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COMMITTEE:	PLANNING COMMITTEE
DATE:	WEDNESDAY, 25 SEPTEMBER 2019 9.30 AM
VENUE:	KING EDMUND CHAMBER - 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

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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/19/12 TO CONFIRM THE MINUTES OF THE MEETING HELD ON 11 SEPTEMBER 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 2 October 2019.

6 **PL/19/13 PLANNING APPLICATIONS FOR DETERMINATION BY THE COMMITTEE** 1 - 4

An Addendum to Paper PL/19/13 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/19/01873 LAND TO THE EAST OF SAND HILL, BOXFORD, SUFFOLK** 5 - 36

b **DC/19/02489 LAND TO THE SOUTH EAST OF WHEATFIELDS, WHATFIELD, SUFFOLK** 37 - 56

c **DC/19/02288 LAND SOUTH OF NAUGHTON ROAD, WHATFIELD, SUFFOLK** 57 - 74

d **DC/19/02488 CROWN BUILDING, NEWTON ROAD, SUDBURY, SUFFOLK, CO10 2RL** 75 - 80

Notes:

1. The next meeting is scheduled for Wednesday 9th October 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, 9 October 2019 at 9.30 am.

Webcasting/ Live Streaming

The Webcast of the meeting will be available to view on the Councils Youtube page:

https://www.youtube.com/channel/UCSWf_0D13zmegAf5Qv_aZSg

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/19/13

BABERGH DISTRICT COUNCIL

PLANNING COMMITTEE

25 SEPTEMBER 2019

SCHEDULE OF APPLICATIONS FOR DETERMINATION BY THE COMMITTEE

Item	Page No.	Application No.	Location	Officer
6A	5-36	DC/19/01873	Land to the East of Sand Hill, Boxford, Suffolk	JW
6B	37-56	DC/19/02489	Land to the South East of Wheatfields, Whatfield, Suffolk	EF
6C	57-74	DC/19/02288	Land South of Naughton Road, Whatfield, Suffolk	DC
6D	75-80	DC/19/02488	Crown Building, Newton Road, Sudbury, Suffolk, CO10 2RL	JW

Philip Isbell
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

Agenda Item 6a

Committee Report

Item 6A

Reference: DC/19/01873

Case Officer: Jack Wilkinson

Ward: Boxford

Ward Member: Cllr Bryn Hurren

Description of Development

Outline Planning Application (some matters reserved) - Erection of up to 80 no. residential dwellings including vehicular access.

Location

Site: Land To The East Of Sand Hill, Boxford, Suffolk

Parish: Boxford

Site Area: 5.71ha

Conservation Area: Not in Conservation Area

Listed Building: Not listed

Received: 15.04.2019

Expiry Date: 11.09.2019

Application Type: Outline Planning Permission

Development Type: Major Dwellings

Environmental Impact Assessment: N/A

Applicant: Catesby Development Land Limited

Agent: Neame Sutton Limited

DOCUMENTS SUBMITTED FOR CONSIDERATION

The application, plans and documents submitted by the Applicant can be viewed online at <https://planning.baberghmidsuffolk.gov.uk/online-applications/>

PART ONE – REASON FOR REFERENCE TO COMMITTEE

The application is referred to committee for the following reason:

- The proposal exceeds 15 no. residential dwellings.
-

PART TWO – APPLICATION BACKGROUND

History

There is no planning history relevant to the determination of this application.

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

Development Plan Documents

Babergh Local Plan 2011 – 2031 Core Strategy

- CS1 - Applying the presumption in favour of sustainable development
- CS2 - Settlement Pattern Policy
- CS3 - Strategy for Growth and Development
- CS11 - Strategy for Development for Core and Hinterland Villages
- CS13 - Renewable/ Low Carbon Energy
- CS15 - Implementing sustainable development in Babergh
- CS18 - Mix and Type of Dwellings
- CS19 - Affordable Housing
- CN01 - Design Standards
- CN06 - Development in near Conservation Areas
- TP15 - Parking Standards

Other material documents

National Planning Policy Framework (2019)

Suffolk Adopted Parking Standards (2015)

Suffolk Design Guide (2000)

Supplementary Planning Documents

Rural Development & Core Strategy Policy CS11 SPD (2014)

Emerging Local Plan

Babergh & Mid Suffolk Joint Local Plan (July 2019)

Previous Committee / Resolutions and Any Member Site Visit

Officers presented the application to Members on 11.09.2019 requesting a Member Site Visit, in conjunction with other schemes within the nearby area, at the express request of Cllr Hurren. Members resolved to undertake site inspection which was carried out on 18.09.2019.

Pre-Application Advice

Pre-application discussions were held between the Applicant and Council Officers under reference DC/18/03262. Pre-application response provided on 20.08.2018.

Consultations and Representations

During the course of the application consultation, responses have been received. These are summarised below.

A: Summary of Consultations

Communities

No objection subject to the consideration locally (Parish Council) as to whether there needs to be a formal play provision included in the proposal.

SCC - Flood & Water Management

No objection subject to SUDs conditions

SCC - Fire & Rescue

No objection subject to fire hydrants condition.

SCC – Highways

No objection subject to conditions:

- Visibility Splays
- Details of access
- Estate roads and footpaths
- Basecourse level
- Surface Water Discharge
- Footway link
- Residents Travel Pack
- Parking
- HGV Construction

Contribution of £20,000 to be made to SCC for the extension of the 30mph speed limit and the introduction of the 20mph speed zone.

SCC - Strategic Development Contributions Manager

No objection subject to Schools Transport contribution totalling £134,400.

SCC forecast to have no surplus places at the catchment primary school based on a 95% capacity which is the bare minimum for education authorities to meet this statutory duty with operational flexibility, while enabling parents to have some choice of schools. It has recently been confirmed that the primary school cannot expand within its current site and most of the site, and surrounding land, is in Flood Zone 3. These 20 primary pupils arising from this development should be considered by the District Council in relation to any decision it intends to make on allocating any sites in Boxford in the emerging Local Plan from the sites submitted as part of the Strategic Housing and Economic Land Availability Assessment. The consequence of approving this development is likely to mean that there will be no strategy for providing additional places in the future for plan-led growth in this area other than the delivery of a new primary school which would require 800 new houses to sustain the school.

Therefore SCC cannot guarantee that all pupils from the development, should it be approved and built out, will be able to find a place at the catchment primary school.

The nearest school with places is Stoke-by-Nayland Primary School, and there are 18 pupils attending Boxford CEVCP School who live in the catchment of Stoke-by-Nayland Primary School.

However, SCC cannot wait for out of catchment pupils to leave to create places for those living in the village as it is unlawful to reserve school places in this way. As Parents living in the village make applications to their local school they will displace, overtime, those pupils from out of the area as they will have a higher priority claim for a place under the published admissions criteria. Overtime the balance will change as more catchment children will be successful. This is not a solution that creates places instantly and there will be some frustration in the short term but it is the only approach we can take to remain compliant with the statutory admissions code of practice.

SCC will therefore require primary school transport for pupils living in the village or from the

development that may get displaced in the short term. This is in accordance with the revised Planning Practice Guidance 1. School transport costs are estimated at [960 per annum per pupil. Should the District be minded to approve this development SCC will require a school transport contribution of (£134,400 (960 x 7 years x 20 pupils), increased by the RPI. This would need to be secured by a S106 planning obligation.

Strategic Housing Officer

No objection. This proposal triggers an affordable housing contribution of 35% under current local policy equating to 28 dwellings. The applicant is offering 35% so will be policy compliant. These 28 dwellings should be implemented as follows:

Affordable Rent = 75% - 21 dwellings

- 4 x 1 bed 2-person flats @ 50 sqm
- 4 x 2 bed 4-person bungalows @ 70 sqm
- 10 x 2 bed 4-person houses @ 79 sqm
- 3 x 3 bed 5-person houses @ 93 sqm

Shared Ownership = 25% - 7 dwellings

- 4 x 2bed 4-person house – 79 sqm meets the NDSS requirement
- 3 x 3bed 5-person house – 93 sqm to meet the NDSS requirement

Arboricultural Officer

No objection subject to Arboricultural Method Statement and Tree Protection Plan measures secured through condition / reserved matters.

Heritage Team

No objection subject to conditions:

- Details including manufacturer's literature of proposed surface material for the bus stop on Ellis Street/Sand Hill to be submitted.
- Widened footway outside nos. 10-14 Broad Street to match in materials to that immediately adjacent.
- Confirmation that no new street signage would be attached to any designated or non-designated heritage asset.

SCC - Archaeological Service

No objection subject to two standard pre and post commencement conditions.

Place Services – Landscaping

No objection subject to conditions relating to landscaping, SUDs and a landscaping management plan (10 years).

Place Services – Ecology

No objection subject to conditions relating to landscape and ecological management plan, biodiversity enhancement, skylark mitigation, construction management plan and lighting design details.

Anglian Water

No objection subject to Surface Water Management condition.

NHS England (50+ Dwellings/C2/Care Or Nursing Homes)

No objection subject to sufficient funding being provided to extend local surgery:

The application is likely to have an impact of the NHS funding programme for the delivery of primary healthcare provision within this area and specifically within the health catchment of the development. There is 1 GP practice within a 2km radius of the proposed development, this GP practice is a branch of Hadleigh Boxford Group Practice based in Hadleigh. Boxford is a very small practice and does not have sufficient capacity for the additional growth resulting from this development and cumulative development growth in the area. Therefore a developer contribution, via CIL processes, towards the capital funding to increase capacity within the GP Catchment Area would be sought to mitigate the impact.

SCC Travel Plan Co-ordinator

No comments. See Highways response.

SCC - Rights Of Way Department

No comment.

Environmental Health - Land Contamination

No objection.

Public Realm

No comment.

Natural England

No comment.

The Environment Agency

No comment.

Suffolk Wildlife Trust

No comment.

EDF Energy - New Supply

No comment.

Suffolk Police - Design Out Crime Officers

No comment.

Cllr Bryn Hurren

No comment.

BDC - Waste Strategy Team

No comment.

BDC - Planning Policy

Objection. The comments provided by the Planning Policy Officer are presented as follows:

The proposal is significantly large and disproportionate for the existing pattern and form of the settlement. Boxford is geographically situated in a rural location with poor connectivity and poor access to services and facilities. This is exacerbated by the significant lack of no established footpaths or cycle ways to services and no potential to improve pedestrian access along highway routes. There is no pedestrian footpath along Sand Hill, which is the proposed access to and from the site. Sand Hill is a narrow lane which leads on to Ellis Street, which is also a narrow road with no pedestrian footpath for some metres. The access from Sand Hill is of concern. This would need further advice from the highways authority.

Boxford, is not the most sustainable settlement when considered as a geographical whole across the district for major growth. As such, the proposal would require any future occupiers to travel by private vehicle frequently to services and facilities on a day-to-day basis across rural road networks. Consequently, the quantum of the proposal would lead to intensification issues and cumulative impacts on infrastructure. Sequentially there are other locations sustainably and suitably placed to accommodate major growth of the scale proposed.

The site has and is surrounded by constraints. There are known protected species on and around the site, so ecology is a material consideration. There is a cordon sanitaire by Anglian Water directly to the south of the site, which could affect residential amenity. There is surface water flooding towards the northern part of the site. The setting of the site is quite significant because the Special Landscape Area is designated to the south/west and beyond this is the AONB to the south. Which means the southern area of the site is close to designated land and forms part of the landscape setting values.

Boxford have begun the process of preparing a Neighbourhood plan, which can be found here: <https://www.babergh.gov.uk/planning/neighbourhood-planning/neighbourhood-planning-in-babergh/boxford-neighbourhood-plan/>. It is also unclear how deliverable the site would actually be. The site is in outline with only access for consideration, so very speculative and there is no certainty of likely annual build out rates.

Suffolk Preservation Society

Objection:

- The location of the site on the periphery of Boxford will extend housing further into the countryside beyond the recent Station Field housing which was developed as a rural exception site
- The elevation and rising topography of the site will render the development prominent in the landscape
- The proposed location fails to respect the existing morphology of the village where the built form nestles in the river valley
- Increased traffic movements, together with proposed 'highway improvement' measures, will impact the already congested historic core of the village and the character of the Boxford Conservation Area

Sudbury Group - Patch 5

Objection. The proposal would have a detrimental effect and result in a loss of amenity value along public footpaths surrounding the development.

Boxford Society

Objection:

- Size and Scale – Scale is reserved, however the principle should be decided on scale, which in this case is considered too large
- Location – not listed on 2017 BDC 'Call for Sites', not directly accessible to the centre of the village
- Sustainability – documents do not show how 10% reduction in carbon emissions will be achieved
- Impact on Highway and transport – will impact safety on Sand Hill
- Affordable homes – homes will be made available to general public, local people not given preference

Boxford Parish Council

Objection:

- Proposal goes against CS1, CS2, CS11, CS15, CS21
- The application does not live-up to Babergh's own Spatial Vision; additional congestion from Cox Hill into the village centre will contribute to a poorly connected network of places.
- Whilst it may be unfair to level the following observation with reference to this application, it is entirely worthy of note to highlight Section 2.2.2 of the Core Strategy and Policies document.
- Section 2.2.2.3 states that the preferred approach is to plan for growth. Recent development in Boxford has been Developer-led, submitted and considered / approved on a case-by-case basis.
- This approach has resulted in the development not following any kind of logical, joined-up plan and would be, in some respects, detrimental to the village as a whole.
- The weight of development accumulating on one side of the village where it can least be sustained especially in regard to Section 2.2.2.5 and its stress on necessary infrastructure must be considered.
- The application would impose a burden on the existing community specifically and immediately: road, traffic and pavements particularly the sites and immediate neighbours.
- The absence of a Boxford Neighbourhood Development Plan does not mean there should be no plan.

B: Representations

A number of representations were received from members of the public, relating to the following:

- Affects local ecology/wildlife
- Application is lacking information
- Boundary issues
- Conflict with local plan
- Conflict with NPPF
- Design
- Development too high
- Dominating/overbearing
- Drainage
- Fear of crime
- General dislike of proposal
- Harm to listed building
- Health & safety
- Impact on property value
- Inadequate access
- Inadequate parking provision
- Inadequate public transport provisions
- Inappropriate in a conservation area
- Increase danger of flooding
- Increase in anti-social behaviour
- Increase in pollution
- Increased traffic/highways issues
- Landscape impact
- Light pollution

- Loss of light
- Loss of open space
- Loss of outlook
- Loss of parking
- Loss of privacy
- Noise
- Out of character with the area
- Over development of site
- Overlooking
- Residential amenity
- Scale
- Strain on existing community facilities
- Sustainability
- Trees

A petition was also submitted with 144 no. signatures. This has been formally registered through the Councils Petition scheme as an objection.

PART THREE – ASSESSMENT OF APPLICATION

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.

1 The Site and Surroundings

- 1.1 The 5.71ha application site is located at the south-eastern edge adjoining the defined Built Up Area Boundary (BUAB) for Boxford (a Core Village). The site is part of a wider agricultural holding and is currently of arable nature.
- 1.2 To the immediate north is the undulating village valley of Boxford, with long established residential dwellings of varying single and two-storey form. Immediately north-west, within what previously formed part of the agricultural application site, is a small single storey development known as Station Field. To the north are domestic dwellings situated on Brook Hall Road. To the east is open agricultural farmland. To the south and south east are further domestic dwellings, with Hadleigh Road / A1071, a core vehicular route linking Boxford to Hadleigh and Ipswich (east) and Sudbury (west), and beyond. To the west is Sand Hill, which providing primary access to the application site and Boxford from the east. The landscape falls from Hadleigh Road / A1071, via Sand Hill and through the application site, into the heart of Boxford, its historic core (including its Conservation Area), and Brook Hall Road north.
- 1.3 The wider area is predominantly rural, located within the Stour Estuary Sites of Scientific Interest (SSI) and the Stour and Orwell Special Protection Area (SPA). The site is closely connected to the services, facilities and amenities of Boxford.

2 The Proposal

- 2.1 Outline planning permission is sought for the erection of up to 80 no. residential dwellings inclusive of vehicular access.

2.2 An indicative site layout has been provided to illustrate that the quantum of development, in that the amount of residential units proposed, can be accommodated on the site in an acceptable form. Key elements of this are as follows:

- Up to 80 no. new homes;
- A mix of tenure and house types, including 35% affordable housing
- A new vehicular access from Sand Hill
- Internal vehicular service road, pedestrian footpaths and integrated pedestrian links, inclusive of PROW integration
- High quality landscaping scheme with retention of most of the existing high-value tree specimens, significant additional planting of native and new specimen tree, hedge planting proposed to reinforce landscape boundaries and meadow / woodland.
- New public open space, for existing and future residents
- Attenuation basin
- Play area

3 The Principle of Development

3.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that if regard is to be had to the Development Plan for the purpose of any determination to be made under the planning Acts, then that determination must be made in accordance with the plan unless material considerations indicate otherwise.

3.2 The National Planning Policy Framework (NPPF) of 2019 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.

3.3 The age of policies itself does not cause them to cease to be part of the development plan or become "out of date" as identified in paragraph 213 of the NPPF. Significant weight should be given to the general public interest in having plan-led decisions even if the particular policies in a development plan may be old.

3.4 Even if policies are considered to be out of date, that does not make them irrelevant; their weight is not fixed, and the weight to be attributed to them is within the remit of the decision taker. There will be many cases where restrictive policies are given sufficient weight to justify refusal despite their not being up to date. The weight attributed to development plan policies should be apportioned according to their degree of consistency with the NPPF. The closer a policy is to the NPPF, the greater the weight that can be attributed to them.

3.5 The NPPF requires Councils to identify and update, on an annual basis, a supply of specific deliverable sites to provide for 5 years' housing provision against identified requirements (see paragraph 73). For sites to be considered deliverable they have to be available, suitable, achievable and viable. The Council recently published a Housing Land Supply Position Statement which identifies the Council can demonstrate a sufficient land supply (5.67 years). The District is able to demonstrate a five-year housing land supply. As such, the 'tilted balance' as set out under Paragraph 11(d) is not engaged.

3.6 **Policy CS1 - Applying the Presumption in favour of Sustainable Development in Babergh**

3.7 Policy CS1 is in-step with paragraph 11 of the NPPF, even though the policy's wording was based on the earlier 2012 NPPF. This policy is therefore afforded full weight. Policy CS15 sets out desirable characteristics for development which are based upon the principles of sustainable development; this policy is also consistent with the NPPF and given full weight. Policy CS11 also accords with the NPPF, particularly in relation to paragraph 77 and 78 of the NPPF relating to rural housing, locally identified needs and promoting sustainable development in rural areas, paragraph 103 relating to limiting the need to travel and offering a genuine choice of transport modes, paragraph 127 to achieve well-designed places, and paragraph 170 to contribute to and enhance the natural and local environment. This policy is also afforded a full weighting.

3.8 **Policy CS2 - Settlement Pattern Policy**

3.9 Policy CS2 designates Boxford as a Core Village. Policy CS2 requires that outside of the settlement boundary, development will only be permitted in exceptional circumstances subject to a proven justified need. As a matter of planning judgement this approach is not entirely consistent with the NPPF, which favours a more balanced approach to decision-making; this has been further reflected in recent appeal decisions affecting the Council. The NPPF does contain a not dissimilar exceptional circumstances test, set out at paragraph 79, however it is only engaged where development is isolated. For the reasons set out in this report, the development is not isolated.

3.10 In the absence of an up to date allocations document and given the delay in the settlement boundaries review since the last local plan was adopted in 2006, coupled with the fact that its exceptional circumstances test is not wholly consistent with the NPPF, the policy cannot be given full weight. However, its overall strategy is sound, in taking a responsible approach to spatial distribution, requiring the scale and location of new development to take into account local circumstances and infrastructure capacity. These elements are considered to be consistent with the NPPF and therefore the policy is given substantial weight. It is noted there is conflict with CS2 for this proposal.

3.11 **Policy CS11 - Strategy for Development in Core and Hinterland Villages**

3.12 As noted in the Core Strategy, delivery of housing to meet the district's needs within the framework of the existing settlement pattern means there is a need for 'urban (edge) extensions' as well as locally appropriate levels of growth in the villages. Policy CS11 responds to this challenge, setting out the 'Strategy for Development in Core and Hinterland Villages'. The general purpose of Policy CS11 is to provide greater flexibility in the location of new housing development in the Core and Hinterland Villages.

3.13 The site is an edge-of-settlement location where the criteria set out at Policy CS11 are engaged.

3.14 Policy CS11 states that development in hinterland villages will be approved where proposals are able to demonstrate a close functional relationship to the existing settlement and where the following criteria are addressed to Council's satisfaction:

- (a) *Core villages criteria:*
 - i) *the landscape, environmental and heritage characteristics of the village;*

- ii) *the locational context of the village and the proposed development (particularly the AONBs, Conservation Areas, and heritage assets);*
 - iii) *site location and sequential approach to site selection;*
 - iv) *locally identified need - housing and employment, and specific local needs such as affordable housing;*
 - v) *locally identified community needs; and*
 - vi) *cumulative impact of development in the area in respect of social, physical and environmental impacts.*
- (b) *Additional hinterland village criteria:*
- i) *is well designed and appropriate in size / scale, layout and character to its setting and to the village;*
 - ii) *is adjacent or well related to the existing pattern of development for that settlement;*
 - iii) *meets a proven local need, such as affordable housing or targeted market housing identified in an adopted community local plan / neighbourhood plan;*
 - iv) *supports local services and/or creates or expands employment opportunities; and*
 - v) *does not compromise the delivery of permitted or identified schemes in adopted community / village local plans within the same functional cluster.*
- 3.15 The accompanying 'Rural Development & Core Strategy Policy CS11 Supplementary Planning Document' (the 'SPD') was adopted by the Council on 8 August 2014. The SPD was prepared to provide guidance on the interpretation and application of Policy CS11, acknowledging that the Site Allocations Document foreshadowed in Policy CS11 may not be prepared for some time. Although the SPD is not part of the statutory development plan, its preparation included a process of community consultation before it was adopted by the Council, and means that it is a material consideration when planning applications are determined.
- 3.16 The matters listed in Policy CS11, which proposals for development for Core Villages must address, are now considered in turn. Policy CS15 criteria, which an application must score positively against, are addressed later in this report.
- 3.17 Core Village Criteria
- 3.18 *The landscape, environmental and heritage characteristics of the village*
- 3.19 The NPPF emphasises as a core principle the need to proactively drive and support sustainable development to deliver homes. It states that both the intrinsic character and beauty of the countryside should be recognised and that pursuing sustainable development involves widening the choice of high quality homes. The planning system should contribute to and enhance the natural and local environment by protecting and enhancing valued landscapes.
- 3.20 Furthermore, Policies CS11 and CS15 of the Core Strategy require development proposals to protect the landscape of the district, and local plan Policy CR04 seeks to maintain or enhance the special landscape qualities of the area and designed and sited so as to harmonise with the landscape setting. The Planning Practice Guidance advises that 'The opportunity for high quality hard and soft landscaping design that helps to successfully integrate development into the wider environment should be carefully considered from the outset, to ensure it complements the architecture of the proposals and improves the overall quality of the townscape or landscape'.

- 3.21 Policy CS11 envisages that there will be some development in the countryside and it is axiomatic that the development of a greenfield site will result in an element of adverse impact; the key question is whether the character impact of the development is reasonably contained.
- 3.22 The Landscape and Visual Appraisal submitted with the application notes that the proposal would result in the loss of agricultural land and a change to public visual receptors including along the public rights of way.
- 3.23 The site does not contribute to a designated landscape warranting special protection measures. The application site is not in an AONB, however given its proximity to the AONB due consideration has been made with a deemed impact very low at Year 1 and Year 15. As such there would be no anticipated detrimental adverse effects on the Dedham AONB as a whole as a result of the proposed development. Similarly, the site is not in an SLA, however assessment against the nearby protected area has been made. In considering effects upon landscape character, what amounts to a limited change on a small part of a view (as receptors travel along Sand Hill), would not detrimentally or materially affect the experience of the SLA, leading to a finding of worst-case negligible effects upon this designated landscape.
- 3.24 The site is not in a Conservation Area, and nor does it impact the setting of a Conservation Area to a materially harmful degree. The Heritage Officer notes that the scheme would create negligible harm upon the Conservation Area. There is no policy conflict with CN06, with only limited harm identified through increased traffic potential.
- 3.25 The development will not appear isolated in a visual sense, owing to the enclosed nature of the north and west boundaries set amongst the existing body of the village. The southern boundary is open in places, with the eastern boundary widely open, however the landscape mitigation proposed is considered to adequately reduce the inevitable urbanising effects of the scheme, including the landscape harm identified. Boundaries will be reinforced with new mixed native species. For the above reasons, it is concluded that landscape harm will be less than moderate.
- 3.26 *The locational context of the village and the proposed development*
- 3.27 This matter requires an assessment of the context in which the application site is located by reference to the village, its facilities and applicable planning designations.
- 3.28 Paragraph 10 of the SPD states that: "To be considered under CS11 proposals must be in or adjacent to a Core Village or a Hinterland Village. Proposals should be well related to the existing settlement. It is suggested that the starting point for assessing this is whether or not the site adjoins the Built Up Area Boundary (BUAB) of the village. Some sites, even though they adjoin a BUAB may not be well related to the village and a judgement will need to be made taking in account issues such as:
- Whether the proposal would constitute ribbon development on the edge of the village
 - How the site is connected to the existing settlement, jobs, facilities and services including location of site access and availability of sustainable transport links
 - The scale, character and density of the proposal in relation to the existing adjoining development
 - Whether the proposal constituted a logical extension of the built up area of the village

- Whether the proposal is self-contained and has logical natural boundaries.
- 3.29 The scheme will read as a logical addition owing to settlement pattern of this part of the village. Boxford provides services, facilities and amenities, and with transport connections to services and employment hubs found in Hadleigh, Sudbury, Ipswich, and beyond, the site is not considered to be isolated given the proximity to services and other dwellings.
- 3.30 Scale and layout are reserved matters. The indicative masterplan layout shows that the new proposals are sensitively considered, whilst at the same time providing public benefits within the development. The site is contained at its north and western extremity, with landscaping proposed at the open eastern and southern boundaries as discussed.
- 3.31 *Site location and sequential approach to site selection*
- 3.32 The acceptability of the principle of development does not turn on whether or not the site is within the settlement boundary. There are no sites within the Boxford settlement boundary which would enable a development of a scale commensurate with that proposed. There are no other brownfield sites being promoted for development within or around Boxford of this scale. Case law, namely *R (on the application of East Bergholt PC) v Babergh DC* [2016] EWHC 3400 (Admin), has clarified that in relation to sequential assessment, there is no requirement to consider alternative sites adjoining the settlement boundary, as sequentially they are within the same tier.
- 3.33 *Locally identified need - housing and employment, and specific local needs such as affordable housing*
- 3.34 In respect of affordable housing need, paragraph 2.8.5 of the Core Strategy advises that Policy CS11 will lead to greater flexibility in the provision of affordable housing, related to need which has to be considered more widely than just within the context of individual settlement but also the other villages within that cluster and in some cases adjoining clusters. This is consistent with the requirements of the NPPF that aim to ensure that the local plan meets the needs for affordable housing in the housing market area.
- 3.35 Policy CS18 states that the mix, type and size of housing development will be expected to reflect established needs in the Babergh District. Policy CS19 also seeks to secure 35% affordable dwellings.
- 3.36 Paragraph 14 of the SPD states that proposals should be accompanied by a statement that analyses the local housing needs of the village and how they have been taken into account in the proposal.
- 3.37 The Council's 2014 Suffolk Housing Needs Survey shows that there is high demand for smaller homes, across all tenures, both for younger people, who may be newly forming households, and also for older people who are already in the property owning market and require different, appropriate housing, enabling them to downsize. Affordability issues are the key drivers for this increased demand for smaller homes.
- 3.38 The application is supported by a full local housing needs assessment dated August 2019, which provides evidence of local housing need. Just within the part cluster, the shortfall is likely to be at least 90 dwellings to 2031, but could be up to circa 140 dwellings. As the Core Village at the centre of a functional cluster, at the very least Boxford should be meeting most (if not all) of the needs arising within the hinterland

villages and countryside which do not overlap into other clusters (i.e. Boxford, Edwardstone and Groton).

- 3.39 However, caselaw has established that in the case of Core Villages 'local' needs are those arising in the village and its cluster (and perhaps the areas immediately adjoining). Looking at the whole of the Boxford cluster, the shortfall is even greater. At an absolute minimum circa 120-150 dwellings are needed solely to meet demographic needs arising in the cluster, albeit this fails to factor in an uplift for market signals and would not be consistent with the district-wide assessment of need. Accounting for such an uplift would imply a shortfall of circa 230-280 dwellings to 2031 on a 'bottom-up' basis in the whole cluster and circa 260-c.270 on a 'top-down' basis across the whole cluster.
- 3.40 There is therefore evidence of a shortfall in housing provision in the remaining Core Strategy period in the Boxford cluster (whether looking at the part or whole cluster), thus fulfilling the requirement in CS11 that proposals demonstrate evidence of local need. The proposed scheme (which will deliver up to 80 new homes) would help to meet some of this identified shortfall in housing within the Boxford cluster.
- 3.41 The identification of local housing need as evidenced allows an assessment to be made against Policy CS11. On balance it is considered that the proposed development would go some way to meet local housing need in relation to private market housing, and meet the requirements of affordable housing need.
- 3.42 *Locally Identified Community Needs*
- 3.43 The SPD identifies that proposals should be accompanied by a statement that analyses the community needs of the Village and how they have been taken into account in the proposal. In this case the applicant has not submitted a community needs assessment. The proposed development will generate contributions towards community infrastructure, to be spent on local services and infrastructure, therefore supporting rural communities, local services and facilities.
- 3.44 In the absence of such a statement, the application submission has not adequately demonstrated how the proposal would meet this element of policy CS11 leading to some conflict with this policy. However, officers would advise that the proposed development will generate contributions towards community infrastructure, to be spent on local services and infrastructure, therefore supporting rural communities, local services and facilities. In this regard, despite the absence of the needs assessment, the proposal delivers benefits through CIL that counter-balances to some extent this policy conflict. The absence of a supporting needs assessment is therefore not, in its own right, fatal to the application.
- 3.45 *Cumulative impact of development in the area in respect of social, physical and environmental impact.*
- 3.46 The SPD identifies, at paragraph 13, that 'cumulative impact should include existing commitments and other proposals in the same village and existing commitments and other proposals in the cluster where they are likely to have a wider impact for example in terms of traffic generation, capacity of schools and health services. The impact on other neighbouring villages and neighbouring local authority areas should also be taken into account'.
- 3.47 The Highways Authority consultation response demonstrates that the development can be accommodated without adverse infrastructure strain. The proposed

development has been assessed by Suffolk County Council's Development Contributions Manager.

- 3.48 The scheme would generate pooled CIL funds. The recommendation is made in full view of the comments expressed in relation to; education, pre-school provision, play space provision, transport issues, libraries, waste, supported housing, sustainable drainage systems, archaeology, fire service and superfast broadband.
- 3.49 The local schools are Boxford CEVC Primary School (catchment and nearest school to the proposed development), Thomas Gainsborough School (2nd nearest, secondary school but over 3-miles away), and Hadleigh High School (ages 11 - 16) (operates a catchment which does not include Boxford but is the nearest secondary school, but over 3-miles away).
- 3.50 SCC forecast to have no surplus places at the catchment primary school based on a 95% capacity which is the bare minimum for education authorities to meet this statutory duty with operational flexibility, while enabling parents to have some choice of schools. It has recently been confirmed that the primary school cannot expand within its current site and most of the site, and surrounding land, is in Flood Zone 3. The school cannot therefore be expanded.
- 3.51 It is noted that the development would lead to no strategy for providing places for future plan-led growth in this area according to the response given by SCC Strategic Development to the application, but that a contribution to school transport would lead to no objection. Regarding future plan-led growth, there are no proposed allocations in Boxford in the emerging JLP, although this is noted to have limited weight at present.
- 3.52 This development could result in 20 primary school-aged children travelling by bus to school, but parental preference must also be noted. SCC identified that presently there are 18 pupils attending Boxford CEVCP from the Stoke-by-Nayland Primary School catchment. In time it is considered the 'in catchment' pupils in Boxford would displace these pupils as they move on to secondary school and space become available for pupils from this proposed development, but there is a short term issue until this occurs. This is noted to be less favourable in sustainability terms compared to children being able to walk to school. However, it is difficult to substantiate a reason for refusal on this basis when there is a form of mitigation, i.e. the school transport contribution, that can make this development acceptable and it is likely only a short term situation. It is not considered reasonable to refuse the application on this basis.
- 3.53 SCC will therefore require primary school transport for pupils living in the village or from the development that may get displaced in the short term. This is in accordance with the revised Planning Practice Guidance 1. S106 developer funding is secured by way of a planning obligation for the site-specific costs of secondary school transport. Contribution required is as follows:
- School transport contribution – School transport costs are estimated at £960 per annum per pupil. Should the District be minded to approve this development SCC will require a school transport contribution of (£134,400 (960 x 7 years x 20 pupils), increased by the RPI
- 3.54 There is nothing before officers to suggest that the existing services, facilities and infrastructure do not have the capacity to accommodate the level of development proposed.

- 3.55 The proposal has been considered as to the cumulative landscape impact, in conjunction with the existing settlement pattern, and also other permitted schemes. Given the location of the application site, the scheme would not create or contribute to a demonstrable cumulative landscape harm, given that the site is set amongst the backdrop of the Boxford BUAB. No other schemes are approved directly east (the most open boundary), and there is no cumulative landscape impact arising cumulatively.
- 3.56 It is therefore considered that given the responses from statutory consultees and the scale of development proposed, the cumulative impact of the development can be accommodated within the existing infrastructure of the village and will not lead to a detrimental impact on the social, physical and environmental wellbeing of the village nor the wider cluster. The proposal therefore complies with this element of policy CS11.
- 3.57 Summary of Assessment Against Policy CS11
- 3.58 Given the Core Village status of Boxford, it is not necessary to consider the Hinterland Village criteria of Policy CS11.
- 3.59 It is clear that the site adjoins the edge of a Core Village settlement. As Policy CS11 pertains to development within Core and Hinterland Villages, or at their edge, Policy CS11 is engaged. Whilst there is marginal conflict identified at limbs *i* and *v*, the scheme accords with the overall thrust of CS11.
- 3.60 Consideration against other development plan policies.
- 3.61 The site is located in the countryside and is in conflict with CS2. As such, the principle of development must fall on the negative side of the 'balance' albeit the significance of that conflict is lessened given the reduced weight to the policy.
- 3.62 Policy CS15 is a long, wide-ranging, criteria -based policy, setting out how the Council will seek to implement sustainable development. It contains a total of 19 criteria, covering matters such as landscape impact, job creation, minimising energy and waste and promoting healthy living and accessibility. Many of the criteria within policy CS15 are covered within the individual sections of this report including, for example, landscape impacts, sustainable drainage, biodiversity and minimising car use and it is not, therefore, necessary to run through each and every one of those criteria in this section of the report. What follows is, therefore, an overarching summary of the key points.
- 3.63 Policy CS15 seeks to minimise the need to travel by car using alternative means and improving air quality. The site is well connected with the surrounding settlement via the local highway and bus network, with good pedestrian linkage to the centre of Boxford through the proposed links along Sand Hill. Therefore, residents would not be solely reliant on the private motor vehicle, in order to access opportunities for employment, recreation and leisure.
- 3.64 This report has considered the landscape setting of the site and surroundings and will consider heritage assets (criterion i of CS15), and the following issues are also noted in respect of criteria within policy CS15;
- The proposal would provide work for local contractors during the construction period, thereby providing a short-term economic gain through local spend within the community. (criterion iii of CS15).

- The application site is situated within Flood Zone 1, where a residential use is appropriate due to the extremely low risk of flooding. It is therefore considered that the application site is sequentially appropriate for this development (criterion xi of CS15).
 - During construction, methods will be employed to minimise waste. (criterion xiv of CS15).
 - The proposed dwellings will be constructed as a minimum to meet the requirements of Part L of the Building Regulations, which requires a high level of energy efficiency (criterion xv of CS15).
- 3.65 The provision of employment during the construction period would provide a short-term economic gain. Whilst this does not weigh heavily in favour of the development, it also does not result in any adverse impact to the economy. However, given the proposal is for up to 65 no. dwellings with associated works, this would generate a short term boost.
- 3.66 For these reasons, it is also considered that limbs (vii), (xviii), (xvi) and (xix) of policy CS15 are complied with where relevant.
- 3.67 Summary of Assessment Against Policy CS15
- 3.68 Policy CS15 is a detailed policy setting 19 individual criteria as to how sustainable development will be implemented in Babergh. The proposal has been assessed against these criteria and is compliance with the policy taken overall and bearing in mind not all of the criteria are applicable to the application given its outline nature.
- 3.69 Whilst the site is technically located outside of the defined BUAB and would not find support through CS2, its 'edge of settlement' relationship to the Core Village is considered to be acceptable. The thrust of CS1 however, is arguably met. In light of the sustainability, connectivity and limited harms discussed later in the report, and given the momentum under CS1 and the NPPF to secure such development, the conflict with CS2 is reduced bearing in mind that CS2 itself prioritises development in Towns / Urban areas.
- 3.70 The 'spirit' of CS11 always aids the merit of the principle. It makes use of a site which adjoins the established settlement boundary. Further, it seeks to deliver an affordable housing element, amongst other public benefits discussed later in this report.
- 3.71 Assessment Against Boxford Neighbourhood Plan
- 3.72 Boxford Parish Council are preparing a Neighbourhood Development Plan. Planning Practice Guidance confirms that an emerging neighbourhood plan may be a material consideration and that factors to consider include the stage of preparation. In this instance, the Plan is still at an early stage, with the area having been formally designated in August 2018. A draft Plan has yet to be submitted for formal consultation. Given that the Plan remains at this early stage of preparation, Officers consider it should be given limited weight in the determination of this application.
- 4 Nearby Services and Connections Assessment of Proposal**
- 4.1 The application site is located within close access of Boxford and its associated services, facilities and amenities. These include; Primary School, Public Houses, Shops, Coffee Shop, Hair Salon, Butchers, Post Office and Store, Motor Garage, Health Centre, Church, Village Hall and Playing Fields.

- 4.2 There is a routine public bus service connecting the site to the wider area through the route 91 service. The application site is circa 5 minute walk from Sand Hill to the true centre of Boxford, and its available key services.
- 4.3 Public transport accessibility from the site is good with bus stops available on the Sand Hill / Cox Hill junction, which is within walking distance from the site. The bus routes connect Boxford to the surrounding areas of Hadleigh, Sudbury and Ipswich. The accessible bus network provides a viable option for residents to commute to other settlements for employment, education and healthcare etc. As such, there is the opportunity for residents to choose more sustainable modes of transport than the private vehicle.

5 Emerging Local Plan

- 5.1 The Council is developing a new Local Plan, that is currently out for consultation (July 2019). The application site is not identified in the emerging plan.
- 5.2 Paragraph 48 of the NPPF states that decision makers may give weight to relevant policies in emerging plans according to:
- “1. the stage of preparation of the emerging plan;
2. the extent to which there are unresolved objections to relevant policies in the emerging plan; and
3. the degree of consistency of relevant policies to the policies in the Framework.”*
- 5.3 Further to this it is noted that this site is not proposed to be allocated within the emerging Joint Local Plan. The matter of prematurity has been raised in relation to the NPPF. Paragraph 49 of the NPPF identifies that prematurity is unlikely to be a ground for refusal for a development unless both the following statements apply:
- a) the development proposed is so substantial, or its cumulative effect would be so significant, that to grant permission would undermine the plan-making process by predetermining decisions about the scale, location or phasing of new development that are central to an emerging plan; and
 - b) the emerging plan is at an advanced stage but is not yet formally part of the development plan for the area.
- 5.4 Members will note that both of the above clauses need to be met to be able to refuse planning permission on the basis of prematurity. Neither the emerging Joint Local Plan (JLP) or the Boxford Neighbourhood Development Plan are at an advanced stage in their preparation for the purposes of this statement. The Emerging Local Plan is, therefore, considered to carry some limited weight in the consideration of the application, but as it is yet to undergo examination, it is not considered to outweigh the material considerations assessed above in accordance with up to-date planning policies and the NPPF.

6 Design and Layout

- 6.1 Policy HS28 states that planning applications for infilling or groups of dwellings will be refused where; the site should remain undeveloped as an important feature in visual or environmental terms; the proposal, in the opinion of the District Council, represents overdevelopment to the detriment of the environment, the character of the locality, residential amenity or highway safety. Paragraph 127 of the NPPF attaches great importance to the design of the built environment, stating that good design is a key aspect of sustainable development. This is further emphasised by Policy CN01.

- 6.2 Detailed design is a reserved matter. Notwithstanding this, the scheme could adopt similar aesthetic details of existing residential dwellings within the area, and therefore harmonise with the character and form of the locality. Certainly, the existing houses of two-storey form establish the principle of two-storey new build. It is also noted that the application site is visually unconstrained, with varying design precedent offered nearby.
- 6.3 Layout is also a reserved matter, however consideration must be afforded as to the effectiveness of the site inclusive of access, public open space, the amount of homes proposed, and landscaping. The site is readily capable of accommodating the amount proposed, with good spatial integration, albeit in indicative form. There is little before Officers at this stage to suggest the scheme would result in undue harm to the character, landscape or indeed residential amenity experienced by occupants of neighbouring property. Certainly, Officers are of the opinion that an aesthetically pleasing functionally efficient design and layout could be proposed, reflecting Policies CN01, HS28 and the NPPF.

7 Residential Amenity

- 7.1 Policy HS28 states that planning applications for infilling or groups of dwellings will be refused where; the layout provides an unreasonable standard of privacy or garden size. Paragraph 127 of the NPPF sets out a number of core planning principles as to underpin decision-taking, including, seeking to secure a good standard of amenity for all existing and future occupants of land and buildings.
- 7.2 The impact of the works is considered fully, and there is little before Officers to suggest the scheme would result in a materially intrusive development, which would hinder and oppress the domestic enjoyment and function of adjacent property, to an unacceptable level. Officers do not consider that the site is overdeveloped by virtue of the quantum of development shown on the indicative plans, demonstrating sufficient amenity space.
- 7.3 The proposal comprises up to 80 no. dwellings on a gross site area of 5.74ha, which equates to a density of only 14dpha. Within the developable area of the site identified on the parameters plan the residential density (net) is approximately 28dpha. This level of density is considered appropriate for the site's edge of settlement context whilst still making best use of the land.
- 7.4 The site is readily capable of accommodating up to 80 no. dwellings, areas of landscaping and public open space, vehicular access, and associated infrastructure works, in a manner that will not unduly compromise the residential amenity of future occupiers of the development or occupiers of neighbouring dwellings. More specifically, suitable distances between dwellings can be achieved to ensure no unacceptable loss of daylight, sunlight, or overlooking to the existing residents would ensue. Built form visible from a private vantage point does not necessarily result in adverse private residential amenity harm.
- 7.5 Officers do acknowledge the potential for disruption during the construction phase, and in the interests of neighbours, a Construction Method Statement (CMS) will be sought through planning condition.
- 7.6 There is little before Officers to suggest the scheme would generate residential amenity harm worthy of refusal, and in the absence of such evidence to suggest so, Officers are of the sound opinion that the scheme reflects local and national planning policy. The scheme reflects the essence of Policy HS28 and Paragraph 127 of the NPPF.

8 Impact on Heritage Assets

- 8.1 Policy CN01 and CN06 seeks to protect the character and appearance of buildings of architectural or historic interest, particularly protecting the settings of Listed Buildings. Policy CN08 pays particular attention to developments in or affecting Conservation Areas.
- 8.2 Section 66 of the *Planning (Listed Buildings and Conservation Areas) Act 1990* states that special attention shall be paid to the desirability of preserving or enhancing the character or appearance of a Listed Building or its setting and Section 72 requires special attention to be paid to the desirability of preserving or enhancing the character or appearance of that area.
- 8.3 In this case there are specific NPPF policies relating to designated heritage assets that should be considered. Paragraph 193 - 196 of the NPPF states that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal. Paragraph 197 of the NPPF identifies that the impact of a proposal on the significance of a heritage asset should be taken into account, in order to avoid or minimise conflict between the heritage asset's conservation and any aspect of the proposal.
- 8.4 The NPPF defines the setting of a heritage asset as the surroundings in which it is experienced. The extent is not fixed and may change as the asset and its surroundings evolve. Elements of a setting may make a positive or negative contribution to the significance of an asset; may affect the ability to appreciate that significance; or may be neutral.
- 8.5 The Heritage Officer (HO) does not object to the proposal subject to bound surfacing condition along Ellis Street / Sand Hill at the proposed bus stop, owing to the limited level of heritage impact created by the development:

“A negligible level of harm to the designated heritage assets because the likely increase in traffic levels within Boxford Conservation Area associated with the development would have a limited negative impact upon its character and the setting of listed buildings within it. However, the Heritage Team considers that the construction of the dwellings themselves and associated highway work would not harm the designated heritage assets in principle.”

- 8.6 The proposal does not conflict with Policy CN01, CN06, CN08 or Paragraphs 193 - 197 of the NPPF to an unacceptable level warranting refusal and it is considered the above duties under the 1990 Act set out above are adequately met.

9 Site Access, Parking and Highway Safety Considerations

- 9.1 Policy TP15 requires development to be delivered with safe and sufficient highways access and function. Paragraph 109 of the NPPF confirms that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.
- 9.2 Parking on site is offered in accordance with the Suffolk Parking Standards (2015) such that enough spaces are to be provided that future residents will be able to avoid on street parking.

- 9.3 Access is a detailed matter. The site has been assessed by the LHA, who are content that safe and sufficient access / egress can be delivered, subject to conditions without severe detrimental impact.
- 9.4 Officers acknowledge the highway safety concerns raised by 3rd party objections. In this regard, careful consideration has been applied. The access layout is endorsed by Officers. Furthermore, the scheme is unlikely to present 'severe' adverse highways impact resulting in unacceptable congestion or obstruction. The visibility concerns are noted, and the applicant has submitted requisite plans in order to secure a complaint scheme that provides safe and sufficient access for pedestrians, cyclists and vehicles. Visual obstruction is not created as a result of development.
- 9.5 Officers are aware of Appeal Decision reference APP/D3505/W/18/3197391. The Inspector concluded that the scheme would cause unacceptable highways impact, owing to the narrow stretches of pedestrian highway along Swan Street, with obstructions (telegraph poles, protruding buildings and wheelie bins etc) and a much higher likelihood of pedestrian / vehicular collision given the amount of parked cars in the locality. In consideration of this dismissal, Officers note the superior footpath provision (including bus stop waiting area and widening of existing 'pinch point') offered to secure unobstructed pedestrian access. Unlike the above appeal, this site provides a 1.2m wide pedestrian footway provision leading into the centre of the village which would enable safe and sufficient access for pedestrians. As such, Officers consider, in light of the appeal decision cited, that the scheme would not cause unacceptable highways impact or severe harm.
- 9.6 The LHA have assessed the proposal, and support the scheme subject to the imposition of planning conditions which include; details of visibility splays, access layout, estate roads, carriageways and footways, surface water drainage, HGV management, loading and unloading, refuse and recycling, and Residents Travel Pack.
- 9.7 In addition, this scheme proposes links for pedestrians from the development and wider community, to bus stops, the primary school and to the amenities within the village. As such, the scheme will also be bound by S106 to secure such provision:
- To create a footway from the bottom of Sand Hill, into Cox Hill junction and Ellis Street and an uncontrolled crossing point.
 - Contribution of £20,000 to be made to SCC for the extension of the 30mph speed limit and the introduction of the 20mph speed zone.
 - Widening of 'pinch point' on Broad Street
- 9.8 There is nothing before Officers to suggest a LHA compliant scheme could not be delivered, reflective of Policy TP15.

10 Public Rights of Way

- 10.1 The proposed development will not have an adverse impact on the local public rights of way (PROW) network. The impact on visual receptors (i.e. people walking along the footpath) adjoining the site has been considered above in the landscape impact assessment. Public Rights of Way provisions are important for recreation, encouraging healthy lifestyles, providing green links, supporting the local economy and promoting local tourism. The footpath provision through the site will be enhanced and improved,

integrating with the development. Final design will incorporate the PROW pedestrian footfall, and is a reserved matter.

11 Public Open Space

- 11.1 The masterplan provides a circa 1.87ha of public open space which is a welcome benefit. In addition, the open greenspace, Local Areas for Play (LAP) and Local Equipped Areas for Play (LEAP) are provided, demonstrating good variety. In any event, play equipment provision is not a fundamental aspect of the scheme, but is a good benefit which will aid the quality of the public open space offering.
- 11.2 Based upon the current outline submission, the public open space provision itself should be secured through S106 inclusive of management, any features, and spatial size (no less than 1.87ha). The developer will establish a management company to manage the land or some other arrangement agreed with the Council. There is no proposal for the maintenance and management of the public open space area to be transferred to the Council.

12 Landscape Impact, Trees, Ecology, Biodiversity and Protected Species

- 12.1 Paragraph 170 of the NPPF seeks to conserve and enhance biodiversity and the natural environment, among other things.
- 12.2 The scheme presents a limited impact upon arboricultural value. The removal of trees and overgrown vegetation as existing is not a matter which Officers raise concern with. The Arborist has rightly requested an Arboricultural Method Statement and that Tree Protection Plan measures are secured through condition, therefore requisite conditions shall be imposed for future delivery. Place Services (Landscaping) have also resolved to support the application subject to conditions relating to landscaping, SUDs and a landscaping management plan (10 years).
- 12.3 Place Services (Ecology) resolved to support the proposal subject to conditions. The Ecologist supports the scheme subject to the submission and agreement of a landscape and ecological management plan, biodiversity enhancement, skylark mitigation, construction management plan and lighting design details. These matters are secured through conditions, and are wholly necessary to delivering a scheme which is reflective of Paragraph 170(d) of the NPPF.
- 12.4 Suffolk Wildlife Trust (SWT) were also consulted. The Trust opted not to comment.
- 12.5 The Best and Most Versatile (BMV) agricultural land is sought to be retained under Paragraph 170 of the NPPF. Land is graded on a scale of 1-5, with Grade 1 deemed excellent quality and Grade 5 deemed very poor quality agricultural land. In this instance the 5.71ha site comprises of Grade 3 land. In reviewing the agricultural land classifications for Babergh, the majority of the land within the district is classified as Grades 2 and 3, with limited land in the lower categories. Accordingly, Officers thereby consider there to be limited poorer quality land available that would represent a preferable location and the extent of loss of 5.71ha would be minimal to the wider agricultural land available and so would not be sufficient to merit a reason for refusal for this development.

13 Land Contamination

- 13.1 No issues are identified within the submitted land contamination studies and the Environmental Health Officer (EHO) is satisfied that development could go ahead without the need for further investigation or remediation at this stage.

14 Flood and Water

- 14.1 The site is not located in a vulnerable flood zone area, therefore the risks of flooding are considered to be low. Nonetheless, the Lead Local Flood Authority (LLFA) were consulted as part of the consultation process.
- 14.2 Infiltration rate testing has been performed and the site is deemed to be sufficient for housing, owing to the presence of granular material which provided greater pore spacing for the water to disperse through, subject to SUDs and surface water drainage details secured through condition.
- 14.3 Nonetheless, Officers acknowledge the content of 3rd party objection relating to drainage. The surface water run off onto the highway has been assessed by the LHA, and Officers concur with these findings insofar as the sites sealed surfaces could be adequately managed through SUDs. The scheme does not present concern in this regard, and there is little before Officers to suggest a flood and water compliant scheme could not be delivered.

15 Archaeology

- 15.1 This site lies in an area of archaeological potential recorded on the County Historic Environment Record. The site is topographically favourable for early activity, and an Anglo-Saxon brooch fragment is recorded from within it (County Historic Environment Record BXF 009) – if not a chance loss, this may represent a cemetery in the vicinity. There are also recorded findspots of Roman and medieval date in the wider area, particularly to the south (BXF 003, 007, 010, 033, 034). As a result, there is high potential for the discovery of 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.
- 15.2 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. Standard pre and post investigative conditions are recommended.

16 Sustainability of the Proposal

- 16.1 Policy CS1 requires development proposals to be considered in line with the presumption of sustainable development. In order to be considered ‘in step’ with CS1, the scheme would need to accord with the overall thrust and momentum of sustainability and connectivity, with limited harms. Development that improves the economic, social and environmental conditions in the District will be approved where possible. The three objectives of sustainable development, in the context of the proposed development, are assessed in detail below:
- 16.2 Economic objective
- 16.3 The provision of up to 80 no. dwellings and associated works will give rise to short-term employment during the construction phase of the development. Furthermore,

future occupiers of the development would be likely to use local services and facilities. The New Anglia 'Strategic Economic Plan' (April, 2014) acknowledges that house building is a powerful stimulus for growth and supports around 1.5 jobs directly and 2.4 additional jobs in the wider economy for every home built. The spending power from future resident owner / occupiers of the site would generate a significant boost for the local economy also.

16.4 Social objective

16.5 In respect to the provision of new housing, the development would provide a benefit in helping to meet the current housing shortfall in the district and within the local area as identified in the local housing needs assessment submitted with the application, through the delivery of additional dwellings. The scheme will provide 21 no. affordable rented units and 7 no. shared ownership units, helping to ensure that a vibrant and sustainable community is provided. The scheme will support the village's health, social and cultural well-being.

16.6 Paragraph 78 of the NPPF seeks to promote sustainable development in rural areas advising '*housing should be located where it will enhance or maintain the vitality of rural communities*' and recognises that where there are groups of smaller settlements, development in one village may support services in a village nearby.

16.7 The matter of the sustainability of the site in terms of access to local services and facilities has been discussed under Section 4.

16.8 Environmental objective

16.9 The site adjoins the settlement boundary of Boxford, presenting as 'edge of settlement' development within suitable walking distance to a range of local services, facilities and amenities discussed above.

16.10 The visual impact of the proposal set amongst the backdrop of the locality would not present unacceptable harm, and whilst there would be a change to the character of the existing agricultural land, there would be an opportunity to provide betterment and uplift to this part of Boxford, through appropriate design, layout and landscaping. Whilst this would largely materialise at reserved matters stage, the visual aesthetics of the scheme could improve the locality. The scheme enhances the environmental character through biodiversity and ecology benefits, without unacceptable landscape harm reduced through mitigation. The application is supported by a Sustainability Statement, which outlines that energy efficiency can be secured through future design.

16.11 The short-term harm from using bus transport for the potential 20 primary school aged children is also noted as an environmental harm, but is qualified by the small extent and potential short term nature of this harm.

16.12 Officers note the detailed design matters which would work in conjunction with sustainability and efficiency measures. This is a detailed design matter which would in any event materialise at reserved matters stage. Officers are not inclined to impose conditions at this stage.

17 Affordable Housing

17.1 The Strategic Housing Officer (SHO) has offered comment on the nature of the proposal, including the mix and tenure of the proposed residential units. Having

considered the registered housing need in Boxford, it is recommended that the tenure split should be approximately 75% affordable rented and 25% shared ownership as follows:

Affordable Rent = 75% - 21 dwellings

- 4 x 1 bed 2-person flats @ 50 sqm
- 4 x 2 bed 4-person bungalows @ 70 sqm
- 10 x 2 bed 4-person houses @ 79 sqm
- 3 x 3 bed 5-person houses @ 93 sqm

Shared Ownership = 25% - 7 dwellings

- 4 x 2bed 4-person house – 79 sqm meets the NDSS requirement
- 3 x 3bed 5-person house – 93 sqm to meet the NDSS requirement

- 17.2 The 2019 SHMA indicates that in Babergh there is a need for all types of new homes, but specifically for properties that are suitable for new entrants to the housing market in the form of 2 bed apartments and houses but also at the other end of the market where 2 and 3 bedroomed bungalows/chalet bungalows are required for older people in our communities wishing to downsize or reduce the need for stairs.
- 17.3 The updated SHMA 2019 advises that Babergh District requires 110 additional new affordable homes per annum to meet housing need. There is strong demand for one and two-bedroom flats/apartments and houses. Developers should consider flats/apartments that are well specified with good size rooms to encourage downsizing amongst older people, provided these are in the right location for easy access to facilities. Older people have also expressed their desire for chalet bungalows of one and a half storey. This may include sheltered or extra care housing where appropriate.
- 17.4 The SHO has resolved to conclude that the scheme is acceptable at 100% district wide connection, conforming to the requirements of Policy CS19, secured through S106.

18 Planning Obligations

- 18.1 As noted above, the application engages 35% affordable housing contribution for the district wide need, public open space inclusive of management company, highways improvements and a schools transport contribution totalling £134,400. Officers consider it necessary to secure delivery through a S106 Legal Agreement. This is a robust legal arrangement, enforceable by the District.
- 18.2 Section 143 of the Localism Act 2011 on local financial considerations requires consideration to be given to the financial benefits a development would bring to the council through grant income, such as New Homes Bonus, Community Infrastructure Levy, Council Tax and Business Rates. However the financial benefits this scheme would deliver need to be weighed against the different issues raised above, and put into the planning balance when considering the merits of the application.
- 18.3 The scheme would also be subject to CIL 123 contributions.

19 Environmental Impact Assessment

- 19.1 The application has been screened through the application process as to whether an Environmental Impact Assessment (EIA) was required. This development and other consented and allocated developments have been considered. Given the scale and nature of the proposed development, along with the character, constraints of the

surrounding area, it is not considered that the proposed development would result in significant effects on the environment, whether in isolation or in combination with any other developments in the locality. An Environmental Impact Assessment under the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 (as amended) was not required to assess the environmental impacts of the scheme.

20 **Delivery**

20.1 The NPPF makes clear in paragraph 59 that it is the Government's intention to significantly boost the supply of housing and in support of that objective it is important that a sufficient amount and variety of land can come forward where it is needed, that the needs of groups with specific housing requirements are addressed and that land with permission is developed without unnecessary delay. Paragraph 76 of the NPPF also identifies to help ensure proposals for housing developments are implemented in a timely manner, a shorter time limit can be considered, provided it does not affect its deliverability or viability.

20.2 Bearing in mind the Government's objective of significantly boosting the supply of homes and the desire that land with planning permission should be developed without unnecessary delay (see paragraph 59 of the NPPF), and the direction, at paragraph 79, for decision-takers to consider shortened implementation timescales in order to expedite delivery, the Council consider that it must be a material consideration to consider whether a site proposed for development can be brought forward quickly.

20.3 The deliverability of a development is an important factor in an assessment as to its sustainability (in terms of its benefits) and in terms of its contribution to the supply of housing in the District; considered to be more compelling in the event that there is a demonstrable shortfall in housing supply.

20.4 The NPPF defines deliverable:

"To be considered deliverable, sites for housing should be available now, offer a suitable location for development now, and be achievable with a realistic prospect that housing will be delivered on the site within five years."

and:

"Sites with outline planning permission... should only be considered deliverable where there is clear evidence that housing completions will begin on site within five years."

20.5 The PPG gives further guidance on those considerations under the chapter heading, 'Housing and economic land availability assessment' and including three, important concepts: suitability, availability, and achievability. Whilst primarily aimed at aiding the plan-making process, the principles are no less useful when considering the deliverability of this development. The PPG also identifies information relating to site viability, ownership constraints or infrastructure provision, and a statement of common ground between the local planning authority and the developer confirming the anticipated build-out rates.

20.6 To assist delivery a shorter timescale for implementation is recommended. This is to ensure the site would be built out as soon as possible to contribute to the five-year land supply.

- 20.7 The site is considered to be suitable for development, as detailed further in the conclusion and planning balance to this report, providing significant benefits of housing and affordable housing. There is a reasoned expectation that the development would make a valuable contribution to the five-year land supply period in the short-term and at an expeditious rate.

PART FOUR – CONCLUSION

21 Planning Balance

- 21.1 The Council can demonstrate a five-year housing land supply. The starting point for decision-taking purposes remains firmly with the Development Plan, with the NPPF a material consideration in this decision. Development Plan policies generally conform with the aims of the NPPF to promote sustainable transport through walking, cycling and public transport by actively managing patterns of growth in support of this, whereby significant development should be focused on locations which are or can be made sustainable, through limiting the need to travel and offering a genuine choice of transport modes. In that respect the development complies with the broader thrust of Policy CS2 (notwithstanding its exceptional circumstances “test”), Policy CS1, CS11 and CS15. Whilst the policy conflict with CS2 is noted and the lesser weight this policy is given, and also the conflicts noted above with CS11 relating to landscape and the short-term primary school places issue, these are not considered to be matters on which this application turns.
- 21.2 A recent Planning Appeal in Farnham relates expressly to ‘edge of settlement’ development, even if the Council are able to demonstrate a five-year housing land supply (as per the case here).
- 21.3 Paragraph 43 of the Appeal Decision (reference: APP/N1730/W/17/3185513) states that *“although the appeal site falls outside the settlement boundary for Crondall, through the application of the assessment set out in Paragraph 213 of the Framework negatively worded policies that seek to apply a considerably more restrictive approach by preventing development outside settlement boundaries. In any event, whilst the Council can demonstrate a 9 years supply of deliverable housing sites, Paragraph 59 of the Framework maintains that it is the Government’s stated objective to significantly boost the supply of housing”*.
- 21.4 In essence, sites which present as ‘edge of settlement’ or provide a ‘close functional relationship’ to the settlement boundary should be granted unless material considerations indicate otherwise, irrespective of whether the Council is able to demonstrate a five-year housing land supply, or not.
- 21.5 Further consideration must also be afforded to a Planning Appeal in Wingerworth (reference: APP/R1038/W/17/3192255) which states at paragraph 53; *“it is important to note that the presence of a five year supply of housing land is not a ceiling and the provision of general needs housing is a significant material consideration in light of national policy to significantly boost the supply of homes”*.
- 21.6 The Inspector goes on to say at paragraph 73 that; *“Although I have concluded that there is a five year housing land supply in the District, based on the standard methodology, this is not a ceiling and the provision of general needs housing is a significant material consideration in the light of national policy. In addition the provision*

of 40% affordable housing is a very significant material consideration weighing in favour of the appeal scheme”.

- 21.7 The NPPF and Policy CS1 require development to be approved that accords with an up to date development plan, and without delay. The proposal accords with the ‘most important’ policies applicable to the proposal, is in a sustainable location on the edge of the settlement boundary, within walking distance of a good range of local services. The proposed development is visually well related to the area, adjoining the settlement boundary.
- 21.8 Whilst the majority of the detailed matters are reserved, there is little before Officers to suggest the scheme conflicts to an unacceptable level in terms of; design and layout, heritage, residential amenity, landscape, ecology, highways, flood and water, land contamination or sustainability. Whilst there would be some landscape harm this is considered to be mitigated to some degree, and the harm of transporting the potential 20 primary school aged children by bus to school in the short term in the life of this development is not considered to provide sufficient reason to refuse the application. The concerns raised in this application have been given due consideration, but through the proposed mitigation and enhancement measures including highways improvements, landscaping and school transport, it is considered this development would deliver housing including a policy compliant affordable housing provision, and in the round be a sustainable development.
- 21.9 The proposal represents an appropriate proposal for residential development and would deliver sustainable housing, furthering the overarching thrust of Policies CS1, CS2, CS11 and CS15 of the Core Strategy and in line with the aims of the NPPF. The application is therefore recommended for approval.

RECOMMENDATION

That authority be delegated to the Chief Planning Officer to grant outline planning permission subject to the prior completion of a Section 106 Legal Agreement on terms to their satisfaction to secure the following heads of terms:

- 35% Affordable Housing (District Wide need)
- Public Open Space (Not less than 1.87ha, inclusive of Management Company)
- Highways (Pedestrian footway, crossing point, 20mph zone, 30mph extension, widening of ‘pinch point’ and £20,000 contribution)
- Development contribution totalling £134,400 (Schools Transport)

and that such permission be subject to the conditions as summarised below and those as may be deemed necessary by the Chief Planning Officer:

- Reduced outline time limit (18 months)
- Reserved matters details
- Approved plans
- Market housing mix
- Archaeology (pre investigation)
- Archaeology (post investigation)
- Construction Management Plan
- No burning of construction / demolition waste
- Levels
- Highways – Visibility Splays
- Highways – Details of access

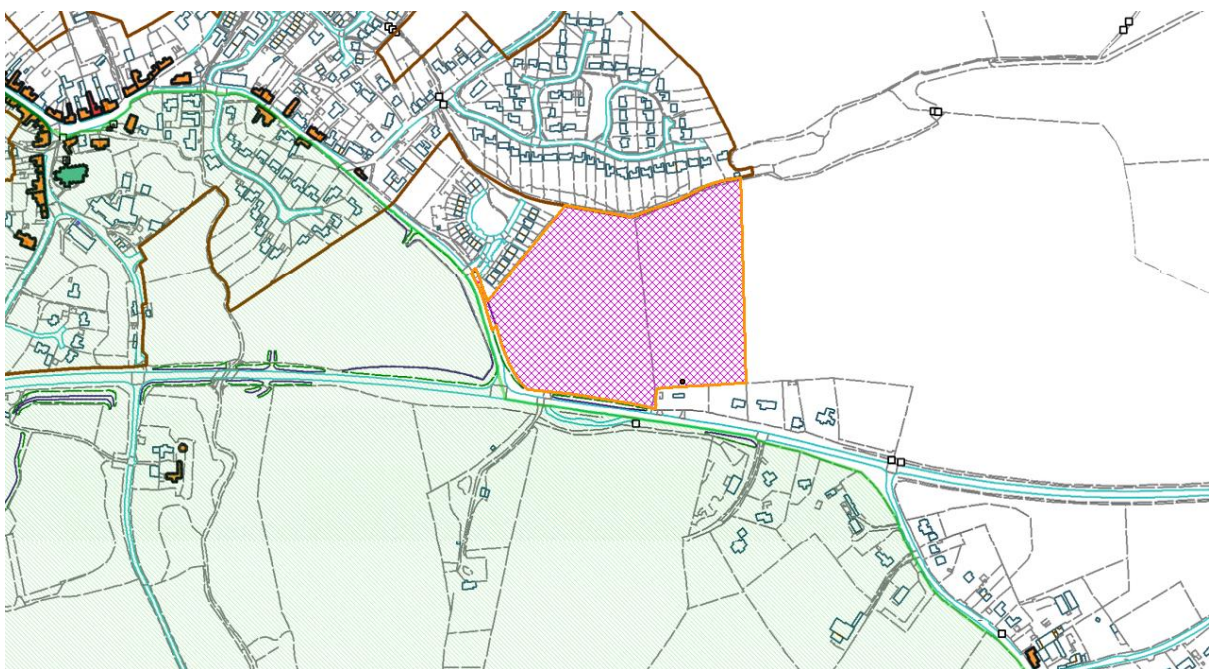
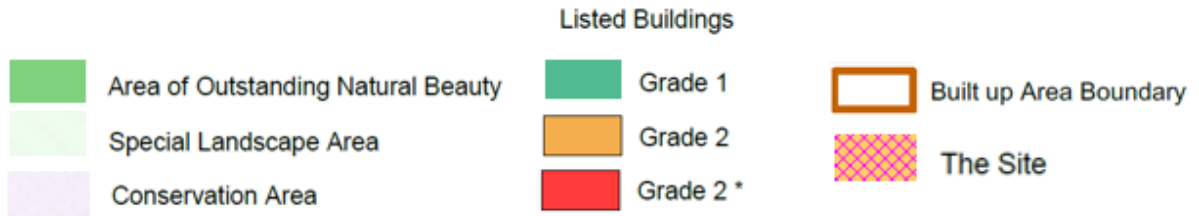
- Highways – Estate roads and footpaths
- Highways – Basecourse level
- Highways – Surface Water Discharge
- Highways – Footway link
- Highways – Residents Travel Pack
- Highways – Parking
- Highways – HGV Construction
- Surface water drainage
- SUDs
- Arboricultural Method Statement
- Tree Protection Plan
- Fire hydrants
- Landscape and ecology management plan
- Biodiversity enhancement strategy
- Skylark mitigation strategy
- Construction environmental management plan
- Footway materials
- Signage
- Surface materials for bus stop waiting area

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Application No: DC/19/01873

Parish: Boxford

Location: Land To The East Of Sand Hill



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Agenda Item 6b

Committee Report

Item 6B

Reference: DC/19/02489
Case Officer: Elizabeth Flood

Ward: South East Cosford

Ward Members: Cllr Leigh Jamieson

RECOMMENDATION – REFUSE OUTLINE PLANNING PERMISSION

Description of Development

Outline planning application (some matters reserved) - erection of 25 dwellings (8 affordable dwellings) site layout, and access

Location

Land to the south east of Wheatfields Whatfield Suffolk

Parish: Whatfield

Expiry Date

Application Type: Outline planning application

Development Type: Major Small Scale - Dwellings

Applicant: Mrs V and Mr R Riddleston

Agent: Wincer Kievenaar Architects 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 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

Whatfield Neighbourhood Plan Status:

- Area Designated 18 July 2018
- Currently at Stage 2 – preparation

Planning History

B/14/01128 - Outline - Erection of 15 dwellings – refused permission in July 2015 on the following grounds:

1. The applicant has failed to identify a local need, the site has a poor locational connect being isolated from facilities, the proposal is not a natural extension of the village and the scale is such that cumulatively the growth in the village would be disproportionate. The proposal is therefore considered to be an unjustified, unsustainable development contrary to Policies CS2, CS11 and the NPPF

2. The proposed development would be contrary to Policy CN01 of the Babergh Local Plan and Policy CS15 of the Babergh Core Strategy. These Policies require new development to be of a good standard of design that makes a positive contribution to the area.

The development as proposed would be an incongruous incursion in the countryside being an overly dense suburban cul-de-sac layout in an otherwise open field. Furthermore the proposed layout fails to follow urban design principle set out in the Urban Design Compendium and Building for Life 12. The layout would also be dominated by the proposed road, the street would not be created by buildings (giving an incoherent layout with no clear composition or design concept) and there would be a proliferation of boundary treatment fronting the public realm. This is all contrary to the aforementioned Policies and the NPPF.

3. The proposal would be contrary to Policy HS32 of the Local Plan which requires 10% of the site to be public open space. In the absence of public open space the proposal is contrary to the above mentioned Policy.

4. In the absence of a s106 legal agreement/obligation the proposal is contrary to Policies CS21 and CS19 of the Babergh Core Strategy. Policy CS19 requires 35% on site affordable housing whereas Policy CS21 requires development to be supported by, and make adequate provision for, appropriate infrastructure.

In this case the development should make adequate provision of infrastructure via a financial contribution towards education at Hadleigh High School, library facilities at Hadleigh Library and waste facilities at Hadleigh Household waste facility.

Whilst it is acknowledged that the applicant has agreed to all of the above in principle, in the absence of a legal mechanism to secure these infrastructure measures and affordable housing as legal obligations the application is contrary to the above mentioned Policies.

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

Whatfield Parish Council

Initial response

Recommend refusal.

Housing number in excess of that previously refused in 2015. No change in policy since this decision. 15 dwellings approved at Church Farm Place since 2015 and that development accommodate any outstanding local need.

Contrary to Policy CS11.

Outside the defined settlement boundary.

Lack of justification for housing demand locally.

Incorrect and misleading statements in application documentation.

Public transport is not viable and an unsustainable service.

Highway safety issues.

Pedestrian safety risk increased.

Press article lists SCC bus routes to be cut - including routes 120, 461, 462 plus the Ipswich/Hadleigh service.

Subsequent response

SCC have reiterated their projected figures for Whatfield CEVCP School we do not feel School numbers can be bolstered by building more homes.

Whatfield's Neighbourhood Plan Questionnaire data is currently being processed and should provide a wider set of figures for the local need for housing from both residents and the school alike.

The LHNA document submitted by the applicant, prepared by Litchfields seems to contain very generalised, non-Whatfield specific details,

Babergh District Council's own emerging Joint Local Plan (Preferred Options Reg 18 Version) published in July 2019, contains housing figures for each Neighbourhood Area currently producing a Neighbourhood Plan. The figure included in the draft Local Plan for Whatfield is 1 dwelling.

SCC Highways Authority

The NPPF focuses on the importance of promoting sustainable transport and give priority to public transport, pedestrian and cycle movements. The primary school is within the village however, there is not a continuous footway from the site so no safe route for the vulnerable user. Therefore, to make this site acceptable, we request the developer builds a new footway link to the school under s278 or if the other site within the village is permitted, a contribution under s106 is given. Although this is an outline planning application, we would like to mention we have concerns about the layout for this development; these will need to be addressed prior to full application. The main areas of concern are listed below:

The parking places for many of the Plots are not adjacent to the dwellings. Experience has shown that residents tend to park as close as possible to the entrance of their house. Therefore, it is considered the parking allocation is not 'convenient' and may lead to parking on footways, verges and service strips.

Should the Planning Authority be minded to grant planning approval the Highway Authority in Suffolk would recommend they include appropriate conditions and obligations.

Place Services – Landscape

The submitted landscape appraisal is acceptable.

Recommendations:

The LPA Urban Design officer should be consulted as part of this outline planning application and any future application to discuss and comment on layout, boundary treatment, house typologies and plot arrangements with particular attention on the affordable housing layout.

Sensitive boundary treatment (hard and soft) will be key to delivering a good public realm. Careful design around the south and western areas of the site will be important.

A swale has been proposed along the southern boundary of the site. SuDS can improve the quality and, in most cases, aesthetics of the public realm and developments by creating attractive and multi-functional landscape features.

We welcome the inclusion of various informal paths linking to the existing PROW. Any proposed informal footpath should be positioned and design in a way that delivers acceptable levels of passive surveillance.

In order to deliver a satisfactory scheme, the proposal should give consideration to: a. Settlement pattern and orientation in keeping with the existing built pattern. b. Appropriate landscape mitigation using native planting with a fair number of long life expectancy tree species. c. Sensitive approach to listed building to the west of the site by setting back the development from the road and listed building. d. New tree planting to be kept within the public domain rather than under private ownership.

In the event that approval of this outline application is forthcoming then standard reserve matters conditions should be considered.

BMSDC Heritage

Based on the limited amount of information submitted with this outline application, the Heritage Team considers that the proposed development would likely cause a negligible level of harm to the significance of Barrard's Hall, because of the limited impact on its wider setting.

The full extent of any potential harm would depend on details of design, massing, materials and boundary treatment of the proposed development.

This is an outline application for 25 dwellings in the wider setting of the Grade II listed Barrard's Hall. The heritage concern relates to the impact of the proposal on the setting of the listed building, which contributes to its significance.

Barrard's Hall is located a short distance to the south of Whatfield, separated by open agricultural land. It is a C18 red brick house according to the listing description, built on a moated site. The site is set back from Whatfield Road and accessed from a straight drive. Mature vegetation surrounds the moat, but allows some views through to the house. Adjacent to the site to the north are several large modern agricultural buildings. Other than these buildings, the listed building is surrounded by open countryside.

The application site is located to the north-east of the listed building. The southern corner of the site would reach the pond just to the north of the agricultural buildings adjacent Barrard's Hall.

The expansion of Whatfield to the south is slowly encroaching on the open setting of Barrard's Hall, which is a concern. However, development on this current site would only have a minor impact on the wider setting of the listed building, subject to details. The application site only forms a small part of the wider setting of the listed building, and the overall contribution that setting makes to the significance of

the listed building would only be minimally affected. The green buffer zone adjacent Whatfield Road would also help reduce the impact of the development on the setting of the listed building, by preserving a soft edge to this part of the field.

Subject to details of design, massing, materials and boundary treatment, the Heritage Team considers that the proposed development would likely cause a negligible level of harm to the significance of Barrard's Hall, because of the limited impact on the wider setting of the listed building.

BMSDC Policy

Whatfield is geographically a much less sustainable settlement within the Babergh district due to its significant lack of sustainable services and facilities to accommodate major growth such as this proposed.

The proposal would disproportionately expand a rural settlement where sustainability and infrastructure is poor and such a major proposal would exacerbate the situation.

The strategic planning policy team have not assessed this proposal from a detailed perspective. But, given the sites rural location and visually open relationship with the wider undulated and sloped landscape. All constraints should be taken into consideration, which should include landscape and ecology due to the designated Special Landscape Area, protected species in the area and surface water/flood zones.

It is not clear or demonstrated how deliverable the proposal would be.

The strategic planning policy team object to this proposal.

BMSDC Strategic Housing

We have noted the contents of the housing assessment. I refer you to the response previously given on 24th June and note her recommendations for the affordable housing mix however the proposals in table 1.1 of para 1.2 in the assessment are broadly acceptable.

There appears to be no reference to tenure, we require a mix of shared ownership and affordable rent based on the proposed mix as follows:

- 1 x 1 bed 2p bungalow - Affordable rent
- 1 x 2b 4p bungalow - Affordable rent
- 2 x 2b 4p house - Affordable rent
- 2 x 3b 6p house - Affordable rent
- 2 x 2b 4p house - Shared Ownership

SCC Strategic Development

Initial Response

Education:

The local schools are Whatfield CEVC Primary School (catchment school and nearest to the proposed development), Hadleigh High School (ages 11 – 16) (catchment school and is the nearest secondary school, but over 3-miles away), and One (sixth form).

Based on existing primary school forecasts, SCC will have no surplus places available at the catchment primary school. On this basis, at the primary school level a future CIL funding bid of at least £117,124 (2019/20 costs) will be made.

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 £133,836 (2019/20 costs) will be made.

If the Council considers that planning permission should be granted for the proposed development, this must be on the basis that s106 developer funding is secured by way of a planning obligation for the site-specific costs of secondary school transport. Contribution required is as follows:

a) School transport contribution – 5 secondary-age pupils are forecast to arise from the proposed development. Developer contributions are sought to fund school transport provision for a minimum of five years for secondary-age pupils. Annual school transport cost per pupil is £960. Therefore, contribution is £960 x 5 pupils x 5 years = £24,000, increased by the RPI. This contribution will be held for a minimum period of 10 years from the first occupation of the final dwelling.

Pre-school:

From these development proposals SCC would anticipate up to 3 pre-school children arising, at a cost per place of £16,732.

This proposed development is in the South Cosford ward, where there is an existing deficit of places. Therefore, a future CIL funding bid of at least £50,196 (2019/20 costs) will be made.

Libraries:

A CIL contribution of £216 per dwelling is sought i.e. £5,400.

Subsequent response

The county council previously responded to this application by way of letter dated 30 May 2019, which set out the infrastructure implications. This consultation response is still applicable. Whatfield CEVC Primary School has a capacity of 56 places (pupil admission number of 8), which for planning purposes is reduced by 5% to 53 places to allow for midyear admissions etc.

The county council has looked at the latest school forecasts for this year and agrees that the pupils on roll are 53 for the 2018/19 academic year. However, whilst the school will be losing a large year 6 group (10 pupils) this does not consider that the school is forecast to have a reception year of 9 pupils. As part of the county council's forecasting work we also look at trends on which schools may gain pupils throughout the year and based on the school having spaces in year 4 and 6 in particular, we would forecast the school to have more than 52 during the year. For 2020/21 the school will lose a smaller year 6 group (currently 4 pupils) and take a forecast 7 pupils in reception, a net gain of 3 taking the school roll to at least 55. Our forecasts show that we expect the school roll to be at or around the mid to low 50s for the foreseeable future.

SCC Flood and Water

Holding objection because whilst the applicant has provided a suitable assessment of flood risk, and a viable method for draining the surface water from the site. The applicant is still proposing to utilise a hybrid SuDs system and have not provide a viability statement as to why a full open SuDs system cannot be utilised in accordance with national and local policy/guidance.

County Archaeological Service

This site lies in an area of archaeological potential recorded on the County Historic Environment Record. Medieval occupation remains have been detected during two recent archaeological investigations in the village (WHA 015 and 018). Roman, Saxon and medieval finds have also been located within the vicinity of the proposed development site (WHA 016 and 016). As a result, there is high potential for the discovery of 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

We have reviewed the Ecological Survey Report (MHE Consulting Ltd, January 2019), submitted by the applicant, relating to the likely impacts of development on designated sites, protected species and priority species/habitats.

We are satisfied that there is sufficient ecological information available for determination. This provides certainty for the LPA of the likely impacts on Protected and Priority species/habitats and, with appropriate mitigation measures secured, the development can be made acceptable.

In addition, we also support the reasonable biodiversity enhancements, which have been recommended to secure measurable net gains for biodiversity, as highlighted within Paragraph 170d of the National Planning Policy Framework 2019. The reasonable biodiversity enhancement measures should be outlined within a Biodiversity Enhancement Strategy and should be secured prior to slab level. This should include the locations of any 130mm x 130mm gaps within the base of fencing, to demonstrate that the movement of hedgehog corridors will be maintained throughout the site.

This will enable LPA to demonstrate its compliance with its statutory duties including its biodiversity duty under s40 NERC Act 2006.

Impacts will be minimised such that the proposal is acceptable subject to the conditions below based on BS42020:2013.

Submission for approval and implementation of details should be a condition of any planning consent.

BMSDC – Communities Major Development

The application's location is near to the main village open space/play area, therefore as commented by the Parish Council, the proposed green is more for visual impact rather than as a suitable space for recreation. Therefore, increasing the size at the proposed informal play area associated with the affordable housing would offer increased and safer recreational value to the provision.

BMSDC - Land Contamination

No objection.

Natural England

No comments.

SCC Fire and Rescue

No objection.

B: Representations

43 objections have been received, based on the following grounds (summarised):

- *Planning permission has already been rejected previously on this site and for fewer houses. There has been no change in the circumstances for this new proposal to be granted.
- *Increase in traffic volume
- *Highway safety
- *No planning applications in the village should be considered until our Neighbourhood Plan is published
- *Lack of infrastructure and amenities to meet demand - no spare capacity at the local high school, doctors surgery and dentists.
- *When Wheatfields was completed in the early 70's there was a Pub, Village Shop, Post Office with shop, Garage with petrol pump whereas now it just has a school and village hall.
- *Traffic assessment and travel plan inaccuracies
- *Contrary to Policy CS11 and CS15
- *Density out of keeping with village
- *Development design out of keeping with the local vernacular
- *The proposed development will occupy an unacceptably intrusive position next to an important and valuable protected landscape area.
- *No street lighting
- *Light pollution for houses at the front of Wheatfields, headlights will point in windows - inconsiderately designed
- *Not a logical extension to the village.
- *It will have an overwhelming scale relative to the existing village.
- *It will obscure Barrards Hall - an important historic listed building in our Parish.
- *Having a prominent development siting on the crest of the hill will destroy important rural views from the south west (over Brett valley, from Kersey etc)
- *Lack of public transport and opportunities for employment
- *Development scale disproportionate to village
- *No demonstrable evidence of need for additional housing
- *High car dependency as virtually no bus service - buses not regular, no service on weekends and no bus service supporting those working normal working hours between 7 to 9 and 4 to 6.
- *Outside of settlement boundary
- * Lack of safe public footpath connectivity to village
- *Loss of agricultural land
- *Local Housing Needs Assessment undertaken by a private company for the applicant and not by an independent authority

PART THREE – ASSESSMENT OF APPLICATION

1. Site and Surroundings

- 1.1. The 1.84ha site is located on the southern side of Wheatfields, on the southern fringe of Whatfield, a designated Hinterland Village. The site is located outside of the village's settlement boundary.
- 1.2. The site comprises part of a field in arable use. Whatfield Road borders the site's western boundary. Residential development (Wheatfields estate) is to the north. Open countryside is to the south and east. A public footpath is located on the opposite side of the north-eastern boundary hedge.
- 1.3. The site is not in a Conservation Area or landscape of special designation. A Special Landscape Area is located west of the site on the opposite side of Whatfield Road. The nearest designated heritage asset is the Grade II listed Barrard's Hall, approximately 210m south of the site.

1.4. The site is in Flood Zone 1.

2. Proposal

2.1 The application seeks outline planning permission for the erection of 25 dwellings, including eight affordable dwellings. All matters are reserved except access and layout.

2.2 The application is supported by a proposed layout plan and housing mix. Key elements of the layout are as follows:

- Market mix: 5 x 2 bed; 9 x 3 bed; 3 x 4 bed
- Affordable mix: 1 x 1 bed; 5 x 2 bed; 2 x 3 bed
- Predominantly detached and terraced properties.
- 23 two storey houses, 2 bungalows.
- Density comprising 13-14 dwellings per hectare.
- 67 on-site car spaces, including 7 visitor spaces.
- Informal landscaped public open space at the site's southern end, fronting Whatfield Road and another central to the site fronting Wheatfields, opposite no.'s 20-22.
- Five vehicle access points proposed from Wheatfields.
- Internal vehicle access is via shared lanes (not adopted estate roads).
- The proposal creates a new field boundary along its south-easterly edge, together with new hedgerow.
- New public footpath proposed along the new field boundary, linking the northern public footpath to Whatfield Road.
- Existing sparse hedge to the northern boundary is retained and strengthened with additional mixed native species to reinforce the hedge line.

3. Principle of Development

3.1 Babergh benefits from a five plus year land supply position. A 25 dwelling development will boost the local housing supply and so even though there is a five year housing supply, the additional housing is a planning benefit in the context of the social dimension of sustainable development. Paragraph 59 of the NPPF makes it clear that a Government objective is to significantly boost the national supply of homes. The delivery of 25 dwellings supports the national housing objective and therefore the housing contribution attracts positive planning weight. It is however important to make clear that the weight attached to it, owing to the district's five year housing supply, is moderated. It is significantly less weight than that afforded to the 15 dwelling scheme refused in 2015, because even though lesser dwellings were proposed at the time, Babergh could not demonstrate a five year housing supply in 2015.

3.2 Owing to the current housing supply position, there is no requirement for Council to determine what weight to attach to all the relevant development plan policies in the context of the tilted balance test, whether they are policies for the supply of housing or restrictive 'counterpart' policies, such as countryside protection policies. This said, there is a need for Council to determine whether relevant policies of the Core Strategy generally conform to the aims of the NPPF. Where they do not, they will carry less statutory weight.

3.3 Policy CS2 (Settlement Pattern Policy) designates Whatfield as a Hinterland Village. Policy CS2 requires that outside of the settlement boundary, development will only be permitted in exceptional circumstances subject to a proven justified need. Part of the site is within the settlement boundary, the majority is outside the settlement boundary. Policy CS2 therefore applies.

- 3.4 The Core Strategy adopted in 2014 expressly anticipated, and stated within the document, that the District settlement boundaries would be reviewed and sites allocated for development following the adoption of the Core Strategy. The Local Development Scheme (LDS) produced in 2012 advised that a new combined LDS would commence in autumn 2012 and stated it was not possible to provide an up to date programme for site specific allocations. It is noted that in the original LDS in 2007 it was anticipated that the Site Allocations document would be adopted within 6 months of the Core Strategy having been adopted. This has not to date happened. The current LDS, published in July 2018, now indicates that the Joint Local Plan, including site allocations, will be adopted in February 2020.
- 3.5 The exceptional circumstances test at Policy CS2 applies to all land outside the settlement boundary. This blanket approach is not consistent with the NPPF, which favours a more balanced approach to decision-making. The NPPF does contain a not dissimilar exceptional circumstances test, set out at paragraph 79, however it is only engaged where development is isolated. For the reasons set out in this report, the development is not isolated within the terms of paragraph 79. Paragraph 79 of the NPPF is not engaged.
- 3.6 Having regard to the material delay in the review of settlement boundaries and in the allocation of sites, and the absence of a balanced approach as favoured by the NPPF, the statutory weight to be attached to Policy CS2 is reduced. The fact that the site is outside the settlement boundary is therefore not a determinative factor upon which the application turns.
- 3.7 The presumption in favour of sustainable development and the need for a balanced approach to decision making are key threads to Policy CS1, CS11 and CS15 of the Core Strategy. Unlike Policy CS2, these policies are consistent with the NPPF, carry full statutory weight and provide the principal assessment framework as it applies to the subject application.
- 3.8 Policy CS1 takes a positive approach to new development that, as noted above, reflects the presumption in favour of sustainable development. It seeks to secure development that improves the economic, social and environmental conditions in the Babergh district.
- 3.9 As noted in the Core Strategy, delivery of housing to meet the district's needs within the framework of the existing settlement pattern means there is a need for 'urban (edge) extensions' as well as locally appropriate levels of growth in the villages. Policy CS11 responds to this challenge, setting out the 'Strategy for Development in Core and Hinterland Villages'. The general purpose of Policy CS11 is to provide greater flexibility in the location of new housing development in the Core and Hinterland Villages.
- 3.10 The site is located on the village's southern fringe, adjacent the settlement boundary. The site is an edge-of-settlement location where the criteria set out at Policy CS11 engage.
- 3.11 Policy CS11 states that development in hinterland villages will be approved where proposals are able to demonstrate a close functional relationship to the existing settlement and where the following criteria are addressed to Council's satisfaction:
- (a) Core villages criteria:
 - i) the landscape, environmental and heritage characteristics of the village;
 - ii) the locational context of the village and the proposed development (particularly the AONBs, Conservation Areas, and heritage assets);
 - iii) site location and sequential approach to site selection;
 - iv) locally identified need - housing and employment, and specific local needs such as affordable housing;
 - v) locally identified community needs; and

- vi) cumulative impact of development in the area in respect of social, physical and environmental impacts.
- (b) Additional hinterland village criteria:
 - i) is well designed and appropriate in size / scale, layout and character to its setting and to the village;
 - ii) is adjacent or well related to the existing pattern of development for that settlement;
 - iii) meets a proven local need, such as affordable housing or targeted market housing identified in an adopted community local plan / neighbourhood plan;
 - iv) supports local services and/or creates or expands employment opportunities; and
 - v) does not compromise the delivery of permitted or identified schemes in adopted community / village local plans within the same functional cluster.

3.12 The accompanying 'Rural Development & Core Strategy Policy CS11 Supplementary Planning Document' (the 'SPD') was adopted by the Council on 8 August 2014. The SPD was prepared to provide guidance on the interpretation and application of Policy CS11, acknowledging that the Site Allocations Document foreshadowed in Policy CS11 may not be prepared for some time. Although the SPD is not part of the statutory development plan, its preparation included a process of community consultation before it was adopted by the Council, and means that it is a material consideration when planning applications are determined.

3.13 The matters listed in Policy CS11, which proposals for development for Hinterland Villages must address, are now considered in turn. Policy CS15 criteria, which an application must score positively against, are addressed later in this report.

The landscape, environmental and heritage characteristics of the village

3.14 Whatfield is a small, predominantly linear village surrounded by large agricultural fields within a gently rolling landscape. As is to be expected with a rural village, the setting is rural, with the undeveloped edges of the village consisting of a prevailing open countryside character.

3.15 The site is not in a formally designated landscape of special or particular significance. Nonetheless, the subject land parcel contributes to the rural setting of the village and forms part of the open, undeveloped character at the village edge. The current Wheatfields development has only a moderate amount of landscaping along its edge and therefore the existing dwellings can be seen from views into the village from Whatfield Road. It has therefore been stated that a positive impact on the proposed development will be improving the views into Whatfield by providing an improved landscape boundary.

3.16 The application is supported by a Landscape Appraisal prepared in accordance with the *Guidelines for Landscape and Visual Impact Assessment 2013*. The report comprehensively assesses the potential landscape impact of the proposal, concluding:

'...the proposed development has notable adverse impacts only at close-range in a localised area, particularly affecting the residential receptors of Wheatfields, while the impacts further afield are minor or negligible. The location of the Site benefits from enclosure from the existing housing stock and surrounding mature vegetation, which contains longer-ranging views from the north-west to the north east and east. Given time, impacts from southern and western viewpoints will reduce as the site becomes enclosed in a belt of native hedge and tree planting forming an appropriate strong new village edge and the new attractive 'gateway' is established. It is considered that, with appropriate mitigation, it will be able to absorb this development without any significant long-term adverse effects to the wider surroundings.'

- 3.17 Council's Landscape Consultant has reviewed the Landscape Appraisal and considers it acceptable. The consultant proposes a number of recommendations to assist with mitigating landscape impact and these can be addressed by condition should the Committee be minded to grant outline consent.
- 3.18 The site is well related in a physical sense to the body of the village, being adjacent to it. Landscaped open areas proposed to the western and northern site perimeter will soften the visual impact of the newly introduced built form. The newly created field edge, whilst not a natural boundary, will be heavily landscaped and will offer a vegetated transition to the open field to the south. Unlike the previously refused scheme, the development offers a 'rounding off' of the village body with the site extending the width of the existing Wheatfields development. Having regard to these observations, the Landscape Appraisal conclusions and the Landscape Consultant's review comments, officers consider the landscape harm to be less than moderate. The identified harm nonetheless weighs negatively in the planning balance. The current views into Whatfield are not considered especially detrimental to the surrounding landscape, therefore the proposed new boundary landscaping on the edge of the proposed new development is not considered to be an overall benefit.
- 3.19 The Heritage Team has carefully considered the impact of the proposal on the nearest heritage asset, the Grade II listed Barrard's Hall. The Heritage Team considers the development would only have a minor impact on the wider setting of the listed building and notes the proposed landscaping area adjacent Whatfield Road helps reduce the impact of the development on the setting of the listed building, by preserving a soft edge to this part of the field. Heritage harm is therefore deemed negligible.

The locational context of the village and the proposed development

- 3.20 There is a relatively limited range of amenities and services on offer in the village, including a primary school, village hall and two churches. The supporting Transport Statement sets out the local services on offer. Noteworthy is the absence of local everyday services in the village. There are no social or health care services within 2km of the site. Similarly, there are no food or fresh grocery opportunities within 2km of the site. There is no pharmacy or public house. Everyday services are accessible only by vehicle or public transport.
- 3.21 There is a primary school and bus stops in the village with good pedestrian connectivity (footpath network) to them from the site. Whilst bus stops are accessible by foot, the frequency of the local bus services is low. The bus service timetable is not commuter friendly. Therefore the take-up of the local bus services by residents of the scheme is likely to be very limited.
- 3.22 There are no major employment generators in the village. Future residents of the scheme will travel to employment locations by private vehicle owing to the frequency of the bus services. Owing to the isolated location of the village, these trips would not be short. Sustainable physical connections to employment opportunities beyond the village are considered poor.
- 3.23 With no local everyday services, an absence of local employment opportunities and infrequent bus services, it is concluded that the site is not a sustainable location for housing.

Site location and sequential approach to site selection

- 3.24 The acceptability of the principle of development does not turn on whether or not the site is within the settlement boundary.

- 3.25 The outcome of R (on the application of East Bergholt PC) v Babergh District Council CO/2375/2016 has clarified that in relation to sequential assessment there is no requirement to look at alternative sites adjoining the built up area boundary, as sequentially they are within the same tier.
- 3.26 In the absence of any sites within the settlement boundary and no requirement to consider other sites outside the settlement boundary, the proposal accords with this element of Policy CS11.

Locally identified need - housing and employment, and specific local needs such as affordable housing

- 3.27 Affordable housing is provided at a quantum that complies with relevant local policy.
- 3.28 Policy CS18 states that the mix, type and size of the housing development will be expected to reflect established needs in the Babergh district. A local needs assessment has been submitted. The report concludes that there is a locally identified need, both quantitatively and qualitatively in terms of the types of housing to support Whatfield as a hinterland village. Depending on how local need is calculated there is a need of between 7 and 50 additional dwellings within Whatfield between 2019 and 2036 and due to the high number of large dwellings there is a requirement for smaller 2 and 3 bed dwelling. 21 of the 25 dwellings proposed are small to medium, being 2 or 3 bedroom units, and as such respond to the local need (young households – first time buyers - and smaller families) identified in the needs assessment report.
- 3.29 The needs assessment notes the number of elderly people is likely to continue to increase. By 2031, it can be expected that over 65s would make up 35% of the village's population. Some of these residents will seek local accessible dwellings, i.e. ground floor flats or bungalows. Of the 25 dwellings only two bungalows are proposed, both of which are affordable units. This said, two storey houses can accommodate ground floor bedrooms and offer appropriate accessibility in this regard. Moreover, dwellings will be constructed in accordance with Part M of the Building Regulations, which requires provision of disabled access throughout the principal entrance level of each dwelling. This level of housing detail is beyond the scope of this outline assessment. It is more appropriately assessed at the relevant reserved matters stage of the development process.

Locally Identified Community Needs

- 3.30 Policy CS11 requires a similar approach to the determination of proposals for development to meet locally identified community needs, recognising the role of Core Villages and the 'functional clusters' they serve. Paragraph 2.8.5.2 of the Core Strategy notes that the 'approach advocated for the management of growth in Core Villages and their hinterlands, has many benefits for the communities'. The benefits that the application of Policy CS11 and other relevant policies should secure include 'Flexibility in the provision of and location of facilities' ... 'to reflect a catchment area pattern which relates to the day to day practice of the people living in the villages' (see item iii) in paragraph 2.8.5.2).
- 3.31 The SPD identifies that proposals should be accompanied by a statement that analyses the community needs of the village and how they have been taken into account in the proposal. The application is not supported by a needs assessment. This said, the proposal will generate contributions towards community infrastructure, to be spent on local services and infrastructure, therefore supporting rural communities, local services and facilities. In this regard, despite the absence of the needs assessment, the proposal delivers benefits through CIL that are considered to satisfy this element of Policy CS11. The absence of a supporting needs assessment, whilst not weighing in favour of the application, is not fatal to it.

Cumulative impact of development in the area in respect of social, physical and environmental impacts

- 3.32 There is no evidence before officers to suggest the scheme will result in an unacceptable cumulative impact on the area in the context of social, physical or environmental impacts. There are no concerns raised by infrastructure providers and therefore the scheme does not result in an adverse cumulative impact on the area.
- 3.33 Many objectors, including the Parish Council, are concerned with the strain that will be placed on local services, in particular schools and the medical system. It is well-established industry practice that CIL contributions are used to ensure existing infrastructure capacity is enhanced to accommodate additional demand. The required contributions are clearly set out in the relevant SCC referral response. Additional infrastructure requirements is a consequence of the development, they are not adverse social, physical or environmental impacts.
- 3.34 There are no grounds to reject the proposal because of any unacceptable adverse impact on local services and infrastructure. The proposal complies with this element of Policy CS11.

Development Layout

- 3.35 Layout is a matter sought for approval. The indicative layout is perhaps best described as a loose linear arrangement, as noted in the Landscape Appraisal. It is different to the established village development pattern which presents the standard estate road type layout, with conventional residential streets the character outcome. However different does not necessarily equate to disrespectful or unacceptable. The loose arrangement allows for the incorporation of landscaped fringes to the development, both on the northern (Wheatfields) and southern boundaries. The development features shared access rather than estate roads. The resulting landscape outcome is one that limits the dominance of hard surface treatments. This does result in an absence of internal footpaths, however footpath links are proposed to the site perimeter and the shared accesses will be slow speed environments. This compromise therefore does not amount to material harm in a sustainability sense.
- 3.36 The character outcome sought by the application starkly contrasts to that refused previously. The refused scheme comprised 15 dwellings on a relatively small (in comparison) 0.3ha site, equating to 50dph. What is now proposed is 25 dwellings over a 1.84ha site, equating to between 13 and 14dph. The much lower density provides significantly more landscaping opportunity, and this coupled with an absence of estate roads, provides a more respectful landscape character response.

Meets local need identified in neighbourhood plan

- 3.37 The Whatfield Neighbourhood Plan is not sufficiently advanced as to offer any direction or weight on this matter.

Supports local services and/or creates employment opportunities

- 3.38 A 25 dwelling development will create short term employment opportunities, creating jobs in the local building industry. The resident population of the 25 dwellings will support local services in the village by increasing the local customer base. These matters would provide less than moderate benefits due to the number of units proposed and the fact there are such limited services on offer in the village.

Delivery of permitted schemes

- 3.39 The proposal complies in this respect.

Policy CS15 Sustainable Development

3.40 Policy CS15 is a long, wide-ranging, criteria based policy, setting out how the Council will seek to implement sustainable development. It contains a total of 19 criteria, covering matters such as landscape impact, job creation, minimising energy and waste and promoting healthy living and accessibility. Many of the criterion within policy CS15 are covered within the individual sections of this report including, for example, landscape impacts, heritage asset impacts, and minimising car use and it is not, therefore, necessary to run through each and every one of those criteria in this section of the report. The following issues are noted in respect of Policy CS15 criteria:

- The proposal would provide work for local contractors during the construction period, thereby providing economic gain through local spend within the community (criterion iii).
- The proposed development would support local services and facilities, and enhance and protect the vitality of this rural community (criterion v).
- During construction, methods will be employed to minimise waste (criterion xiv).
- The proposed dwellings will be constructed as a minimum to meet the requirements of Part L of the Building Regulations, which requires a high level of energy efficiency (criterion xv).
- The application is supported by an ecology report that has been reviewed by Council's Ecology Consultant who does not raise an objection subject to securing enhancements via planning conditions.
- Highway (criterion xix) considerations are considered below.
- Flooding and surface water drainage (criterion xi) is considered below.
- The application is supported by a Land Contamination Assessment. Environmental Health does not raise an objection.

4. Vehicle Access

- 4.1 Paragraph 108 of the NPPF requires development proposals incorporate safe and suitable access that can be achieved for all users. Paragraph 109 of the NPPF confirms that development may be prevented or refused on highway grounds where the impact on highway safety is unacceptable.
- 4.2 Access is a matter for consideration. The Highways Authority does not object to the proposed access arrangements. It is therefore concluded that the proposed accesses are appropriate and that highway safety outcomes are within acceptable limits. If the Committee is minded to grant outline permission officers recommend the adoption of the conditions put forward by the Highways Authority.
- 4.3 In addition the Highway Authority has requested that the development provides funding for a new footway between the existing footway on Whatfield Road and Whatfield Primary School, a distance of 76 metres. The agent has agreed in principle to this contribution which would allow the occupiers of the development to access the school and adjacent village hall along footways.

- 4.4 The scheme offers acceptable highway safety outcomes, compliant with saved policy TP15 of the Local Plan, and criteria xviii and xix of Policy CS15.

5. Flooding and Surface Water Drainage

- 5.1 The site is within flood zone 1 therefore the risk of flooding is low.
- 5.2 The Flood and Surface Water Drainage officer has recommended a holding objection because whilst the applicant has provided a suitable assessment of flood risk, and a viable method for draining the surface water from the site. The applicant is still proposing to utilise a hybrid SuDs system and have not provide a viability statement as to why a full open SuDs system cannot be utilised in accordance with national and local policy/guidance. The Flood and Surface Water Drainage Officer has requested that the applicant provides either :- 1. Re submit the FRA demonstrating that a full above ground SuDs solution can be utilised on the site or; 2. Submit a viability statement demonstrating why point 1 cannot be achieved on this proposed development
- 5.3 The agent has confirmed that the additional information as requested will be provided and an update will be provided at Committee.

6. Residential Amenity

- 6.1 External amenity impacts can only be considered in the knowledge of all detailed design elements, including siting and scale. These are only indicative at this outline stage and may change. Residential amenity is therefore most appropriately managed at the reserved matters stage of the development process.

7. Emerging Local Plan

- 7.1 The Council is developing a new Local Plan, that is currently out for consultation (July 2019). The application site is not identified in the emerging plan.
- 7.2 Paragraph 48 of the NPPF states that decision makers may give weight to relevant policies in emerging plans according to:

- “1. the stage of preparation of the emerging plan;*
- 2. the extent to which there are unresolved objections to relevant policies in the emerging plan;*
- and*
- 3. the degree of consistency of relevant policies to the policies in the Framework.”*

- 7.3 Further to this it is noted that this site is not proposed to be allocated within the emerging Joint Local Plan. Paragraph 49 of the NPPF identifies that prematurity is unlikely to be a ground for refusal for a development unless both the following statements apply:

- a) the development proposed is so substantial, or its cumulative effect would be so significant, that to grant permission would undermine the plan-making process by predetermining decisions about the scale, location or phasing of new development that are central to an emerging plan; and
- b) the emerging plan is at an advanced stage but is not yet formally part of the development plan for the area.

- 7.4 Members will note that both of the above clauses need to be met to be able to refuse planning permission on the basis of prematurity. Neither the emerging Joint Local Plan (JLP) or the Whatfield Neighbourhood Development Plan are at an advanced stage in their preparation for the purposes of this statement. The Emerging Local Plan is, therefore, considered to carry some limited weight in the consideration of the application, but as it is yet to undergo examination, it is not considered to outweigh

the material considerations assessed above in accordance with up to-date planning policies and the NPPF.

PART FOUR – CONCLUSION

8. Planning Balance and Conclusion

- 8.1 Council can demonstrate a five year housing supply and therefore the tilted balance at paragraph 11 of the NPPF is not engaged. The Whatfield Neighbourhood Plan is not sufficiently advanced as to be a material consideration with significant weight.
- 8.2 The statutory weight attached to Policy CS2. The site's edge of settlement location means the development is not isolated in the terms of paragraph 79 of the NPPF.
- 8.3 The edge-of-settlement location means Policy CS11 engages, a policy that contemplates residential development subject to the resolution of a range of matters. Residential amenity, archaeology, ecology and drainage matters are resolvable either by planning conditions or can be adequately dealt with at the reserved matters stage.
- 8.4 Benefits of the development relate to social and economic elements, namely, additional employment during construction, eight affordable units, a contribution to the district's housing stock, smaller household provision responding to local need, and the consequential population increase that will help sustain local village amenities. However these benefits are not attached any considerable weight because there isn't currently a housing shortfall in Babergh and the local village amenities that are to be sustained by the increase in the resident population are extremely limited. Other benefits are the proposed public footpath link and landscaped public 'green' areas offering enhanced amenity for the existing villagers and a new footway to the school and village hall.
- 8.5 Countering the less than considerable benefits is the identified environmental harm. Sitting adjacent the body of the village, the development can be absorbed without enduring long-term adverse landscape effects. This harm, when considered in isolation, does not amount to serious policy conflict. What is more harmful in environmental terms is the development's likely high level of car dependency. The village does not sustain everyday local services and bus services are not a realistic proposition for commuters. Moreover, the village's isolated location means trips to employment generators in larger centres are not short. The site is an unsustainable location for housing given the functional isolation. These matters run contrary to Policy CS11 and CS15.
- 8.6 The identified environmental harm, when considered in the round, outweighs the identified benefits of the proposal. The planning balance does not weigh in favour of the scheme.
- 8.7 The proposal will not deliver sustainable development, contrary to Policy CS1, CS11, CS15 and the core principles of the NPPF. The application is recommended for refusal.

RECOMMENDATION

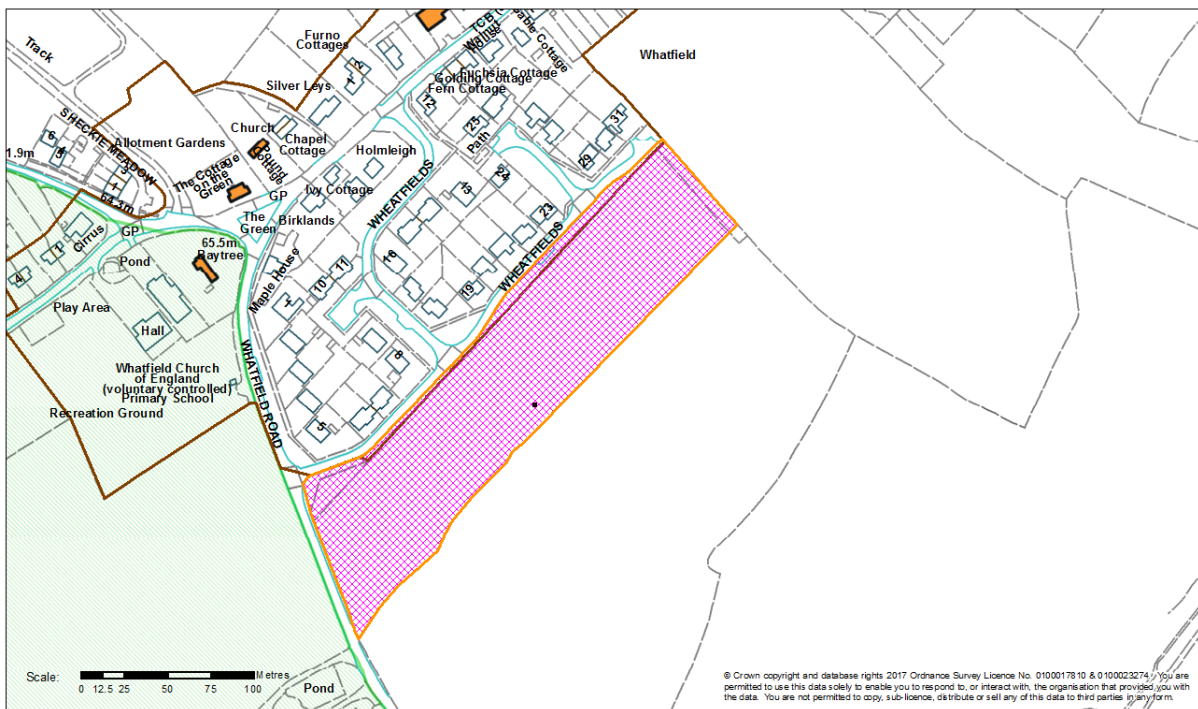
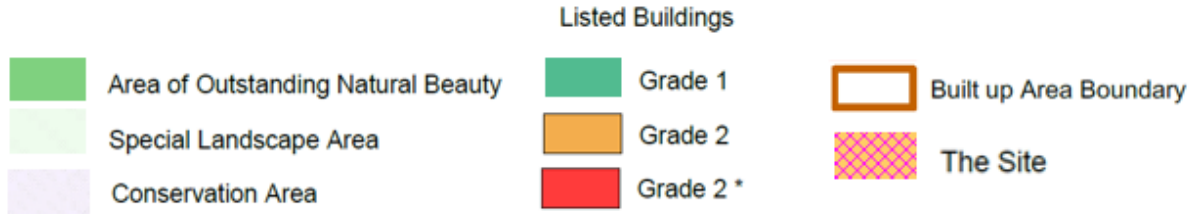
- (1) That the Corporate Manager - Planning for Growth be authorised to refuse Outline Planning Permission for the erection of 25 dwellings (8 affordable dwellings) and associated site layout and access for the following reason:

1. The proposed development, remote from local services and sustainable transport modes, will result in a high level of car dependency for future occupants. The scale and location of the development would result in landscape harm, undermining the open character and rural setting of the village. For these reasons the proposal would cause demonstrable environmental harm and therefore does not constitute sustainable development, contrary to saved Policy CN01 of the Babergh Local Plan (2006), Policies CS1, CS11 and CS15 of the Babergh Core Strategy (2014) and paragraph 17 of the National Planning Policy Framework.

Application No: DC/19/02489

Parish: Whatfield

Location: Land to the South East of Wheatfields



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Agenda Item 6c

Committee Report

Item 6C

Reference: DC/19/02288
Case Officer: Daniel Cameron

Ward: South East Cosford

Ward Members: Cllr Leigh Jamieson

RECOMMENDATION – REFUSE OUTLINE PLANNING PERMISSION

Description of Development

Outline Planning Application (some matters reserved) - erection of 15 dwellings (including 6 affordable dwellings), creation of new vehicular access

Location

Land south of Naughton Road Whatfield Suffolk

Parish: Whatfield

Expiry Date

Application Type: Outline planning application

Development Type: Major Small Scale - Dwellings

Applicant: Mr Ingleton

Agent: Pomery Planning Consultants 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 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

Whatfield Neighbourhood Plan Status:

- Area Designated 18 July 2018
- Currently at Stage 2 – preparation

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

Whatfield Parish Council

Recommend refusal

Contrary to Policy CS11.

Outside the defined settlement boundary.

Lack of justification for housing demand locally.

Incorrect and misleading statements in application documentation.

Public transport is not viable and an unsustainable service.

Highway safety issues with proposed new access from Naughton Road.

Pedestrian safety risk increased.

Impact on unlisted neighbouring barn, non-designated heritage asset.

Proximity to sewage works impacting future occupants' amenity.

Press article lists SCC bus routes to be cut - including routes 120, 461, 462 plus the Ipswich/Hadleigh service.

SCC Highways Authority

The NPPF focuses on the importance of promoting sustainable transport and give priority to public transport, pedestrian and cycle movements. The primary school is within the village however, there is not a continuous footway from the site so no safe route for the vulnerable user. Therefore, to make this site acceptable, we request the developer builds a new footway link near the school under s278 or if the other site within the village is permitted, a contribution under s106 is given. Although this is an outline planning application, we would like to mention we have concerns about the layout for this development; these will need to be addressed prior to full application. The main areas of concern are listed below:

The parking places for many of the Plots are at the back of the dwellings or some distance from their plots; experience has shown that residents tend to park as close as possible to the entrance of their

house. Therefore, it is considered the parking allocation is not 'convenient' and may lead to parking on footways, verges and service strips.

Should the Planning Authority be minded to grant planning approval conditions and obligations are recommended.

BMSDC Strategic Housing

The policy position would be for 35% affordable housing on any site over 10 units, equating to 5.25 dwellings in total to be policy compliant. Outline planning application has been submitted for 6 affordable homes equating to 40%. The preferred affordable housing mix is detailed below:

Rented – 4 homes required:

- 2 x 2 bed 4-person house @ 79 sqm
- 2 x 2 bed 3-person bungalow @ 63sqm

Shared Ownership – 2 homes required:

- 2 x 2 bed 4-person house @ 79 sqm

SCC Strategic Development

Education:

Based on existing primary school forecasts, SCC will have no surplus places available at the catchment primary school. On this basis, at the primary school level a future CIL funding bid of at least £66,928 (2019/20 costs) will be made.

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 £89,224 (2019/20 costs) will be made.

If the Council considers that planning permission should be granted for the proposed development, this must be on the basis that s106 developer funding is secured by way of a planning obligation for the site-specific costs of secondary school transport. Contribution required is as follows:

a) School transport contribution – 3 secondary-age pupils are forecast to arise from the proposed development. Developer contributions are sought to fund school transport provision for a minimum of five years for secondary-age pupils. Annual school transport cost per pupil is £960. Therefore, contribution is £960 x 3 pupils x 5 years = £14,400, increased by the RPI. This contribution will be held for a minimum period of 10 years from the first occupation of the final dwelling.

Pre-school:

From these development proposals SCC would anticipate up to 2 pre-school children arising, at a cost per place of £16,732.

This proposed development is in the South Cosford ward, where there is an existing deficit of places. Therefore, a future CIL funding bid of at least £33,464 (2019/20 costs) will be made.

Libraries:

A CIL contribution of £216 per dwelling is sought i.e. £3,240.

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.

Anglian Water has assets close to or crossing this site or there are assets subject to an adoption agreement. Therefore the site layout should take this into account and accommodate those assets within either prospectively adoptable highways or public open space.

The foul drainage from this development is in the catchment of Whatfield 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 discharge regime. 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. As such, we are unable to provide comments on the suitability of the surface water management. The Local Planning Authority should seek the advice of the Lead Local Flood Authority or the Internal Drainage Board.

County Archaeological Service

This site lies in an area of archaeological potential recorded on the County Historic Environment Record. On the opposite side of the road a large quantity of medieval occupation remains were excavated (WHA 014) including building remains. Thus, there is high potential for the discovery of 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.

Place Services - Ecology

Holding objection due to insufficient ecological information

We have reviewed the Preliminary Ecological Appraisal (Robson Ecology Ltd, June 2018) provided by the applicant, relating to the likely impacts of development on designated sites, Protected & Priority species/habitats.

We are not satisfied that sufficient ecological information is currently available for determination of this application. This is because the Preliminary Ecological Appraisal has recommended that a Great Crested Newt population survey is required for this application, as the species has been recorded in ponds adjacent to the site.

These surveys are required prior to determination because paragraph 99 of the ODPM Circular 2005 highlights that: "It is essential that the presence or otherwise of protected species, and the extent that they may be affected by the proposed development, is established before the planning permission is granted, otherwise all relevant material considerations may not have been addressed in making the decision."

It is highlighted that a European Protected Species Mitigation (EPSM) licence may need to be secured from Natural England for this application. This would be secured by the LPA as a condition of any consent, prior to commencement.

In addition, we note that the Preliminary Ecological Appraisal indicates that a number of priority farmland birds could be present within the red line boundary, (if the arable crop is suitable during the nesting season). Therefore, we also request that a Breeding Bird Survey, following the BTO Common Bird Census Methodology, should also be undertaken for this application. This will determine whether any priority farmland bird species will be present and affected by the proposed works and identify the need for any further mitigation measures.

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.

BMSDC - Land Contamination

No objection.

Natural England

No comments.

SCC Fire and Rescue

No objection. Hydrants are required for this development, however, it is not possible at this time to determine the number of hydrants required.

BMSDC Public Realm

Public realm offers no objection to these outline proposals. The provision of open space is sufficient for a development of this size. We will comment in more detail once more detailed plans become available.

This would not be an open space that the Council would adopt and future submitted proposals and plans should include how the open space elements of this application are to be managed.

Suffolk County Council Travel Planning

Thank you for consulting me over the proposed development at Land South of Naughton Road in Whatfield. I have no comment to make, as the existing sustainable transport infrastructure is limited for commuting purposes, in addition to the development being too small to justify a Travel Plan in accordance with national planning guidance

BMSDC Communities Team

Although the application site includes open space, its location at the north end of the village may require the provision of some play equipment within the meadow area.

B: Representations

36 objections have been received, based on the following grounds (summarised):

- *Increase in traffic volume
 - *Highway safety
 - *Lack of infrastructure and amenities to meet demand - no spare capacity at the local high school, doctors surgery and dentists
 - *Traffic assessment and travel plan inaccuracies
 - *Contrary to Policy CS11 and CS15
 - *Outline planning application is unacceptable, detailed application required
 - *No footpaths on The Street when using the pedestrian routes to the School, Village Hall or Playground
 - *Density out of keeping with village
 - *No community consultation as stated
 - *Lack of public transport and opportunities for employment
-

- *Application is supported by documents of very low quality
- *Development scale disproportionate to village
- *No demonstrable evidence of need for additional housing
- *High car dependency as virtually no bus service - buses not regular, no service on weekends and no bus service supporting those working normal working hours between 7 to 9 and 4 to 6.
- *Outside of settlement boundary
- *Road through the village is devoid of adequate pavements with no street lighting
- *Adjacent the Sewage Works - odour issues
- *Close proximity to a Grade II listed barn
- *Loss of food producing greenfield site
- *Village has an inconsistent power supply and a sewage system
- *Vehicle access location will cause loss of outlook, privacy and headlight glare

PART THREE – ASSESSMENT OF APPLICATION

1. The Site and Surroundings

- 1.1. The 1.56ha triangular site is located on the eastern side of Naughton Road, at the north-eastern end of Whatfield, a designated Hinterland Village. The site is located outside of the village's settlement boundary. The southern end of the site adjoins the emerging settlement boundary, as defined in the emerging Joint Local Plan (Preferred Options (Reg 18) - July 2019).
- 1.2. The site comprises part of a field in arable use (classified as Grade 3). Residential development is located south and west, on the opposite side of Naughton Road. Open countryside is to the south and east. A sewage plant is east of the site. The site's road frontage is defined by a hedgerow, aside from a small gap in the hedge at the site's northern end.
- 1.3. The site is not in a Conservation Area or landscape of special designation. The nearest designated heritage asset is located south of the junction of Naughton Road and Whatfield Road, and is identified as Street Farmhouse, a the Grade II listed building comprising a timber framed and plastered building with thatched roof.
- 1.4. The site is in Flood Zone 1.

2. The Proposal

- 2.1 The application seeks outline planning permission for the erection of 15 dwellings, including 6 affordable dwellings. All matters are reserved except access.
- 2.2 The application is supported by an indicative layout and indicative housing mix. The mix comprises 8 x 2 bedroom homes, 3 x 3 bedroom homes and 4 x 4 bedroom homes.
- 2.3 Key elements of the indicative layout are as follows:
 - Cul-de-sac type development, comprising a mix of housing types - detached, semi-detached and terraced properties
 - Density comprising 9.6 dwellings per hectare
 - Informal public open space at the site's southern end, adjacent Church Barn
 - Vehicular access is proposed at a single point onto Naughton Road
 - Provision of a public footpath along the site's frontage with Naughton Road. The footpath extends beyond the site boundary to the north east to accommodate existing dwellings on the

north side of Naughton Road, which at present has no footway linking these dwellings with the village

- Hedgerow retention on two boundaries together with landscaping to the south-eastern boundaries. Hedgerow replacement at the Naughton Road frontage to facilitate incorporation of a footpath.

3. The Principle of Development

- 3.1 Babergh benefits from a five plus year land supply position as required by paragraph 73 of the NPPF. There is no requirement for Council to determine what weight to attach to all the relevant development plan policies in the context of the tilted balance test, whether they are policies for the supply of housing or restrictive 'counterpart' policies, such as countryside protection policies. This said, there is a need for Council to determine whether relevant policies of the Core Strategy generally conform to the aims of the NPPF. Where they do not, they will carry less statutory weight.
- 3.2 Policy CS2 (Settlement Pattern Policy) designates Whatfield as a Hinterland Village. Policy CS2 requires that outside of the settlement boundary, development will only be permitted in exceptional circumstances subject to a proven justified need. Part of the site is within the settlement boundary; the majority is outside the settlement boundary. Policy CS2 therefore applies.
- 3.3 The Core Strategy adopted in 2014 expressly anticipated, and stated within the document, that the District settlement boundaries would be reviewed, and sites allocated for development following the adoption of the Core Strategy. The Local Development Scheme (LDS) produced in 2012 advised that a new combined LDS would commence in autumn 2012 and stated it was not possible to provide an up to date programme for site specific allocations. It is noted that in the original LDS in 2007 it was anticipated that the Site Allocations document would be adopted within 6 months of the Core Strategy having been adopted. This has not to date happened. The current LDS, published in July 2018, now indicates that the Joint Local Plan, including site allocations, will be adopted in February 2020.
- 3.4 The exceptional circumstances test at Policy CS2 applies to all land outside the settlement boundary. This blanket approach is not consistent with the NPPF, which favours a more balanced approach to decision-making. The NPPF does contain a not dissimilar exceptional circumstances test, set out at paragraph 79, however it is only engaged where development is isolated. For the reasons set out in this report, the development is not isolated. Paragraph 79 of the NPPF is not engaged.
- 3.5 Having regard to the material delay in the review of settlement boundaries and in the allocation of sites, and the absence of a balanced approach as favoured by the NPPF, the statutory weight to be attached to Policy CS2 is reduced. The fact that the site is outside the settlement boundary is therefore not a determinative factor upon which the application turns.
- 3.6 The presumption in favour of sustainable development and the need for a balanced approach to decision making are key threads to Policy CS1, CS11 and CS15 of the Core Strategy. Unlike Policy CS2, these policies are consistent with the NPPF, carry full statutory weight and provide the principal assessment framework as it applies to the subject application.
- 3.7 Policy CS1 takes a positive approach to new development that, as noted above, reflects the presumption in favour of sustainable development. It seeks to secure development that improves the economic, social and environmental conditions in the Babergh district.

- 3.8 As noted in the Core Strategy, delivery of housing to meet the district's needs within the framework of the existing settlement pattern means there is a need for 'urban (edge) extensions' as well as locally appropriate levels of growth in the villages. Policy CS11 responds to this challenge, setting out the 'Strategy for Development in Core and Hinterland Villages'. The general purpose of Policy CS11 is to provide greater flexibility in the location of new housing development in the Core and Hinterland Villages.
- 3.9 The site is located on the north-eastern fringe of the village, opposite the settlement boundary. The site is an edge-of-settlement location where the criteria set out at Policy CS11 engage.
- 3.10 Policy CS11 states that development in hinterland villages will be approved where proposals are able to demonstrate a close functional relationship to the existing settlement and where the following criteria are addressed to Council's satisfaction:
- (a) Core villages criteria:
 - i) the landscape, environmental and heritage characteristics of the village;
 - ii) the locational context of the village and the proposed development (particularly the AONBs, Conservation Areas, and heritage assets);
 - iii) site location and sequential approach to site selection;
 - iv) locally identified need - housing and employment, and specific local needs such as affordable housing;
 - v) locally identified community needs; and
 - vi) cumulative impact of development in the area in respect of social, physical and environmental impacts.
 - (b) Additional hinterland village criteria:
 - i) is well designed and appropriate in size / scale, layout and character to its setting and to the village;
 - ii) is adjacent or well related to the existing pattern of development for that settlement;
 - iii) meets a proven local need, such as affordable housing or targeted market housing identified in an adopted community local plan / neighbourhood plan;
 - iv) supports local services and/or creates or expands employment opportunities; and
 - v) does not compromise the delivery of permitted or identified schemes in adopted community / village local plans within the same functional cluster.
- 3.11 The accompanying 'Rural Development & Core Strategy Policy CS11 Supplementary Planning Document' (the 'SPD') was adopted by the Council on 8 August 2014. The SPD was prepared to provide guidance on the interpretation and application of Policy CS11, acknowledging that the Site Allocations Document foreshadowed in Policy CS11 may not be prepared for some time. Although the SPD is not part of the statutory development plan, its preparation included a process of community consultation before it was adopted by the Council and means that it is a material consideration when planning applications are determined.
- 3.12 The matters listed in Policy CS11, which proposals for development for Hinterland Villages must address, are now considered in turn. Policy CS15 criteria, which an application must score positively against, are addressed later in this report.

The landscape, environmental and heritage characteristics of the village

- 3.13 Whatfield is a small, predominantly linear village surrounded by large agricultural fields within a gently rolling landscape. As is to be expected with a rural village, the setting is rural, with the undeveloped edges of the village consisting of a prevailing open countryside character.

- 3.14 The site is not in a formally designated landscape of special or particular significance. Nonetheless, the subject land parcel contributes to the rural setting of the village and forms part of the open, undeveloped character at the village edge. The expanse of open field extends between Naughton Road and Whatfield Road, is not insignificant in scale, and is experienced from multiple public vantage points, including in long distance views from the public footpath north of the site. The exposed nature of the site and absence of topographical variation heightens its sensitivity, and arguably open landscape character value. Landscape sensitivity is deemed moderate.
- 3.15 The site is closely related to the development on its southern side and, as a result, will read as a continuation of the existing development pattern as one departs the village along Naughton Road. However, a different landscape effect will be experienced on the approach to the village from the north. This is because the site is very open at its northern end, not contained in a visual sense by any form of natural or man-made screening. On the southern approach the urban form of development will therefore appear prominent in the landscape. This prominence is intensified by the site's location, projecting well into the open countryside. This would cause harm to the character and appearance of the area. Moreover, the development's northern boundary does not appear logical or natural. To the contrary, on the ground it will appear arbitrary, as its location appears not to take its cue from any existing landscape feature. This accentuates the rather stark transition at the newly created urban/rural edge.
- 3.16 The site is relatively exposed in views south from Whatfield Road. The applicant seeks to mitigate the landscape effect on Whatfield Road along the southern approach by proposing a significant eastern landscaping corridor. It is acknowledged that this will, in time, maintain a degree of rural character. The large open space at the site's southern end will also maintain some degree of openness. On the whole however, despite these mitigation measures the introduction of 15 single and double storey dwellings would harm the open landscape qualities of the area. The identified harm weighs negatively in the planning balance.
- 3.17 There are no designated heritage assets sufficiently near the application site to raise a concern on heritage grounds. The adjacent southern barn is deemed a non-designated heritage asset. The indicative layout suggests a respectful approach to this asset, with the development set behind a generous open space area. The open space serves as an effective visual buffer, ensuring that harm to the setting of the southern barn is negligible.

The locational context of the village and the proposed development

- 3.18 There is a relatively limited range of amenities and services on offer in the village, as is to be expected in a Hinterland Village. This said, it does have a primary school. Bus stops are also located centrally within the village, not particularly far from the site.
- 3.19 Occupants of the development would not have ready access to the few local amenities on foot. There is no footpath between the site and the village centre. The nearest footpath is 350m south of the site. The school is at the village's extreme southern point while the application site is at its extreme northern point. The stretch of road to be traversed on foot, to access the village proper, is narrow and not lit. It is not considered to be compatible with safe pedestrian movements and is considered to present a pedestrian safety risk. This said, car journeys between the site and amenities would be short and are to be expected in a rural village.
- 3.20 The accessibility of the local bus services, their frequency and the relatively isolated location of the village means that private transport options are likely to be the predominant form of transport for the properties. There are no parking areas conveniently located near the bus stops. Moreover, the bus service timetable is not commuter friendly, a recurring concern and frustration of many local resident objectors. The use of the local bus services by residents of the scheme is

going to be extremely limited and then further limited once the proposed reduction to services is brought into place.

- 3.21 There is no viable sustainable transport mode to reach employment locations, and there are no major employment generators in the village. Future residents of the scheme would travel to employment locations by private vehicle and owing to the relatively isolated location of the village, these trips would not be short. Sustainable physical connections to local village services, and employment opportunities beyond the village, are considered poor.
- 3.22 On the matter of footpaths, it is noted that the Planning Statement observes that the proposed Naughton Road footpath extends beyond the site boundary to the north east to accommodate existing dwellings on the north side of Naughton Road, which at present has no footway linking these dwellings with the village. Whilst the new footpath will serve the existing dwellings, as already noted the new footpath does not link to the village proper. The new footpath offers limited, if any, benefit to existing residents.
- 3.23 The Highways Authority also raises the issue of the absence of a continuous footpath, in respect to connecting with the village primary school. To address this use the Authority recommends the applicant builds a new footway link near the school. It is unclear as to the location and length of the footpath the Authority has in mind. Unless the footpath would link to the application site, which would appear all but physically impossible, it is difficult to see how this requirement would resolve the issue of pedestrian connectivity between the site and the school. Officers are not convinced this represents an adequate mitigation measure.

Site location and sequential approach to site selection

- 3.24 The acceptability of the principle of development does not turn on whether or not the site is within the settlement boundary. As noted above, the site is well related and accessible by walking and public transport to local services and facilities.
- 3.25 The outcome of R (on the application of East Bergholt PC) v Babergh District Council CO/2375/2016 has clarified that in relation to sequential assessment there is no requirement to look at alternative sites adjoining the built up area boundary, as sequentially they are within the same tier.
- 3.26 In the absence of any sites within the settlement boundary and no requirement to consider other sites outside the settlement boundary, the proposal accords with this element of Policy CS11.

Locally identified need - housing and employment, and specific local needs such as affordable housing

- 3.27 Affordable housing is provided at a quantum that complies with relevant local policy.
- 3.28 Policy CS18 states that the mix, type and size of the housing development will be expected to reflect established needs in the Babergh district. A local needs assessment has not been submitted to support this application. However, a local needs assessment was submitted in support of a similar application (DC/19/02489) within Whatfield concluded there was a locally identified need, of between 7 and 50 additional dwellings required up to 2036. It further concluded that due to the large number of larger dwellings in the area, local housing need was focussed on the delivery of smaller 2 and 3 bedroomed properties. The indicative layout shows 8 x 2 bedroom homes, 3 x 3 bedroom homes and 4 x 4 bedroom homes. The indicative layout could respond more positively to the identified need, as four larger homes does not represent 'good value' in this respect. This is not to say some larger homes are not possible, it is more a case that a smaller proportion could be provided, with the balance made up of smaller units. The

layout is however only indicative. There is opportunity to provide a revised housing mix at the relevant reserved matters stage should the Committee be minded to grant outline permission. There is conflict with local policy however it is not considered fatal to the proposal given it need not be addressed at this outline stage.

Locally Identified Community Needs

- 3.29 Policy CS11 requires a similar approach to the determination of proposals for development to meet locally identified community needs, recognising the role of Core Villages and the 'functional clusters' they serve. Paragraph 2.8.5.2 of the Core Strategy notes that the 'approach advocated for the management of growth in Core Villages and their hinterlands, has many benefits for the communities'. The benefits that the application of Policy CS11 and other relevant policies should secure include 'Flexibility in the provision of and location of facilities' ... 'to reflect a catchment area pattern which relates to the day to day practice of the people living in the villages' (see item iii) in paragraph 2.8.5.2).
- 3.30 The SPD identifies that proposals should be accompanied by a statement that analyses the community needs of the Village and how they have been taken into account in the proposal. The application is not supported by a needs assessment. This said, the proposal will generate contributions towards community infrastructure, to be spent on local services and infrastructure, therefore supporting rural communities, local services and facilities. In this regard, despite the absence of the needs assessment, the proposal delivers benefits through CIL that are considered to satisfy this element of Policy CS11. The absence of a supporting needs assessment, whilst not weighing in favour of the application, is not fatal to it.

Cumulative impact of development in the area in respect of social, physical and environmental impacts

- 3.31 There is no evidence before officers to suggest the scheme will result in an unacceptable cumulative impact on the area in the context of social, physical or environmental impacts. There are no concerns raised by infrastructure providers and therefore the scheme does not result in an adverse cumulative impact on the area.
- 3.32 Many objectors, including the Parish Council, are concerned with the strain that will be placed on local services, in particular schools and the medical system. It is well-established industry practice that CIL contributions are used to ensure existing infrastructure capacity is enhanced to accommodate additional demand. The required contributions are clearly set out in the relevant SCC referral response. Additional infrastructure requirements are a consequence of the development, they are not adverse social, physical or environmental impacts.
- 3.33 There are no grounds to reject the proposal because of any unacceptable adverse impact on local services and infrastructure. The proposal complies with this element of Policy CS11.

Development scale, layout and character

- 3.34 Detailed design, scale, layout and landscaping are reserved matters and therefore detailed considerations in respect to these elements are beyond the scope of this outline assessment. The layout as submitted is indicative only but shows the dwellings arranged around a single point of access, with gardens splayed out behind. The indicative layout demonstrates that parking in accordance with the adopted parking standards can be achieved on site while a good-sized private amenity area can be provided for each dwelling. The layout is not considered to be in keeping with the character of the surrounding area which is strongly linear in its relationship to the highway.

Meets local need identified in neighbourhood plan

3.35 The Whatfield Neighbourhood Plan is not sufficiently advanced as to offer any direction on this matter.

Supports local services and/or creates employment opportunities

3.36 A 15 dwelling development will create short term employment opportunities, creating jobs in the local building industry. The resident population of the 15 dwellings will support local services in the village by increasing the local customer base. These matters would provide less than moderate benefits due to the number of units proposed.

Delivery of permitted schemes

3.37 The proposal complies in this respect.

Policy CS15 Sustainable Development

3.38 Policy CS15 is a long, wide-ranging, criteria-based policy, setting out how the Council will seek to implement sustainable development. It contains a total of 19 criteria, covering matters such as landscape impact, job creation, minimising energy and waste and promoting healthy living and accessibility. Many of the criterion within policy CS15 are covered within the individual sections of this report including, for example, landscape impacts, heritage asset impacts, and minimising car use and it is not, therefore, necessary to run through each and every one of those criteria in this section of the report. The following issues are noted in respect of Policy CS15 criteria:

- The proposal would provide work for local contractors during the construction period, thereby providing economic gain through local spend within the community (criterion iii).
- The proposed development would support local services and facilities, and enhance and protect the vitality of this rural community (criterion v).
- During construction, methods will be employed to minimise waste (criterion xiv).
- The proposed dwellings will be constructed as a minimum to meet the requirements of Part L of the Building Regulations, which requires a high level of energy efficiency (criterion xv).
- The application is supported by an ecology report that has been reviewed by Council's Ecology Consultant. The Ecology Consultant considers that a Great Crested Newt population survey and a Breeding Bird Survey be provided prior to determination. These reports have been submitted by the applicants and are currently being reviewed by the Council's Ecology Consultants. An update on their findings will be presented at the meeting.
- Highway (criterion xix) considerations are considered below.
- The application is supported by a Land Contamination Assessment. Environmental Health do not raise objection.

4. Vehicle Access

4.1 Paragraph 108 of the NPPF requires development proposals incorporate safe and suitable access that can be achieved for all users. Paragraph 109 of the NPPF confirms that development

may be prevented or refused on highway grounds where the impact on highway safety is unacceptable.

- 4.2 Access is a matter for consideration. The Highways Authority does not object to the proposed access arrangement. It is therefore concluded that the proposed access is appropriate and that highway safety outcomes are within acceptable limits. The majority of the conditions recommended by the Highways Authority are more appropriately managed at the reserved matters stage, as they do not relate specifically to the vehicle access per se. If the Committee is minded to grant outline permission officers recommend only imposing very few of the conditions listed.
- 4.3 The scheme offers acceptable highway safety outcomes, compliant with saved policy TP15 of the Local Plan, and criteria xviii and xix of Policy CS15.

5. Residential Amenity

- 5.1 External amenity impacts can only be considered in the knowledge of all detailed design elements, including siting and scale. These are only indicative at this outline stage and will change. Residential amenity is therefore most appropriately managed at the reserved matters stage of the development process. Proximity of the sewage works is noted; however, this is unlikely to result in reverse sensitivity issues for future occupants given the separation distance between it and the development site, a deliberate design response offered by the applicant.
- 5.2 The site sits entirely within Flood Zone 1 and the submitted Flood Risk Assessment concludes that the surface water run off from the site can be collectively managed through the use of on-site surface water drainage features including swales, attenuation basins and permeable surfaces. It concludes that future surface water run-off would not affect flood water storage in the flood plain or lead to increased levels of run-off affecting neighbouring sites.

PART FOUR – CONCLUSION

6. Planning Balance and Conclusion

- 6.1 Council can demonstrate a five-year housing supply and therefore the tilted balance at paragraph 11 of the NPPF is not engaged.
- 6.2 The statutory weight to be attached to Policy CS2 is reduced owing to the age of the settlement boundaries and the blanket approach favoured by the policy not being consistent with the balanced approach to decision making advocated by the NPPF. The site's edge of settlement location means the development is not isolated in the terms of paragraph 79 of the NPPF.
- 6.3 The site's edge-of-settlement location means Policy CS11 engages, a policy that contemplates residential development subject to the resolution of a range of matters. Residential amenity, archaeology, ecology, subject to confirmation, and drainage matters are resolvable either by planning conditions or can be adequately dealt with at the reserved matters stage. Benefits of the development relate to social and economic elements, namely, additional employment during construction, a contribution to the housing stock (of which there is not a current shortfall and so the benefits are tempered in this regard) and the consequential population increase that will help sustain local village amenities. The proposal results in negligible heritage harm.

- 6.4 Countering these benefits is the detriment to the open character of this part of the village, notwithstanding the low housing density proposed. Landscape harm is deemed moderate. Environmental harm will also result from the development's high level of car dependency. This is because pedestrian connectivity to the village and bus stops is poor (in essence non-existent), bus services are not a realistic proposition for commuters, and the village's relatively isolated location means trips to employment generators in larger centres are not short. The site is an unsustainable location for residential development given its functional isolation. These matters run contrary to elements of Policy CS11 and CS15.
- 6.5 The identified harm is not insignificant, as is the policy conflict. It is at a level that outweighs the limited benefits of the proposal. The planning balance does not weigh in favour of the scheme.
- 6.6 The proposal will not deliver sustainable development, contrary to Policy CS1, CS11, CS15 and the core principles of the NPPF.
- 6.7 The application is recommended for refusal.

7. Emerging Local Plan

- 7.1 The Council is developing a new Local Plan, that is currently out for consultation (July 2019). The application site is not identified in the emerging plan.
- 7.2 Paragraph 48 of the NPPF states that decision makers may give weight to relevant policies in emerging plans according to:
- “1. the stage of preparation of the emerging plan;
2. the extent to which there are unresolved objections to relevant policies in the emerging plan;
and
3. the degree of consistency of relevant policies to the policies in the Framework.”*
- 7.3 Further to this it is noted that this site is not proposed to be allocated within the emerging Joint Local Plan. Paragraph 49 of the NPPF identifies that prematurity is unlikely to be a ground for refusal for a development unless both the following statements apply:
- a) the development proposed is so substantial, or its cumulative effect would be so significant, that to grant permission would undermine the plan-making process by predetermining decisions about the scale, location or phasing of new development that are central to an emerging plan; and
 - b) the emerging plan is at an advanced stage but is not yet formally part of the development plan for the area.
- 7.4 Members will note that both of the above clauses need to be met to be able to refuse planning permission on the basis of prematurity. Neither the emerging Joint Local Plan (JLP) or the Whatfield Neighbourhood Development Plan are at an advanced stage in their preparation for the purposes of this statement. The Emerging Local Plan is, therefore, considered to carry some limited weight in the consideration of the application, but as it is yet to undergo examination, it is not considered to outweigh the material considerations assessed above in accordance with up to-date planning policies and the NPPF.

RECOMMENDATION

1. The proposed development, lacking pedestrian connectivity and accessible sustainable transport modes, will result in a high level of car dependency for future occupants. The scale and location of the development would result in landscape harm, undermining the open character and rural setting of the village. For these reasons the proposal would cause demonstrable environmental harm and therefore does not constitute sustainable development, contrary to saved Policy CN01 of the Babergh Local Plan (2006), Policies CS1, CS11 and CS15 of the Babergh Core Strategy (2014) and paragraph 17 of the National Planning Policy Framework.

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Agenda Item 6d

Committee Report

Item 6D

Reference: DC/19/02488

Case Officer: Jack Wilkinson

Ward: Sudbury South East

Ward Members: Cllr Adrian Osborne

RECOMMENDATION – APPROVE RESERVED MATTERS SUBJECT TO CONDITIONS

Description of Development

Submission of details under Outline Planning Permission (B/17/01023) varied by Section 73 (DC/18/02513) - landscaping for erection of up to 19 apartments along with associated parking, garaging, communal areas and construction of new vehicular access

Location

Crown Building Newton Road Sudbury Suffolk CO10 2RL

Parish: Sudbury

Expiry Date:

Application Type: Reserved Matters

Development Type:

Applicant: CEMD Ltd

Agent: Offset 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

Development Plan Documents

Babergh Local Plan 2011 – 2031 Core Strategy

- CS1 - Applying the presumption in favour of sustainable development
- CS15 - Implementing sustainable development in Babergh
- CN01 - Design Standards
- CN08 – Listed Buildings Ext / Alt / COU

Other material documents

National Planning Policy Framework (2019)
Suffolk Adopted Parking Standards (2015)
Suffolk Design Guide (2000)
Equality Act 2010

Emerging Local Plan

Babergh & Mid Suffolk Joint Local Plan (July 2019)

Planning History

DC/19/01824

Discharge of Conditions Application for DC/18/02513 - Condition 4 (Agreement of Materials), 5 (Landscape Protections), 6 (Landscaping Scheme), 8 (Construction Management), 10 (Surface Water Drainage Details), 11 (Details of Screen Walls and Fences), 17 (Details of Illumination), 18 (Fire Hydrants) and 19 (Car Stackers) – Granted August 2019

DC/18/02513

Application under Section 73 of the Town and Country Planning Act - Erection of up to 19 apartments with associated parking, garaging, communal area and vehicular access - without compliance with Condition 3 (Approved Plans and Documents) to allow amendments to the approved plans – Granted December 2018.

B/17/01023

Outline - Erection of up to 19 apartments along with associated parking, communal areas, and construction of new vehicular access – Granted November 2018

B/16/01360

Outline planning application (with some Matters reserved) for Residential Development of 20 1 & 2 Bed Apartments and 3 Cart Lodge Apartments (23 in total) together with parking and external amenity area – Refused January 2017

B/14/01158

Outline - Erection of up to 33 apartments along with associated parking, garaging, communal areas and access – Withdrawn February 2015

B/11/01512

Change of use from business use (Class B1) to retail use on ground floor (Class A1 use) and business use (Class B1) on the first floor, alterations to ground floor windows on front and eastern side (facing Belle Vue Road) of building and alterations to rear access to Belle Vue Road – Granted February 2012.

Consultations and Representations

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

A: Summary of Consultations

Sudbury Town Council

Approve the landscaping scheme providing the hedgerow that runs along the footpath be maintained.

Place Services – Landscape

The submitted hard and soft landscaping report (April 2019) describes the proposed materials and indicative locations for each type. It also identifies the areas for landscaping and proposed plant species and stock sizes. The proposed landscaping should be maintained according to the requirements under condition 7.

In broad terms the information provided is satisfactory, however we recommend that the information submitted on the proposed protective fencing to existing trees is reviewed by Mr David Pizzey the Arboricultural Officer.

We recommend the approval of landscaping scheme subject to Mr David Pizzey response

BMSDC Arboricultural Officer

No objection.

B: Representations

1 no. objection received based on the following grounds:

Land stability at boundary
Absence of isolux diagram

PART THREE – ASSESSMENT OF APPLICATION

1 The Site and Surroundings

- 1.1 The site is located on the corner of Newton Road (the A134) and Belle Vue Road. Newton Road is the main radial route leading into Sudbury town from the south-east and Belle Vue Road is a residential street. The site is 0.17 hectares in area.
- 1.2 The site is surrounded by residential uses on Belle Vue Road comprising mainly two storey terraced houses and predominantly detached houses on Newton Road. Opposite the site is the site of Belle Vue House and the public park.
- 1.3 The site is close to the town centre and there are no listed buildings nearby nor is the site within the Sudbury Conservation Area, the boundary of which is located 60 metres west of the site.

2 The Proposal

- 2.1 Outline planning permission has been granted for 19 apartments including the approval of all matters except landscaping. This application seeks approval of the outstanding reserved matter, landscaping.
- 2.2 Tree protection measures, boundary treatments and lighting are not considered as part of this assessment given these requirements are managed by conditions 5 (Landscape Protections), 11 (Details of Screen Walls and Fences) and 17 (Details of Illumination) of outline permission DC/18/02513.

3 Landscaping

- 3.1 The proposed hard and soft landscaping report/plan has been reviewed by Council's Landscape Consultant and Arboricultural Officer. Neither of the referral parties raise

an objection to the proposed landscaping scheme. The plan identifies the eight trees to be retained and protected. Hard surface areas are minimised by adopting additional surface treatments including grass crete (10 car parking spaces), grass turf and permeable paving. Light grey tarmac bedding for the main vehicle lane is an acceptable response. Low level shrubbery to the corner road frontages offers a pleasing streetscape outcome, softening the built form effect on the street.

- 3.2 Concerns raised by the objector are either not planning considerations, such as land stability (a building control matter) or will be considered as part of the assessment of the application to discharge conditions, such as lighting (condition 17).

PART FOUR – CONCLUSION

4 Planning Balance

- 4.1 The principle of the 19 apartment development is already well established. Access, layout, scale and appearance have been approved previously.
- 4.2 The proposed landscaping scheme is deemed acceptable, noting an absence of objection from Council's Landscape Consultant and Arboricultural Officer. The landscaping will complement the development and streetscape, offering a positive visual amenity outcome.

RECOMMENDATION

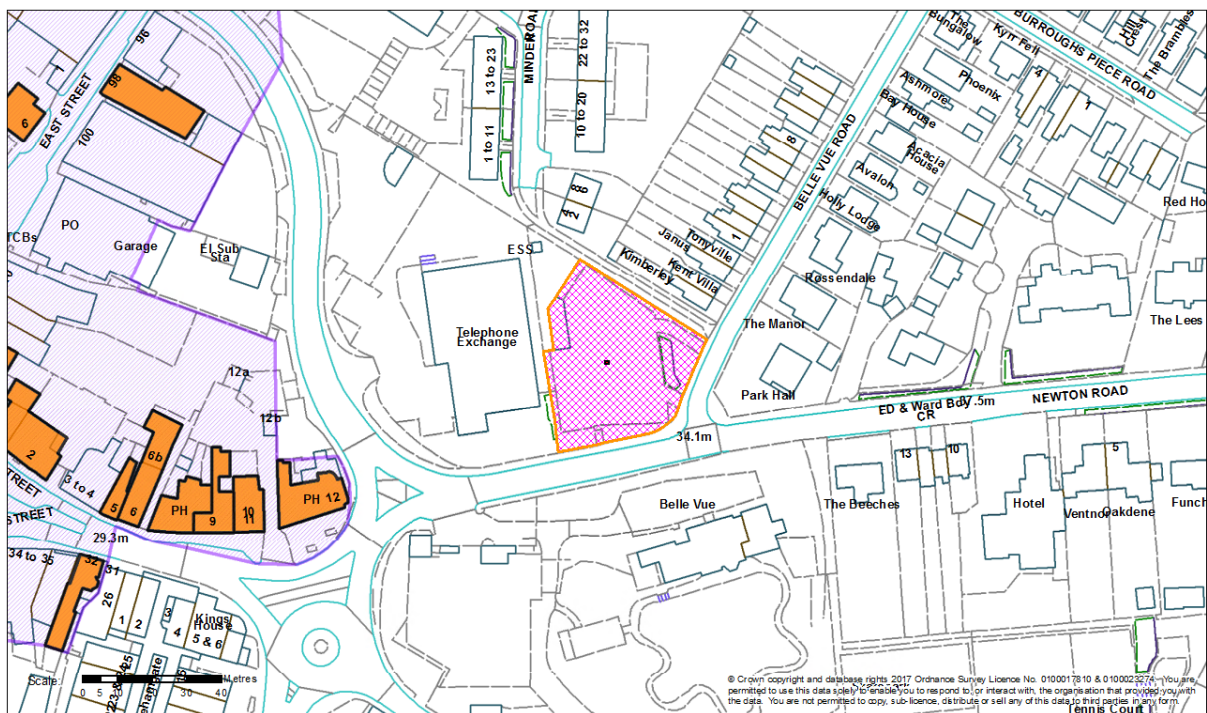
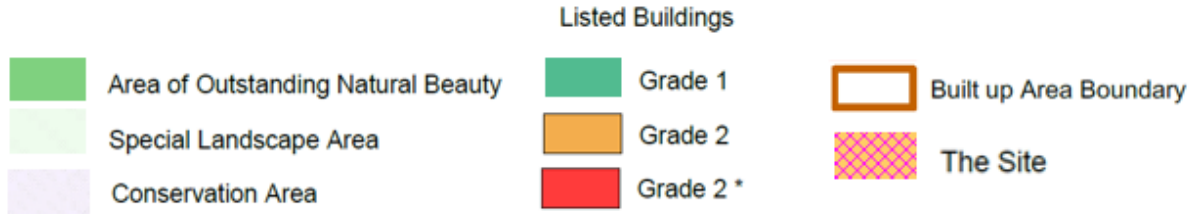
That authority be delegated to the Chief Planning Officer to grant planning permission subject to the conditions as summarised below and those as may be deemed necessary by the Chief Planning Officer:

- Approved Plans

Application No: DC/19/02488

Parish: Sudbury

Location: Crown Building Newton Road



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