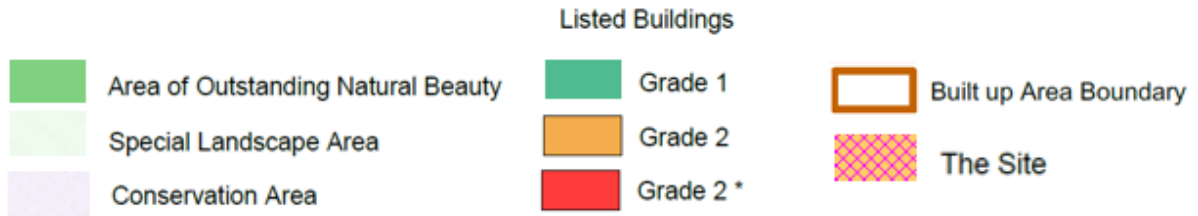
Landscaping – notwithstanding submitted details

Highways Conditions are set out in SCC Highways consultation response

Application No: DC/19/01634

Parish: Chelmondiston

Location: Land Adjacent Woodlands, Main Road



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