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COMMITTEE:	PLANNING COMMITTEE
DATE:	WEDNESDAY, 3 JUNE 2020 9.30 AM
VENUE:	VIRTUAL MEETING

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

This meeting will be broadcast live to Youtube and will be capable of repeated viewing. The entirety of the meeting will be recorded except for confidential or exempt items. If you attend the meeting and make a representation you will be deemed to have consented to being filmed and that the images and sound recordings could be used for webcasting/training purposes.

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

AGENDA

PART 1

MATTERS TO BE CONSIDERED WITH THE PRESS AND PUBLIC PRESENT

Page(s)

1 SUBSTITUTES AND APOLOGIES

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

To receive apologies for absence.

2 DECLARATION OF INTERESTS

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

3 PL/19/30 TO CONFIRM THE MINUTES OF THE MEETING HELD ON 30 APRIL 2020 5 - 10

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 Chief Planning Officer will report on any other applications which require site inspections.

6 **PL/19/31 PLANNING APPLICATIONS FOR DETERMINATION BY THE COMMITTEE** 11 - 18

An Addendum to Paper PL/19/31 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/19/03126 LAND SOUTH OF TAMAGE ROAD, ACTON** 19 - 40

b **DC/18/05177 BRANTHAM PLACE, CHURCH LANE, BRANTHAM, MANNINGTREE, SUFFOLK, CO11 1QA** 41 - 70

Notes:

1. The next meeting is scheduled for Wednesday 17 June 2020 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.
1. The Council has adopted Public Speaking Arrangements at Planning Committees, a link is provided below:

[Public Speaking Arrangements](#)

[Temporary Amendments to the Constitution](#)

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).

Those wishing to speak must contact the Governance Officer on the details below to receive instructions on how to join the meeting.

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, 17 June 2020 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.

Agenda Item 3

BABERGH DISTRICT COUNCIL

Minutes of the virtual meeting of the **PLANNING COMMITTEE** held on Thursday, 30 April 2020 at 09:30 a.m.

PRESENT:

Councillor: Peter Beer (Chair)
Stephen Plumb (Vice-Chair)

Councillors: Sue Ayres
David Busby
Leigh Jamieson
Adrian Osborne
Lee Parker
Melanie Barrett
John Hinton
Mary McLaren
Alison Owen

Ward Member(s):

Councillors: Ric Hardacre

In attendance:

Guest(s): Helen Davies (Sproughton Parish Council)
Martin Levett (Objector)
Rhona Jermyn (Objector)
Paul Sutton (Agent)
Chris Smith (Applicant)
Cllr Christopher Hudson (County Council Division Member)

Officers: Strategic Projects and Delivery Manager (SS)
Principal Planning Officer (JH)
Planning Lawyer (IDP)
Governance Officer (RC)

Apologies:

None.

122 DECLARATION OF INTERESTS

122.1 There were no declarations of interests.

122.2 Members were reminded that, as the Committee had previously heard one of the planning applications before, they should approach the applications with an open mind.

123 PL/19/28 TO CONFIRM THE MINUTES OF THE MEETING HELD ON 11 MARCH 2020

123.1 It was **RESOLVED** that the Minutes of the meeting held on 11 March 2020, be confirmed as a true record.

123.2 It was noted that the Minutes would be signed at the next practicable opportunity.

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

124.1 None received.

125 SITE INSPECTIONS

125.1 None requested.

126 PL/19/29 PLANNING APPLICATIONS FOR DETERMINATION BY THE COMMITTEE

126.1 Prior to the commencement of the meeting, the Chair paid respects to former Babergh Councillor Nick Ridley who had recently passed away. Nick had served as a Babergh Councillor for 16 years from 2003 to 2019.

126.2 The Chair welcomed everyone to the virtual meeting, outlined the procedure and etiquette to be followed and introduced the officers present.

126.3 In accordance with the Council's arrangements for Public Speaking at Planning Committee, representations were made as detailed below relating to the items in Paper PL/19/29, and the speakers responded to questions put to them as provided for under those arrangements.

Application No.	Representations from
DC/18/02010 & DC/18/02412 (duplicate applications)	Helen Davies (Sproughton Parish Council) Martyn Levett (Objector) Rhona Jermyn (Objector) Paul Sutton (Agent) Chris Smith (Applicant) Cllr Christopher Hudson (County Council Division Member) Cllr Ric Hardacre (Ward Member)

It was RESOLVED:

That, subject to the imposition of conditions or reasons for refusal (whether additional or otherwise) in accordance with delegated powers under Council Minute No. 48(a) (dated 19 October 2004) decisions on the items referred to in Paper PL/19/29 be made as follows:-

127 DC/18/02010 & DC/18/02412 LAND ON THE EAST SIDE OF BRAMFORD ROAD, (KNOWN AS LORAINNE WAY), SPROUGHTON, SUFFOLK

127.1 Item 6A

Application: DC/18/02010 & DC/18/02412 (duplicate applications)

Proposal: Full Application – Residential development of 49 dwellings with new vehicular access from Bramford Road (B1113), associated parking, landscaping and open space.
Site Location: SPROUGHTON – Land on the East side of Bramford Road (known as Loraine Way).
Applicant: Hopkins Homes

- 127.2 The Case Officer presented the application to the Committee, outlining the proposal before Members, the previous decision taken by the Committee in April 2019, the layout of the site, the contents of the tabled papers, and the officer recommendation of approval.
- 127.3 The Case officer responded to Members’ questions on issues including: traffic impact, health provision, footpath and floodplain.
- 127.4 Members considered the representation from Helen Davies of Sproughton Parish Council who spoke against the application.
- 127.5 The Parish Council representative responded to Members’ questions on issues including: the progress of the Sproughton Neighbourhood Plan and consultation with Suffolk County Highways.
- 127.6 Members considered representations from Martyn Levett and Rhona Jermyn who spoke as Objectors.
- 127.7 The Objectors responded to Members’ questions on issues including: the proposed footpath and the Housing Needs Survey.
- 127.8 Members considered representations from Paul Sutton and Chris Smith who spoke as the Agent and Applicant.
- 127.9 The Agent and Applicant responded to Members’ questions on issues including: impact on Heritage assets, renewable energy, build standard, footprint and outside space in respect of the proposed Affordable Housing and adoption of the roads.
- 127.10 Members considered the representation from County Council Division Member, Councillor Christopher Hudson.
- 127.11 Members considered the representation from Ward Member, Councillor Ric Hardacre and confirmed that they had all received and read the statement from Ward Member, Councillor Zac Norman.
- 127.12 Members debated the application on issues including: Heritage impact, impact on healthcare services, increased traffic, floodplain, maintenance of open spaces and roads and the cumulative impact of the development.
- 127.13 Councillor Sue Ayres proposed that duplicate application DC/18/02010 be approved as detailed in the officer recommendation. Councillor Adrian Osborne seconded the Motion.

127.14 The vote was taken by roll call, and by 4 votes to 7 the Motion was lost.

127.15 Councillor David Busby proposed that duplicate application DC/18/02010 be refused for the reasons as detailed below:

- The circumstances of the application and the proposed development are not exceptional and are without a proven justifiable need, contrary to policies CS2 and CS11.
- The proposed development is considered to lead to a medium level of less than substantial harm to the settings of the Grade II listed buildings of Sproughton Hall, Root Barn and Tithe Barn and the Grade II* listed All Saints Church in Sproughton, and is not considered to respect the features that contribute positively to the setting and significance of these listed buildings, conflicting with Babergh Local Plan (2006) policy CN06, not respecting these heritage assets, the heritage characteristics of the village or historic views of heritage assets contrary to Babergh Core Strategy and Policies (2014) policies CS11 and CS15. Further to this, the public benefits of the scheme, chiefly the market housing, affordable housing, and net gains for biodiversity on the site, are not considered to outweigh this harm, making the proposal contrary to the heritage policies of the NPPF.
- The development conflicts with the development plan when taken as a whole and there are no material considerations which indicate that a decision should be taken other than in accordance with the development plan.

127.16 Councillor John Hinton seconded the Motion.

127.17 The vote was taken by roll call, and by 7 votes to 4 the Motion was carried.

127.18 Councillor David Busby proposed that duplicate application DC/18/02412 be refused for the following reasons:

- The circumstances of the application and the proposed development are not exceptional and are without a proven justifiable need, contrary to policies CS2 and CS11.
- The proposed development is considered to lead to a medium level of less than substantial harm to the settings of the Grade II listed buildings of Sproughton Hall, Root Barn and Tithe Barn and the Grade II* listed All Saints Church in Sproughton, and is not considered to respect the features that contribute positively to the setting and significance of these listed buildings, conflicting with Babergh Local Plan (2006) policy CN06, not respecting these heritage assets, the heritage characteristics of the village or historic views of heritage assets contrary to Babergh Core Strategy and Policies (2014) policies CS11 and CS15. Further to this, the public benefits of the scheme, chiefly the market housing, affordable housing, and net gains for biodiversity on the site, are not considered to outweigh this harm, making the proposal contrary to the heritage policies of the NPPF.

- The development conflicts with the development plan when taken as a whole and there are no material considerations which indicate that a decision should be taken other than in accordance with the development plan.

127.19 Councillor John Hinton seconded the Motion.

127.20 The vote was taken by roll call, and by 7 votes to 4 the Motion was carried.

127.21 **It was RESOLVED:**

1. **That duplicate applications DC/18/02010 and DC/18/02412 be refused for the following reasons:**
 - **The circumstances of the application and the proposed development are not exceptional and are without a proven justifiable need, contrary to policies CS2 and CS11.**
 - **The proposed development is considered to lead to a medium level of less than substantial harm to the settings of the Grade II listed buildings of Sproughton Hall, Root Barn and Tithe Barn and the Grade II* listed All Saints Church in Sproughton, and is not considered to respect the features that contribute positively to the setting and significance of these listed buildings, conflicting with Babergh Local Plan (2006) policy CN06, not respecting these heritage assets, the heritage characteristics of the village or historic views of heritage assets contrary to Babergh Core Strategy and Policies (2014) policies CS11 and CS15. Further to this, the public benefits of the scheme, chiefly the market housing, affordable housing, and net gains for biodiversity on the site, are not considered to outweigh this harm, making the proposal contrary to the heritage policies of the NPPF.**
 - **The development conflicts with the development plan when taken as a whole and there are no material considerations which indicate that a decision should be taken other than in accordance with the development plan.**
2. **That, in the event that an appeal against the refusal of planning permission is received, authority be delegated to the Chief Planning Officer to defend that appeal for the reasons set out above, being amended and/or varied as may be required.**

The business of the meeting was concluded at 12:52pm

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Chair

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PL/19/31

BABERGH DISTRICT COUNCIL

PLANNING COMMITTEE

3 JUNE 2020

SCHEDULE OF APPLICATIONS FOR DETERMINATION BY THE COMMITTEE

Item	Page No.	Application No.	Location	Officer
6A	19-40	DC/19/03126	Land south of Tamage Road, Acton	EF
6B	41-70	DC/18/05177	Brantham Place, Brantham	SS

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

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Protocol for Virtual Planning Meetings

Live Streaming:

1. The meeting will be held on Skype and speakers will only be able to join via invite only.
2. The meeting will be live streamed and will be available to view on the Council's YouTube page as detailed below:
https://www.youtube.com/channel/UCSWf_OD13zmegAf5Qv_aZSg

Communications with Councillors

1. As the committee is not in the Council chamber and the general rules of interference/ communication still apply that if Councillors are contacted by any third parties regarding the application before members/ on the agenda that they contact the Governance Officer/ Chair immediately to bring this to their attention.

Recording of proceedings:

1. Proceedings will be held in an Audio only format apart from presentations from the Case Officer where they will present their screen for the presentation.
2. A Second Governance Officer will be present to take notes as it is anticipated that the main Governance Officer will be controlling the skype call.

Roll Call:

1. A roll call of all Members present will be taken during the Apologies of Absence/ Substitutions to confirm all members present at the meeting.

Disclosable Pecuniary Interests:

1. Where a Member of the Committee has a disclosable Pecuniary Interest in an application they must mute themselves for the entirety of the application and must not participate in any way.

Officer Presentation:

1. The Case Officer will introduce themselves and the application and would proceed to present their item in the normal fashion with the only difference being that they would present their desktop to the skype call. This enables everyone on the call to view the presentation in real time and allow public speakers to view the presentation as well. This also includes viewers on the live stream.

Public Speaking:

1. There will be one public speaker for each slot (Parish Council, Objector, Supporter, Applicant/Agent) This is communicated on the agenda and will be on a first come first serve basis.
2. The Speaker(s) will be advised to join the call at the beginning of the meeting so that they can hear the entirety of proceedings/ to be present if there is any change in the running order of the agenda/ any issues of items being withdrawn (this is no different from normal proceedings).
3. Once the initial presentation from the officer/ questions of officer has completed the public speaker will be invited to address the meeting by the Chair.
4. The Speaker will have their allotted 3 minutes (5 Minutes for Ward Member) as timed by the Governance Officer / Chair.
5. If there are any questions it is proposed that Members would be taken in alphabetical order whereby the chair would essentially go down the list and ask if the Committee have any questions.
6. Members are also asked, if possible, to submit their questions to Officers in advance of the meeting.

Debate:

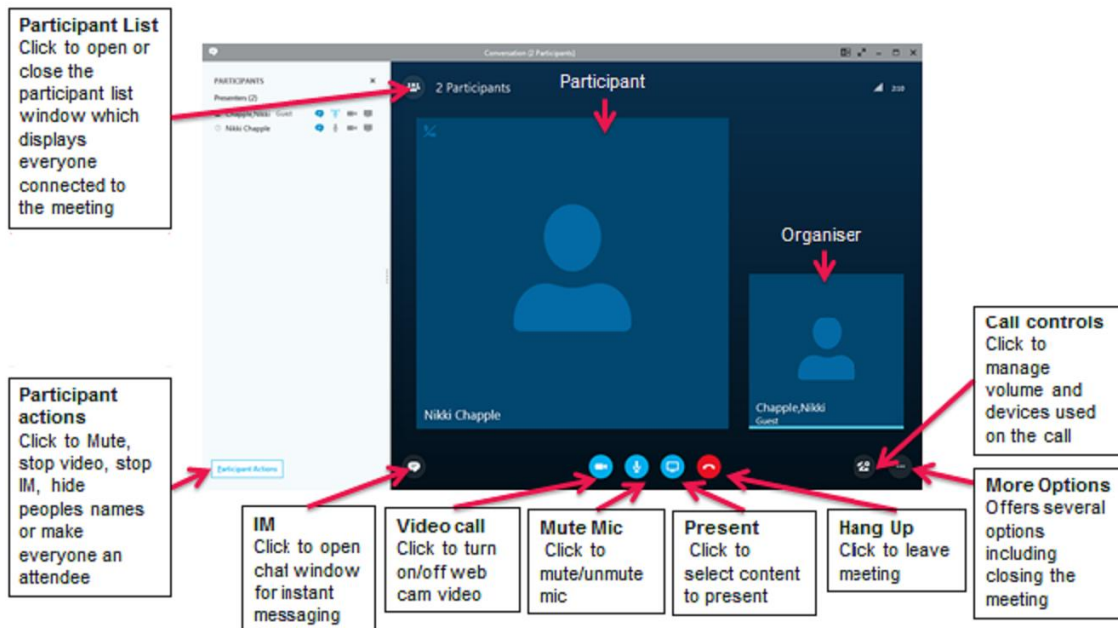
1. As previously stated with the Public speaking above it is proposed that the committee would essentially go down the list and ask the committee whether they have any points to make . This would take place once during the normal debate. Members would then have the option to speak again on any motion.
2. In the instance where a Member of the Committee would like to formally propose an action they could either do this when they are called on the list or they could send a skype message to the governance officer/ Chair to say that they would like to propose something. At this point the Chair would go directly to them and take the proposal. Once the proposal has been made the Chair would immediately ask if there was a seconder to the motion. If there is it would become the substantive motion and the Chair would again continue down the list of councillors until there is no further debate.

Voting:

1. Once a substantive motion is put before the committee and there is no further debate then a vote will be taken.
2. Due to circumstances the current voting by a show of hands would be impractical- as such it is proposed that the Governance officer would ask the committee for their vote in the same way as a recorded vote would be. However the difference here would be that the votes would not be recorded in the minutes unless the requirement for a recorded vote was asked for at the meeting via the usual proposal.
3. The governance officer would then read out the result for the Chair to confirm.

Skype Meeting Etiquette

- Mute when you are not speaking: To minimise background noise and ensure everyone can be heard.
- Always introduce yourself before speaking: As it can be hard to identify a person just by his or her voice.
- Address other participants by name: This keeps the conversation flowing and everyone can be heard.
- Speak loudly and clearly: To ensure everyone can hear you.
- Don't Interrupt others: When others are talking, always let them finish before offering a thought of your own.
- Send an instant message to indicate you wish to speak: To maintain a controlled meeting and avoid interruptions.
- Give the meeting your full attention: Activities such as typing during a meeting can create a distracting noise.
- Anyone persistently interrupting or disrupting the meeting will be removed or asked to leave.



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Agenda Item 6a

Committee Report

Item No: 6a

Reference: DC/19/03126

Case Officer: Elizabeth Flood

Ward: Long Melford.

Ward Member/s: Cllr John Nunn. Cllr Elisabeth Malvisi.

RECOMMENDATION – GRANT PLANNING PERMISSION WITH CONDITIONS

Description of Development

Planning Application - Erection of 100 dwellings, vehicular access, open space and associated infrastructure.

Location

Land South of, Tamage Road, Acton, Suffolk

Expiry Date: 31/01/2020

Application Type: FUL - Full Planning Application

Development Type: Major Small Scale - Dwellings

Applicant: Bloor Homes Eastern

Parish: Acton

Site Area: 3.43

Details of Previous Committee / Resolutions and any member site visit: Site visit undertaken 18th September 2019, previous Committee 11th March 2020. Resolution to defer application.

Has a Committee Call In request been received from a Council Member (Appendix 1): Yes

Has the application been subject to Pre-Application Advice: Yes BIE/16/00485.

PART ONE – REASON FOR REFERENCE TO COMMITTEE

The application is referred to committee for the following reason/s:

- Major application above 15 dwellings.

Update following deferral of application at Planning Committee on the 11th March 2020

This application was deferred at Planning Committee on the 11th March 2020 for the following reasons:

- Request provision of 2-bed bungalows;
- Reduction of 4-bed houses;
- Reduce incidence of triple parking
- Affordable Housing to be better distributed throughout the site;
- Play area to be moved away from SUDS

Following this referral the developer has provided revised plans to try to resolve the Councillors' concerns.

This updated report provides an assessment of these revised plans and how they relate to the reasons for deferring the application. The pertinent paragraphs are 2.3, 2.4, 5.3, 6.3, 6.4 and 8.3.

PART TWO – POLICIES AND CONSULTATION SUMMARY

Summary of Policies

Babergh Local Plan (2006)
CN01 - Design Standards
CN06 - Listed Buildings
TP15 - Parking Standards - New Development

Babergh Core Strategy (2014)
CS01 - Applying the presumption in Favour of Sustainable Development in Babergh
CS02 - Settlement Pattern Policy
CS03 - Strategy for Growth and Development
CS11 - Core and Hinterland Villages
CS15 - Implementing Sustainable Development

Neighbourhood Plan Status

This application site is not within a Neighbourhood Plan Area.

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

Additional comments following deferral of application and subsequent reconsultation on amended plans:

Parish Council – Acton Parish Council continues to raise its strong objections to this application. The Council considers that the negative harm caused by the proposed development of a 100 dwelling development and associated infrastructure strongly outweigh any benefits.

Infrastructure Deficits

Acton Village is a Hinterland Village which has inadequate infrastructure to accommodate two developments of 100 dwellings each. 200 additional dwellings (excluding windfalls) will equate to a 30% increase in the number of dwellings in the village. A Hinterland village with no doctor surgery, no dental surgery, no frequent bus service for workers, no footpaths or cycle routes to shops or places of work and a school which is at capacity and no ability for expansion of the school. The cumulative impact of 200 dwellings on Acton as Hinterland Village will not allow for a reasonable pace of integration and overwhelm the local infrastructure. The need for additional dwellings has recently been further satisfied by an approval of an additional 150 dwelling at Station Road Long Melford (a Core Village) and as already stated there is an approved scheme of 100 dwellings to include affordable tenure within the village of Acton.

Outside of the Built Up Area Boundary Inappropriate Extension to Village

The proposed development is outside of the village BUAB, it does not relate well to the existing settlement and does not represent a logical extension to the village. The Council considers that the application does not respond positively to local circumstances.

Harm to Village Character, Landscape and Wildlife

The Parish Council planted and have maintained the rural hedge along Tamage Road, the hedge is a strong feature of the area on the boundary of the settlement, the hedge also forms part of an important wider wildlife corridor. The applicants Arboricultural Report informs that only a small section of this hedge will be removed but the application site drawing shows that most of the hedge will be removed to allow for a new pavement and access road. This hedge is an important feature of the village and forms an important wildlife corridor, it should therefore be preserved. Acton Parish Council supports the objections clearly identified by residents in the recent 38-page Landscape and Impacts Assessment document, particularly those related to the harm to the local landscape and panoramic views

Highway Safety

The new access road into Tamage Rd from the proposed development will present highway safety issues, traffic from the development will be turning into oncoming traffic flow. Extremely heavy on street parking along Tamage Road and part of Vicarage Lane renders the route a single-track road with no places to safely pass, adding more traffic volume to this route is dangerous and not acceptable. The cumulative traffic increases from this application and the already approved scheme of 100 dwellings in the village will place unacceptable levels of additional traffic on the junction at the Crown Public House. The junction at the Crown PH has in the past been identified for safety improvements, but workable solutions have not come forward.

Infrastructure – Education

The applicant has not put forward an adequate solution to the lack of school places to accommodate children from the development. There is an existing approved scheme of 100 dwellings in the village of Acton, the village school does not have enough capacity for children from the approved development. If this further development is approved there again will be no local school places for the children. The offer of cash to cover transport costs cannot be accepted as an acceptable solution because no person or organisation is guaranteeing the provision of school transport.

Affordable Housing

Inappropriate Distribution both market and affordable dwellings should be distributed throughout the development, the applicant continues not to deal with this already identified concern to a satisfactory level. Affordable dwellings are now proposed in 3 distinctive areas of the development and a large number of rented tenure dwellings are placed in the north east corner where this is very apparent because of the cramped design, lack of land scaping and excessive hard surface treatment for vehicle parking.

Design Safety

Water safety concerns are raised because the attenuation pond which is designed to hold just over 1 meter of open water is close to the children's play area and it is sited out of view of any overlooking from nearby dwellings etc.

Waste Management – Road surface treatment must be capable of taking a 32 tonne vehicle without damaging it. Minor changes to the bin presentation points are required. Recommend condition.

Public Realm – The Public Realm Team note the repositioning of the play area and the changes to the attenuation basin. There are no objections to this scheme based on the revised plans for the public open space.

Landscape - The scheme has been improved. Although still feels that the visual impact of the development from Vicarage Lane has not been addressed. The landscape strategy says that 'Key views from Vicarage Lane will be screened with the new tree planting in the north-eastern corner of the site'.

However, when looking at the proposed landscape scheme, the planting proposed is not substantial enough to achieve appropriate screening. The hedgerow along Tamage Road could be extended and wrapped around the corner, maintaining it to a height of 2m. It will also be beneficial to include additional shrub and tree planting at the end of private road to screen views from Tamage Road and to add a few hedgerow trees behind the existing hedgerow along Tamage Road. Recommend condition.

Highways - the latest layout has not taken into account comments previously made regarding Plots 3 & 4 where the visibility splays for these accesses are insufficient. The accesses are on the inside of the bend and the splays are across private gardens. We recommend the locations of the accesses are changed to ensure the splays are protected.

Officer's note – a revised drawing showing the appropriate visibility splays for Plots 3 & 4 has been provided.

Strategic Housing –

- This is a development proposal for 100 dwellings
- This development proposal triggers an affordable housing contribution under current local planning policy of 35%, for 100 dwellings this equates to 35 affordable homes
- The tenure plan accompanying this re-consultation shows the affordable housing mix as agreed with Bloor Homes and Strategic Housing and meets NDSS
- The layout of the affordable homes detailed in the site layout plan 002z is acceptable
- It is noted that four 2-bedroomed bungalows are now included in the open market mix, which is welcomed.

Flood and Water Officer –

There is an improvement in one respect that the slide slopes of the basin have been reduced from 1:3 to 1:4, but the negative is the use of underground storage crates, which are more difficult to manage.

Original consultation responses:

Town/Parish Council

Acton Parish Council Recommends refusal. The site is outside the settlement boundary for Acton, the Parish Council has objected to the allocation of the site within the Emerging Joint Local Plan as the site will constitute overdevelopment and stretch already sparse infrastructure to breaking point. The Joint Local Plan is at an early stage and it is inappropriate to approve an application until the issue of the Settlement Boundary is resolved.

The Housing Assessment is based on the wider Waldingfield Ward, the Parish Council request a housing needs assessment based solely on the needs of Acton residents. The Assessment fails to demonstrate that this development meets a proven local need. Attention should be paid to the comments made by the Strategic Housing Officer regarding the mix of housing. Planning Authority is asked to consider the extent to which Acton's housing needs have already been met by the approved planning application for 100 dwellings on land south east of Barrow Hill, Acton.

Transport Assessment is Incomplete and Flawed. No consideration of the need for mitigation required at the junction of the High Street and Sudbury Road. Site is poorly connected by footpath to the centre of Acton and the local facilities. Jenners Way is an unmade right of way which is not suitable for access. Acton is served by busy roads with no footpath access to surrounding villages or safe cycling to and from the village. There are limited bus services including to the Health Centre. There is overnight and weekend parking along long stretches of Tamage Road resulting in a single-track road with limited passing places.

Concern that the run-off from the development will raise the local water table. There is no indication of who will take on the long-term maintenance of the attenuation pool. The development will increase peak hour traffic load at the junction between the A134 Long Melford bypass and Bull Lane. Concern regarding the capacity of the electricity supply, Acton already suffers from Power Outages due to position at the end of the supply line. Further intensification of Jennens Way of historic right of way will render the path dangerous and unfit to use. Other footways in Acton are inadequate. There are no teenage facilities within Acton.

Planning Policy Considerations:

NPPF Paragraph 38 – The impact of 100 new dwellings cannot be mitigated therefore fails sustainable development test. CS3 – 1,050 dwellings to be built in Core and Hinterland Villages – Acton will take nearly 20% of these. CS11 – Planning Authority has to regard the cumulative effect of development, 200 dwellings in Acton will harm the nature of the community and strain local infrastructure. CS13 – The development is not sustainable and requires car ownership. CS15 – fails to respect the local landscape, won't create long term employment, doesn't indicate how to retain, protect or enhance local services and facilities, range of housing fails to consider aging population, fails to propose features for electric vehicles, risk of run-off, lack of safe routes out of the village for cycle/pedestrians limited opportunities reduce the need to travel by car, site is not accessible to people of all abilities.

Should the application be approved the Parish Council request the following:

- Measures to prevent concurrent development at Barrow Hill and Tamage Road
- Highway improvements junction Sudbury Road/ High St
- Financial provision for future maintenance of Jenners Way
- Funding/site for MUGA
- Maintenance of attenuation pond
- Parking on Tamage Road taken into account when considering vehicular access
- Affordable housing be prioritised for Acton residents.

Subsequent comments – The hedge boundary along Tamage Road is the property of Acton Parish Council, the PC wishes to preserve this hedge in its entirety and has not granted any permission for its removal or reshaping. The site is grade 2 agricultural land and worthy of preservation. The site is outside the village settlement boundary and therefore in open countryside. Acton is a Hinterland Village and whilst the current draft Local Plan suggest it is a Core Village questions by the PC who see no justification for changing the village status. Development on the site will dominate the existing village properties and the skyline when entering and leaving the village. The boundary of the site is of an important rural nature and provides easy access to open countryside, forming a quiet lane walk linking to public right of way number 15. Jennens Lane maintains its rural feel and provides a rural walk from centre of the village, leaving Jennens Lane there are clear open countryside views. Walk along Vicarage Lane provides sweeping open views towards Long Melford, these views through and beyond the site are enjoyed as you pass around the site to join the PROW 15 or walk around the edge of the proposed site along Sudbury Road. Walking into the village from PROW 16 clear view down into the village. This walking route and public views and extensive landscape scene are important and worthy of protection from new development.

National Consultee

Highways England – No objections

Natural England – No comments

NHS West Suffolk – 1 GP practice within close proximity of the proposed development. This does not have sufficient capacity for the additional growth resulting from this development and cumulative growth in the area. Require a CIL contribution for the provision of increased capacity at The Long Melford Practice.

Anglian Water – Foul drainage from this development is in the catchment of Long Melford Water Recycling Centre that will have capacity for these flows. The sewerage system at present has available capacity for these flows. Recommend conditions relating to SUDS.

Suffolk Constabulary – Public Open Space should be restricted so prevent vehicles from accessing, attenuation lagoon should be secured by a boundary, some plots have rear parking with restricted surveillance, plots are affected by long access parks, some plots have garages away from dwellings, lack of gable end windows to provide surveillance.

County Council Responses

Infrastructure – Local catchment schools are Acton CEVC Primary School and Orminston Sudbury Academy. There are no surplus places available at secondary school level therefore expect to apply for CIL funding of £500,236.

The catchment primary school has a capacity of 210 places (a pupil admission number of 30), with the current forecast (July 2019) showing there will be not enough surplus places when considering the school at 95% capacity (200 places). The primary forecasts peak at 203 in 2020/21. The forecasts include the pupils arising from 17/02751/OUT (Barrow Hill).

It has recently been confirmed through the emerging Local Plan supporting information provided by SCC that the catchment primary school cannot be expanded within its current landlocked site area. After reviewing the forecasts including proportion of out of catchment pupils it is expected that over time pupils from this development would be able to secure a place at the catchment school.

However we 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. Eventually 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.

We 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 Guidance¹. School transport costs are estimated at £1,027 per annum per pupil.

Should the District be minded to approve this development SCC will require a school transport contribution of £165,347 (1027 x 7 school years x 23 pupils), increased by the RPI. This would need to be secured by a S106 planning obligation because the school transport contribution doesn't fall within the categories that the District may fund through CIL as set out in the Mid Suffolk Position Statement effective on 1st September reflecting the amended CIL regulations.

School transport S106 contribution: £165,347.00

Pre-school – Forecast a deficit of 23 places in this ward which would result in a CIL contribution of £149,364.

Archaeology – No grounds to consider refusal of permission to achieve preservation in situ of any important heritage assets. Recommend conditions.

Flood and Water Management – Recommend approval subject to conditions.

Highways – Have reviewed the Transport Assessment and the data supplied with this application.

- The proposed visibility splays for the development are sufficient for this application.
- The proposal for 100 dwellings would create approximately 43 vehicle movements with the AM peak hour, the traffic generation indicates that the cumulative impact with other committed developments will not have an impact on the capacity of the highway network in the area.
- The measures 85%ile vehicle speeds on Tamage Road is 24.6mph and 114 vehicles recorded in the PM peak hour therefore, a low use and speed residential road.
- There are bus stops approx. 500m from the site with frequent bus services.
- There are good pedestrian and cycle links to village amenities and to the village primary school.

It is our opinion that this development would not have an unacceptable impact on highway safety therefore we do not object to the proposal.

Recommend conditions relating to access.

S106 Agreement:

- Footpath 15, which is south of this site, is expected to be improved by the Chilton Woods development. If there has been no commencement on this site, we request a contribution to £12,500 to improve the surfacing of the footpath.
- In recognition of the way rural transport is evolving looking for a £50,000 contribution towards enhancing demand responsive services in the area. In addition raised bus stop kerbs are requested at a cost of £5,000 for construction.

Fire and rescue – Fire hydrants will be required within this development.

Internal Consultee Responses

Environmental Management: Land Contamination – No objections

Public Realm – Public open space is adequate for this development, expect a local management solution for future maintenance of this open space.

Environmental Management: Air Quality – No objections

Environmental Management: Sustainability – Pleased to see the applicant committing to energy and carbon reduction beyond Part L. Cannot find reference to electric vehicle charging facilities. Recommend condition.

Environmental Management: Noise – No objections, recommend conditions to minimise disturbance during the construction phase.

Strategic Housing – The dwelling proposal triggers affordable housing contribution of 35% equates to 35 affordable homes. These would be required on site and allocated on a district wide basis. The open market mix consists of 2, 3 and 4 bedroom homes at 2 storey and 2 ½ storeys. Recommended broad range of homes to include bungalows with less emphasis on 4 bedrooms.

Tenure split should be 75% affordable rented and 25% shared ownership as follows:

27 affordable rented dwelling =

8 x 1b 2p flats @50sqm

14 x 2b 4p houses @79sqm

5 x 3b 6p houses @102sqm

8 shared ownership dwellings =

6 x 2b x 4p houses @79sqm minimum

2 x 3b x 5p houses @93 sqm minimum

Ecology – No objection subject to securing mitigation and enhancement measures.

Arboriculture – No objection subject to it being undertaken in accordance with the measures outlined in the arboricultural report. The proposal will not have a significant impact upon important trees and requires only the loss of three small sections of hedgerow. Recommend conditions.

Heritage – Application proposes erection of 100 houses of land to the west of Grade II listed Old Vicarage, Acton. Concerns raised over the proposed architecture and choices of brick and tile. Revised application change in the architecture but choice of brick and tiles remained, architectural forms now appear less pastiche, but does not reflect local distinctiveness. Proposed bricks and tiles remained uncharacteristic of the place, do not address CN01. Boundary Treatment for the eastern edge of the site is proposed to be close-boarded fencing, this form of fencing is suburban and unattractive and does easily relate to rural location of development. The proposed scheme would cause a low level of less than substantial harm to the setting and therefore the significance of the Old Vicarage.

Landscape – Recommend condition relating to landscape management.

B: Representations

Additional comments following deferral of application and subsequent reconsultation on amended plans:

An additional 50 letters/emails/online comments have been received following deferral of the application at Planning Committee on the 11th March and subsequent reconsultation on amended plans. It is the officer opinion that this represents 50 objections. A verbal update shall be provided as necessary.

Views relating to the revised proposals are summarised below:

- Updated application does not address the main areas of objection.
- Affordable dwellings are still located in a tight cluster.
- The Government is encouraging developments to be accessible via walking and cycling. This development would not be in walking or cycling distance of facilities.
- Development provides insufficient bungalows and affordable housing
- Financial cost of busing children to local schools
- Children being bused to school will increase vehicular traffic
- No evidence that four-bedroom dwellings are required
- Shortfall in s.106 and CIL funding for infrastructure requirement
- Inability to provide primary healthcare for residents
- Garages should not be counted as parking spaces due to inadequate size
- Safety concerns regarding location of the attenuation basin

Objectors have also provided a Landscape, Visual Impact and Infrastructure Assessment, written by Local Residents. The developer has provided two documents as a response to this assessment.

These documents have been considered by your Officer, and the Officer recommendation is unchanged.

Original representations

At the time of writing the original report at least 192 letters/emails/online comments had been received. It is the officer opinion that this represented 192 objections.

Views are summarised below:

- Acton Primary School is at capacity
- Long Melford Surgery is at capacity
- Inadequate junction between Sudbury Road and High Street
- Parking along Tamage Road results in a single track road
- Inadequate highways
- Inadequate capacity for sewerage and drinking water
- Potential of flooding from attenuation basin
- Inadequate broadband capacity
- Loss of Grade 2 agricultural land
- No need for additional dwellings in the area
- Lack of employment opportunities
- Proposed Chilton Wood School has not been built and has an unsafe pedestrian access
- Over development of the site
- Lack of public transport
- Acton is a Hinterland Village with inadequate infrastructure for the proposed and approved development
- Loss of views
- Impact on Grade II listed building, The Old Vicarage
- Lack of teenage facilities within Acton
- Contrary to Development Plan
- Harm to local character and distinctiveness of the area
- Detrimental impact on biodiversity
- Segregation of affordable houses to one part of the site is against Council policy
- Acton is not located in Greater Waldingfield Ward and use of ward data is inappropriate
- The Council has a 5 year land supply

(Note: All individual representations are counted and considered. Repeated and/or additional communication from a single individual will be counted as one representation.)

PLANNING HISTORY

REF: BIE/16/01439	Request for EIA Screening Opinion	DECISION: PCO
REF: BIE/16/00485	Erection of up to 100 No. dwellings	DECISION: PCO

PART THREE – ASSESSMENT OF APPLICATION

1.0 The Site and Surroundings

- 1.1. The site comprises an agricultural field surrounded on all sides by roads. Mature hedgerows and some trees form the boundary of the field. To the North East of the site is Tamage Road and beyond this a 1970s housing estate. Vicarage Lane borders the site on two sides, to the South and East. Accessed off Vicarage Lane is PROW15 and the wider footpath network. A single dwelling Higher Ground is located on this part of Vicarage Lane. To the West of the site is Sudbury Road which provides access from Acton to Sudbury via Newman's Green. Vicarage Lane continues to

the East at the junction with Tamage Road. Along this part of Vicarage Lane is situated The Old Vicarage, a Grade II listed building set within extensive grounds.

- 1.2 Apart from the boundary with Tamage Road, the site is surrounded by agricultural land. The built up area of Acton is found to the North of the site including the Primary School and facilities along the High Street. To the North East of Acton is Bull Lane and Acton Place Industrial Estates which provides some employment facilities.

2.0 The Proposal

- 2.1. The proposal is for 100 dwellings consisting of the following (amended following deferral):

Market Housing

15 x 2 bedroom houses
4 x 2 bedroom bungalows
25 x 3 bedroom houses
21 x 4 bedroom homes

Affordable Housing

8 x 1 bedroom flats
18 x 2 bedroom houses (6 shared ownership)
8 x 3 bedroom houses (4 shared ownership)
1 x 4 bedroom houses

- 2.2 All the houses would meet national space standards. The development would provide a good mix of properties, the majority being smaller 2 and 3-bedroom houses which there is a general need for within the district.
- 2.3 Following the deferral at Planning Committee, the developer has removed four 2 ½-storey four-bedroom market dwellings and replaced them with four 2-bedroom market bungalows. This will improve the range of dwellings on the site and remove the incongruous 2 ½-storey dwellings.
- 2.4 Key elements of the proposed site layout are as follows:
- Single access point from Tamage Road to serve the development. The internal road will have footpaths each side. From this road there will be shared surface access roadways and drives serving groups of houses.
 - Incorporation of a 0.34 ha public open space plus a 0.19 ha attenuation basin in one area at the east of the site.
 - Fenced play area provided within the northern part of the public open space.
 - Mix of single-storey and two-storey dwellings.
 - A mix of detached, semi-detached and terraced houses and two-storey flats is proposed
 - Approximately 204 residential car parking spaces, and an additional 26 spaces set aside for visitors.
 - Affordable housing, now in three clusters of 10, 10 and 15 dwellings, distributed throughout the development
 - Hedgerow placement proposed to the Whatfield Road frontage.
 - Housing is generally designed as an Arts and Crafts style.
 - Retention of hedges on the east and west boundaries. These will be supplemented by new tree planting.

3.0 The Principle of Development

- 3.1. Babergh benefits from a five-years plus land supply position as required by paragraph 73 of the NPPF. The tilted balance at paragraph 11(d) of the NPPF is not engaged in that respect. There is no requirement for the 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. That said, there is a need for Council to determine whether relevant policies of the Core Strategy generally conform with the aims of the NPPF. Where they do not, they will carry less statutory weight.
- 3.2 Policy CS1 'Applying the Presumption in favour of Sustainable Development in Babergh' is in-step with paragraph 11(d) of the NPPF, even though the policy's wording was based on the earlier 2012 NPPF. This policy is therefore afforded full weight. Policy CS11 is considered to be consistent with the aims of the NPPF, in particular with regard to the need for development to respond positively to local circumstances, which is consistent with paragraph 77 of the NPPF, and therefore has full weight. Policy CS15 sets out desirable characteristics for development which are based upon the principles of sustainable development which is also consistent with the NPPF and given full weight. Both policies CS11 and CS15 accord with the NPPF, particularly in relation to paragraphs 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.
- 3.3 Policy CS2 'Settlement Pattern Policy' designates Acton 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. This blanket approach is not entirely 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.
- 3.4 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 appropriate 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.
- 3.5 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.
- 3.6 The site is adjacent to the settlement boundary which is located along Tamage Road and Vicarage Lane. The site is an edge-of-settlement location where the criteria set out at Policy CS11 engage.
- 3.7 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.

3.8 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.

3.9 The matters listed in Policy CS11, which proposals for development for Hinterland Villages must address, are considered throughout this report. A key element of CS11 is the requirement to meet a proven local need. A Housing Need Assessment has been provided which shows that, within the two functional clusters which Acton is located in (Long Melford and Sudbury), there is a local need requirement up to 2031 (which is the end of the JLP period) of 2,177 dwellings. In September 2019 there was planning consent for 1,939 dwellings of which 448 were considered to be deliverable within the next five years. While not all 1,939 dwellings will be brought forward by 2031, using this number provides an additional need for 238 dwellings.

3.10 The Housing Needs Assessment also considered the need for affordable dwellings. Up to 2031 there is a local need within the Long Melford and Sudbury functional clusters for 438 dwellings and planning consent for 116 including 54 which are considered deliverable within five years. There is, therefore, a shortfall of 322 affordable dwellings within the Functional Clusters. The Housing Needs Assessment shows that there is a local need for additional dwellings, including a significant need for affordable dwellings which this development will help to deliver.

3.11 Policy CS15 sets out how the Council will seek to implement sustainable development. A number of criteria set out at CS15 have already been considered in this report, those that have not are considered further below.

3.12 Policy CS15 seeks to minimise the need to travel by car using alternative means and improving air quality. The site is well connected in highway connectivity terms being located close to Sudbury which can be accessed a number of ways. As set out in this report, pedestrian connectivity outside of the village is not high and the proposal will generate vehicle trips.

- 3.13 Policy CS15 sets out criteria relating to economic benefits, supporting local services, sustainable design, and creation of green spaces, minimising waste and surface water run-off and promotion of healthy living. The proposal responds favourably to these matters as relevant.
- 3.14 The site is allocated within the Joint Local Plan for development of approximately 100 dwellings under allocation LA045. The JLP currently has limited weight, however it does indicate the direction of travel. Significant evidence accompanies the JLP which indicates that there are no site specific reasons which would prevent development of the site.
- 3.15 Paragraph 73 of the NPPF states that a five-year land supply for housing is a minimum. Therefore, although Babergh District Council can show an existing five-year land supply this does not prevent further housing development being supported. The appeal at Station Road, Long Melford confirms that a five year land supply does not prevent additional housing being supported, especially where need has been identified.

4.0 Nearby Services and Connections Assessment Of Proposal

- 4.1 Acton is categorised as a Hinterland Village within the Babergh Core Strategy (2014). The village has a limited range of facilities including a village shop, public house, primary school, pre-school, church, village hall and recreational facilities including a children's play area.
- 4.2 Approximately 1.1km North West of Acton are the Bulls Lane/ Acton Place Industrial Estates which comprise a moderately-sized employment site providing a range of buildings. There is no footpath provision from Acton to the Bulls Lane/Acton Place Industrial Estate.
- 4.3 Sudbury is located approximately 2.5km to the south of Acton. There is no direct footpath provision to Sudbury. Nearby footpaths are proposed to be upgraded as part of the Chilton Woods development which is located approximately 2.2km away and will include a new village centre.
- 4.4 There is a reasonably regular bus service between Sudbury and Bury St Edmunds via Acton. With buses approximately once an hour. Sudbury provides onward connections to Colchester and Ipswich.
- 4.5 Acton Primary School is located approximately 460m from the edge of the site. The village shop and pub are located approximately 500m from the edge of the site.

5.0 Site Access, Parking And Highway Safety Considerations

- 5.1 Paragraph 109 of the NPPF states that development may be prevented or refused on highway grounds where the impact on highway safety is unacceptable. A single vehicular access would be provided from Tamage Road, opposite number 40 Tamage Road. In order to provide acceptable visibility splays, the existing hedge would need to be removed and a footway would be provided along part of the front of the site which would provide safe crossing points across Tamage Road.
- 5.2 There would be four pedestrian accesses from the site, one along the main vehicular access, two further up Tamage Road and one onto Vicarage Road, which would allow access to Footpath 15 and the PRow network. Generally, the permeability through and out of the site for pedestrians is good.
- 5.3 Saved Policy TP15 of the Local Plan seeks to ensure that parking provision for new development complies with the Parking Standards. The proposed parking will be in line with that required under the Suffolk Parking Guidance. Following deferral at committee, the developer has revised the parking to remove all the triple parking (parking space + parking space + garage) from the development. This should reduce any indiscriminate on-street parking significantly.

5.4 Concern has been raised regarding the junction between the Sudbury Road and High St. Due to the location of the dwellings at this junction, there is substandard visibility. However in accordance with the NPPF, a highway impact needs to be severe to justify refusal of planning permission on highways terms. The Highway Authority does not consider that the impact of the development on the junction between Sudbury Road and High Street would be severe.

6.0 Design And Layout

6.1 Policy CS11 states that new residential development in hinterland villages need to be well-designed and appropriate in size / scale, layout and character to its setting and to the village. The overall layout of the scheme is based on a main access road through the development with spur roads and then private drives off. The dwellings have been designed to face along the main access road, the boundary of the site and the public open space. This outward-looking design will mean that rear gardens and boundaries will not be visible from outside of the site. A number of street trees are proposed along the main access road which will soften the impact of the road.

6.2 The pedestrian accesses from the site would all be overlooked by dwellings which would improve safety and usability of these. The public open space and attenuation basin is concentrated to the west of the site. The public open space would provide access through the site, providing a link between the footpath network to the south of the site and the footpath to Sudbury Road to the North.

6.3 At Planning Committee on the 11th March concern was raised regarding the proximity of the play area to the attenuation basin. While the play area remains in the northern part of the public open space, it has been moved further from the attenuation basin. The location of the play area on the northern part of the public open space makes it more easily accessed from the estate to the north and not impacted by the overhead wires. The play area would be fenced off and the slope for the attenuation basin has been reduced from 1 in 3 to 1 in 4, with only a small amount of permanent standing water located within it. These alternations make the attenuation basin safer and more usable as open space.

6.4 The affordable housing would be provided in three distinct clusters of 10, 10 and 15 dwellings each accessed off a separate road. This pepper-potting of affordable dwellings amongst the market housing, along with the use of similar design and materials, will ensure that the dwellings are tenure blind.

6.5 The general design principles of the dwellings are an Arts and Craft style. Acton is characterised by a mix of dwelling styles and materials. To the north of the site is a large 1970s estate, which is characterised by grey roof tiles and red brick with some timber weatherboarding. Within the historic core of Acton are many infill properties of various designs and materials.

6.6 Although the design of the dwellings is not of the Suffolk Vernacular, as Acton does not have strong design characteristics, this is considered acceptable. The estate will have a character of its own which, given the scale of the development and its self-contained nature, is considered an appropriate design solution.

7.0 Landscape Impact, Trees, Ecology, Biodiversity And Protected Species

7.1 Policy CS11 states (*inter alia*) that new development must take into account the landscape and environmental characteristics of the village. The site is very well-contained, surrounded by roads on all sides and bounded by mature hedging and some trees. As such, the landscape impact is significantly lessened. However, there will be some loss of views particularly across the site from Vicarage Lane and Tamage Road. The views from footpath 15 will also alter with built development within closer range.

- 7.2 The existing landscaping is proposed to be retained (much of this is outside the red line site plan), except for where it needs to be removed to improve highway visibility, and is supplemented by additional planting. The landscape impact of the proposal is considered acceptable.
- 7.3 Although the Parish Council considers that the proposal would result in the loss of views along a popular walking route along Vicarage Lane and Sudbury Road. It is not considered that the loss of views are considerable. The main view that will be lost is that at the junction of Tamage Road and Vicarage Lane. Further along Vicarage Lane, the mature landscaping restricts views across the site for much of the year and, as Vicarage Lane turns towards the East, views across the site are to the built development on Tamage Road.
- 7.4 Outside of the village, Vicarage Lane and Sudbury Road are both 60 mph roads with limited verges. They are not especially suitable for pedestrians wishing to access the PROW network using footpath 15. The development will provide an alternative route to footpath 15 via the public open space or the estate roads, making access to the Countryside from the village safer.
- 7.5 The site is an arable field, with limited ecological value, much of which is within the hedgerows which are generally to be retained. The development will include biodiversity enhancement measures.
- 7.6 There are some trees located on the boundary of the site, the arboricultural officer has not objected subject to works being undertaken in accordance with the measures outlined in the arboricultural report. The proposal will not have a significant impact upon important trees.

8.0 Land Contamination, Flood Risk, Drainage and Waste

- 8.1 The Environmental Management Officer has considered the Land Contamination Report and considers that there is no risk from development.
- 8.2 A drainage strategy has been provided which comprises SUDS and an attenuation basin. The Floods and Water management Officer is content with this strategy. Although there is concern from the public that the development could lead to flooding elsewhere in the village, there is no evidence to support this claim.
- 8.3 Concern has been raised regarding the proximity of the play area to the attenuation basin. The developer has revised the design on the attenuation basin to reduce the slope from 1 in 4 to 1 in 3. There will also only be 30mm of standing water within the attenuation basin during normal times. Because of the reduction in the steepness of the slope, the capacity of the attenuation basin will be reduced. Underground water storage crates will need to be introduced to add surface water capacity. Underground crates are a less favourable option as they require additional maintenance but in this case it is accepted that this is an acceptable compromise to allow for a safer attenuation basin which can be used as part of the wider public open space.

9.0 Heritage Issues [Including The Impact On The Character And Appearance Of The Conservation Area And On The Setting Of Neighbouring Listed Buildings]

- 9.1 The nearest listed building is the Old Vicarage which is located on Vicarage Lane approximately 140 metres East of the site. The Old Vicarage is located within extensive grounds with a paddock between the Old Vicarage and the site. There is extensive landscaping to the front of the Old Vicarage and opposite is modern housing.

- 9.2 The Heritage Officer made a number of comments during the course of the application which have resulted in amendments. Of particular concern is the need for landscaping on the Eastern side of the development to protect the Old Vicarage. In addition, the Heritage Officer is concerned that the proposed materials, including the boundary treatment for the development, are inappropriate. The proposed scheme would cause a low level of less than substantial harm to the setting and therefore the significance of the Old Vicarage.
- 9.3 There are only two properties along the Eastern side of the site which are side-on to the Western boundary (plots 32/33 and 34), both of which would have brick walls. The remainder of the properties would face onto the Western boundary. Additional trees and planting would be provided on this boundary. This would provide a reasonable screen between the site and the wider setting.
- 9.4 The use of modern materials has been discussed in Part 6 of this report.

10.0 Impact on Residential Amenity

- 10.1 The development has been designed to ensure adequate residential amenity within the site and all the dwellings have private gardens. While Tamage Road would become busier with an additional 100 houses accessed off it, this would not be so significant as to cause a statutory nuisance. The distance between the development and the existing houses would prevent significant overlooking or loss of privacy. The nearest dwellings to the existing houses on Tamage Road would be plots 18 to 33 which would be located a minimum of 16 metres (front to front) from the properties on Tamage Road.

12.0 Planning Obligations / CIL

- 12.1 A s.106 agreement would be required to ensure the delivery of the on-site affordable housing and public open space. As schools transport cannot be funded via CIL, Suffolk County Council has requested funding of £165,347.00 towards transport of primary school pupils for 7 years until it is forecast that places would be available at Acton Primary School. In addition, Suffolk County Council has requested s.106 funding towards improvements to the bus service and bus stops of £55,000 and £12,500 towards improvements to the PROW network, if this is not delivered via the Chilton Woods planning application.

PART FOUR – CONCLUSION

13.0 Planning Balance and Conclusion

- 13.1 It is considered that the application does not comply with CS2 of the Babergh Core Strategy and there are no exceptional circumstances which would support development in this location. However as stated within Part 3 of this report, Policy CS2 is considered to have lesser weight. In addition, the development does comply with the overall strategy of CS2, which requires the scale and location of new development to take into account local circumstances and infrastructure capacity. As set out in the report, it is considered that the local circumstances and infrastructure capacity of Acton will result in a sustainable development. Therefore, and in accordance with the s38(6) duty, while the development could be assessed as not complying with the development plan as a whole (bearing in mind the strict conflict with the terms of policy CS2), other material considerations nevertheless clearly demonstrate that planning permission should be granted. These material considerations include a requirement to ensure an ongoing supply of housing land. Paragraph 73 of the NPPF states that a five-year land supply for housing is a minimum.

Therefore, although Babergh District Council can show an existing five-year land supply, this does not prevent further housing development being supported.

- 13.2 The overall layout of the scheme is considered to be good, with the properties designed in such a way that they would provide legibility and overlooking. In addition, the four pedestrian accesses would allow easy access through and out of the site. There is a generous amount of open space which would provide links through the site to the village and wider countryside. The revised scheme provides for dispersal of the affordable housing units through the development
- 13.3 Concern has been raised by the heritage officer regarding the proposed materials to be used for the development, which is considered to cause a low level of harm to the setting of the listed building, the Old Vicarage. As explained in this report, amendments to the design of the scheme have reduced the harm from the possible boundary treatment but the disputed materials remain. The harm is considered to be outweighed by the public benefits of the scheme which include 35 affordable dwellings, safer access to the PRoW network, and public open space including a play area.
- 13.4 The site is well-contained and therefore the development would have limited landscape impacts. While there will be some loss of views across the site, these will affect the immediate views only.
- 13.5 Acton is a Hinterland Village with limited facilities. Over the long-term, it is forecast that there would be sufficient space within the village Primary School for pupils arising from the development. The occupiers of the dwellings are likely to be reliant on private vehicles for many trips, although there is a reasonable bus service. Sudbury is located within close proximity and provides a good range of facilities. As such, vehicular trips would generally be short.
- 13.6 The development would provide short term economic benefits during construction and longer-term economic and social benefits through the occupiers using local services and community facilities and the provision of additional public open space and a play area. The minor environmental disbenefits from a development, which would be reliant on private vehicles for many trips, are considered to be outweighed by the fact that these trips would be short, and by the benefits of providing a significant number of new dwellings, including affordable dwellings to the district.
- 13.7 Overall it is considered that the application complies with Policies CS11 and CS15 of the Babergh Core Strategy and Policy CS01 of the Babergh Local Plan. As such the development is considered to be a sustainable development in line with the provisions of the NPPF.

RECOMMENDATION

That authority be delegated to the Chief Planning Officer to GRANT planning permission:

(1) Subject to the prior agreement of a Section 106 Planning Obligation on appropriate terms to the satisfaction of the Chief Planning Officer to secure:

- Affordable housing

This shall include

- Rented 75%= 25
- Shared ownership 25%= 10
- Properties shall be built to current Housing Standards Technical requirements March 2015 Level 1. All ground floor 1 bed flats to be fitted with level access showers, not baths.
- The council is granted 100% nomination rights to all the affordable units on initial lets and 75% on subsequent lets

- All affordable units to be transferred freehold to one of the Councils preferred Registered providers.
- Adequate parking provision is made for the affordable housing units including cycle storage for all units.
- Commuted sum option available to be paid instead of on site provision should the LPA agree to such request.
- On-site open space and public open space including management of the space to be agreed and requirement for public access at all times.
- Bus improvements: £55,000
- Contribution to school transport: £165,347.00
- Contribution to improvements to the PRoW of £12,500, if not improved via Chilton Woods development.

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

- Standard time limit (3yrs for implementation of scheme)
- Approved Plans (Plans submitted that form this application)
- Phasing Condition (To allow phasing of the development and allows spreading of payments under CIL)
- Archaeological investigation
- Provision of fire hydrants
- As requested by the Highway Authority including details of bin/recycling presentation points
- As requested by the Flood and Water Officer
- Provision of Electric Car charging facilities
- Biodiversity mitigation and enhancement measures
- Energy and renewal integration scheme to be agreed
- Rainwater harvesting to be agreed
- Construction Plan to be agreed.
- Level access to enable wheelchair access for all dwellings/buildings.
- As requested by the arboricultural officer
- Landscaping management
- Details of landscaping

(3) And the following informative notes as summarised and those as may be deemed necessary:

- Proactive working statement
- SCC Highways notes
- Support for sustainable development principles

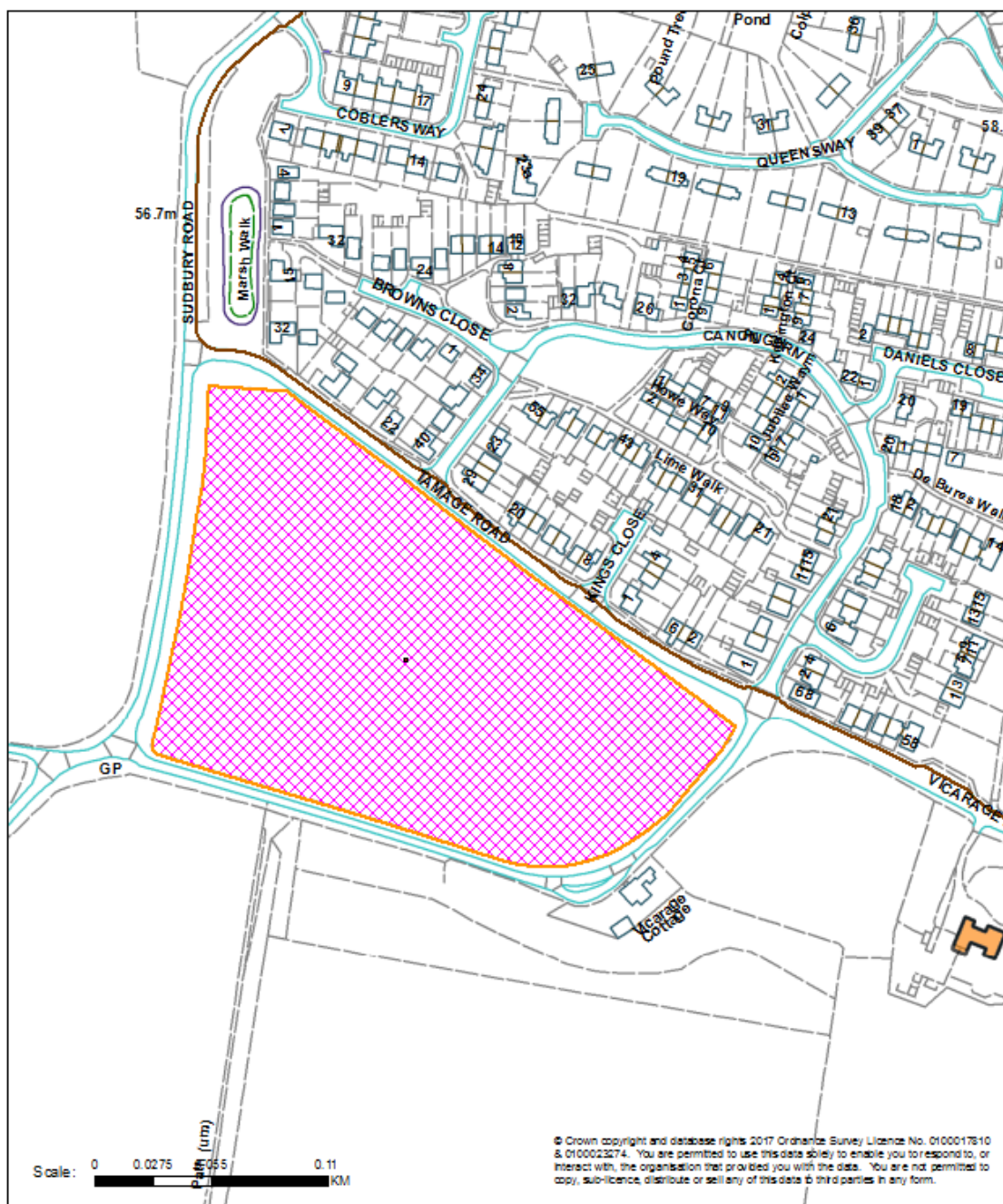
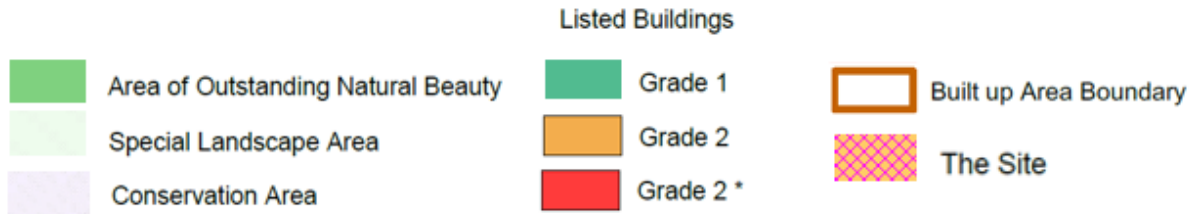
(4) That in the event of the Planning obligations or requirements referred to in Resolution (1) above not being secured and/or not secured within 6 months, the Chief Planning Officer be authorised to refuse the application on appropriate grounds.

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Application No: DC/19/03126

Parish: Acton

Location: Land South of Tamage Road



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Agenda Item 6b

Committee Report

Item 6B

Reference: DC/18/05177

Case Officer: Samantha Summers

Ward: Brantham.

Ward Member/s: Cllr Alastair McCraw

RECOMMENDATION – GRANT PLANNING PERMISSION WITH CONDITIONS

Description of Development

Planning application - Erection of 15 dwellings including 7 affordable units. Conversion of existing dwelling to provide 6 apartments. Alterations to 2 vehicular accesses.

Location

Brantham Place, Church Lane, Brantham, Manningtree Suffolk CO11 1QA

Expiry Date: 31/01/2020

Application Type: FUL - Full Planning Application

Development Type: Major Small Scale - Dwellings

Applicant: Granville Developments

Agent: Edward Gittins & Associates

Parish: Brantham

Site Area: 4.3ha

Density of Development: 4.8 dwellings per hectare

Details of member site visit: Carried out in June 2019

Has a Committee Call In request been received from a Council Member (Appendix 1): No

Has the application been subject to Pre-Application Advice: Yes (DC/17/05575 and DC/18/03003)

PART ONE – REASON FOR REFERENCE TO COMMITTEE

The application is referred to committee for the following reason/s:

It is a 'Major' application for:

- a residential development for 15 or more dwellings.

PART TWO – POLICIES AND CONSULTATION SUMMARY

Summary of Policies

Babergh Local Plan Alteration No.2 (2006):
CN01 - Design Standards
CN06 - Listed Buildings - Alteration/Ext/COU
CR02 - AONB Landscape
TP15 - Parking Standards - New Development

Babergh Core Strategy 2014:
CS01 - Applying the presumption in Favour of Sustainable Development in Babergh
CS02 - Settlement Pattern Policy
CS11 - Core and Hinterland Villages
CS15 - Implementing Sustainable Development
CS18 - Mix and Types of Dwellings
CS19 - Affordable Homes

NPPF - National Planning Policy Framework
NPPG - National Planning Policy Guidance
Suffolk Guidance for Parking 2019
Suffolk Design Guide

Neighbourhood Plan Status

This application site is not within a Neighbourhood Plan Area.

Consultations and Representations

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

A: Summary of Consultations

Town/Parish Council (Appendix 3)

Brantham Parish Council

Previous Comments still held as valid.

BPC Notes the response provided by the BDC Planning Policy Team. We refer in particular to the following which covers many of BPC's concerns "The site is considered unsuitable. The site would have unsuitable access from Church Lane. Whilst a peak time bus service is located within 800m there is poor pedestrian access to services. The site would create significant landscape impacts also the site is located within proposed extension to the AONB. The proposal would create an impact upon a number of trees and their setting; there would also be historic setting impacts and potential archaeological impacts. The proposal would not sensitively integrate with the existing pattern and form of development and would be at odds in the wider spatial context. The proposal is recommended for refusal."

BPC also notes the Suffolk County Council response from their Growth, Highways & Infrastructure Directorate – Strategic Development We refer in particular to the following which covers many of BPC's concerns relating to the currently available local infrastructure, with particular regard to additional drainage arrangements.

"Ideally, the County Council would like to see a plan-led approach to housing growth in the locality, which would also identify the infrastructure requirements based on cumulative growth. The risk here is that individual developer-led applications are granted planning permission without proper consideration being

given to the cumulative impacts on essential infrastructure including highway impacts and school provision.”

BPC Revised Comments, November 23rd 2019

The land comprising Brantham Place and its gardens is outside the Built-up area boundary. The “tilted balance” that might be applied in the absence of a sufficient land supply is not applicable in this situation (as argued within the Applicants supporting Documentation) as BDC currently has a sufficient and demonstrable supply.

The grounds are isolated and there appears to be no access to a foul-water drainage Mains. We note from the submitted Anglian Water comments that the developer is not proposing to connect to the Anglian Water Network, and BPC assume that any sewage water treatment must therefore be on-site. There appears however to be no adjacent water course to which any on-site treated effluent could be discharged.

This would all suggest the use of house specific cess tanks, which will require regular and frequent attendance by waste lorries. In this regard BPC would express concern regarding this additional vehicular movement and its effect on the existing, already inadequate, road infrastructure along Church Lane.

It is understood that there are serious problems with regard to local wildlife, with special regard to a notable bat population. Natural England’s response confirms that this development falls within the Zone of Influence for the Stour & Orwell SPA and Ramsar site, one of the European designated sites scoped into the emerging Suffolk Coast Recreational disturbance Avoidance and Mitigation Strategy.

There is a holding objection to be resolved. In this matter. It is noted that there is currently no clear response to this matter within the current resubmission.

Summary

- BPC recommends that PLANNING PERMISSION SHOULD BE REFUSED
- BPC would request (should planning permission be likely to be granted) that this application should clearly demonstrate a viable commercial interest from a current registered provider* of social housing, which is prepared to support that element of the project.
*As defined at <https://www.gov.uk/government/publications/current-registered-providers-of-social-housing>
- BPC note that the proposed layout leaves major open areas of amenity or landscape use. BPC would request (should planning permission be likely to be granted) that those areas are defined and maintained as such, and be unequivocally unavailable for future additional development. The imposition of a restrictive covenant would be an acceptable solution.
- BPC would suggest (should planning permission be likely to be granted) that the gardens of the dwellings that edge properties on Cedar Close should retain trees and planting sufficient to provide a visual boundary between the properties.

National Consultee (Appendix 4)

Environmental Agency

Raise a holding objection to the proposal because it involves the use of a non-mains foul drainage system in a publicly sewered area, but no justification has been provided for this method of foul sewage disposal.

The installation of private sewage treatment facilities, in this case a package treatment plant, within publicly sewered areas is not normally considered environmentally acceptable because of the greater risk of failures leading to pollution of the water environment compared to public sewerage systems.

Government guidance contained within the National Planning Practice Guidance (Water supply, wastewater and water quality – considerations for planning applications, paragraph 020) sets out a hierarchy of drainage options that must be considered and discounted in the following order:

1. Connection to the public sewer
2. Package sewage treatment plant (adopted in due course by the sewerage company or owned and operated under a new appointment or variation)
3. Septic Tank

Foul drainage should be connected to the main sewer. Where this is not possible, under the Environmental Permitting Regulations 2010 any discharge of sewage or trade effluent made to either surface water or groundwater will need to be registered as an exempt discharge activity or hold a permit issued by the Environment Agency, in addition to planning permission. This applies to any discharge to inland freshwaters, coastal waters or relevant territorial waters.

Please note that the granting of planning permission does not guarantee the granting of an Environmental Permit. Upon receipt of a correctly filled in application form we will carry out an assessment. It can take up to 4 months before we are in a position to decide whether to grant a permit or not.

Only where having taken into account the cost and/or practicability it can be shown to the satisfaction of the local planning authority that connection to a public sewer is not feasible, should non-mains foul sewage disposal solutions be considered.

Overcoming Our Objection

To overcome our objection the applicant should thoroughly investigate the possibility of connecting to the foul sewer. They should complete the attached which you should assess. The applicant should provide as much information as possible, including financial estimates, to show that connection to public foul sewer is not feasible and to show that they have considered the hierarchy.

Lack of capacity or plans to improve capacity in the sewer is not a valid reason for a sewerage undertaker to refuse connection under Section 106 of the Water Industry Act 1991. In these cases, if an applicant decides to apply for a water discharge permit for private treatment facilities, in such circumstances and we may refuse to issue the permit.

Dedham Vale AONB and Stour Valley Project

As highlighted in our original planning response the development site is located within the area proposed as an extension to the Suffolk Coast & Heaths AONB. Since the AONB team submitted comments on the original application the process has progressed. Natural England's Board has agreed and signed off the AONB Variation Order. It is currently awaiting final sign off from the Secretary of State.

Natural England's expectation is that consideration will be given to the fact that the area has been assessed as meeting the requirements for national designation and that the area subject to the AONB Variation Order will be treated as a material consideration by the relevant planning authorities and that the evidence in support of the Order will be considered relevant in determining any impact of a proposed development on the area's special qualities.

The AONB team has taken the location of the proposed development relative to the AONB extension area into account when preparing this response.

We welcome the revisions to the scheme which addresses the concerns that we raised previously about the impact that the substantial tree removal proposed to accommodate the residential development would have on the AONB extension area and landscape character.

Relocating the 15 dwellings to the north/north west of Brantham Place, enables many of the mature established trees growing along the southern boundary of the site and to the west of Brantham Place to be retained. The trees are an important feature not only within the site but also as a defining feature of local landscape character around Brantham and the AONB extension Area.

Their retention is essential in screening the development in medium & long views from the south but also in maintaining landscape character and conserving and enhancing the natural beauty of the area proposed for AONB extension. They also help protect the amenity of residents living in Cedar Close. The mature trees growing along the Church Road frontage fulfil a similar function and their retention is considered essential for similar reasons.

While we welcome the changes proposed we consider that further amendments are needed to the scheme.

Page 18 of the Design and Access Statement proposes an area of Public Open Space (POS) to the north west of the site while drawing 201 shows parking along the boundary with School Cottages. To help conserve the wooded character of this site and the AONB extension area, further consideration should be given to the re-location of the POS and parking area as they do not relate well to the proposed housing development. Re-positioning these 2 elements of the scheme would create space for additional planting along the northern boundaries. Additional planting along the northwest boundary to the rear of the dwellings would improve the connectivity between the existing treed areas, the newly proposed areas of landscaping and the wider established habitat areas to the north west of the site. A new mixed native hedge should also be planted along the boundary with the curtilage of School Cottages to protect residential amenity. Improving connectivity would be beneficial for wildlife. It would also help compensate for trees removed to facilitate the development. This would ensure that the wooded character of the site which is a defining feature of the natural beauty of the AONB extension area is conserved and enhanced.

Drawing 201 shows proposed timber fences between garden curtilages. We request that hedgehog friendly fencing panels which are now commercially available are used in this scheme to enable hedgehogs to move freely across gardens. This measure along with the requested additional planting will help deliver net biodiversity gain as part of this scheme.

The AONB team recommends a holding objection on this application until the requested landscape and layout issues raised have been considered and a revised proposal submitted.

Anglian Water

We note that the developer is not proposing to connect to Anglian Water Network, this is outside of Anglian Water jurisdiction to comment.

Suffolk Police

Concerns around this development are:

a) The parking areas for the apartments, at plots 1-6, particularly the four spaces by the back of plots 19-21. If vehicles are also parked on the adjacent spaces nearest to the flats, there is no real surveillance and makes any vehicles by these plots more susceptible to either criminal damage or theft. It also makes plots 19-21 more vulnerable to incursion (page 2, para 1.1 refers).

b) Spaces by plots 16-18 are at the rear of these plots and have no surveillance, the design opens up the rear of these properties to possible incursion from an offender, as well as the rear of plot 15. Police do not recommend rear parking as time and again it has proved to increase theft of and from vehicles, along with criminal damage, antisocial behaviour (page 2, para 1.2 refers).

- c) Five parking spaces at the rear of plots 07-08, have no surveillance from their respective properties, or other properties, making these vehicles vulnerable too. Rear parking provides no active surveillance for vehicles or users and are also generators for crime (page 3, para 1.3 refers).
- d) The area by these rear parking spaces at plots 7-8 have no surveillance from any other properties, as a result this area could become a congregating area for antisocial behaviour. (page 3, para 1.3 refers).
- e) The visitor/link footpath has been designed to run along the rear of plots 9 and 21. Footpaths should be designed to ensure that they are visually open, direct, well used and should not undermine defensible space areas. Footpaths should not run to the rear of dwellings as they are proven generators of crime. (page 3, para 1.4 refers).
- f) A number of garages are set back, including plots 11, 12 and 15, police prefer garages at the side of a property instead of setback, as they allow an offender easier access to the rear of a property without being seen, which is the more common method of entry preferred by most offenders (page 3, para 1.5 refers).
- g) It is noted that there will be two main pedestrian footpaths on the south eastern boundary, to link the existing footpath and the north eastern side from Church Lane. It is hoped that at least the entrance areas will be well lit, with the vegetation slow growing and regularly maintained to reassure local residents to feel safe to use the area and prevent an offender from being able to be hidden from view (page 3, para 1.5 refers).
- h) The landscaped area that abuts the rear of the established properties on Cedar Close, is also a concern, as this area has no surveillance from any properties and makes the rear of these existing properties vulnerable to unlawful incursion (page 3, para 1.9 refers).
- i) The public opens space areas are railed off, but not all the way round (page 3, para 1.10 refers).
- j) The flats at plot 1-6 have a number of recessed areas (page 4, para 1.11 refers)

Historic England

The revised plan shows the removal of proposed houses from the side of the site closest to the listed parish church. In our letter of 17th December last year, we stated that this could reduce the harmful impact on the setting of the listed church. We consider this is a significant reduction in the harmful impact and would not wish to object to the application on this basis.

Natural England

No objection.

County Council Responses (Appendix 5)

Highways

We have reviewed the Technical traffic and Highway Note and the data supplied with this application; the summary of our findings are as follows:

The required visibility for the western access on the highway can be met.

The estimated total additional vehicle trips in the peak hour is 17 vehicles (approximately 1 vehicle every 3 to 4 minutes) therefore the additional vehicles from the development will not have a severe impact on the surrounding road and junctions.

There are two slight and injury accidents recorded on A137/Church Lane junction therefore there are no specific highway safety concerns in the vicinity of the site.

The footpath within the site links to the PROW Byway 016 giving access to village and for cyclists and pedestrians.

Taking all the above into account, it is our opinion that this development should not be prevented or refused on highways grounds as there are no unacceptable impacts on highway safety, or the residual cumulative impacts on the road network would be severe (paragraph 109 NPPF).

Flood and Water

Recommend approval subject to conditions

Public Rights of Way

No objection.

Development Contributions

CIL	Education	
	- Primary school expansion	£66,384
	- Secondary school expansion	£68,214
	- Sixth form expansion	£22,738
CIL	Early years improvements	£33,192
CIL	Libraries improvements	£4,536
CIL	Waste infrastructure	£2,310
S106	Highways	tbc

These payments will be collected via CIL

Archaeology

This site lies in an area of archaeological potential, close to the medieval church of Brantham (County Historic Environment Record BNT 023) and on a south facing slope which is topographically favourable for early occupation, over a valley leading into Seafeld Bay. Within the wider area, cropmarks are recorded that are prehistoric (BNT 017) and multiperiod in date (BNT 014, BNT 015, BNT 025). Additionally, the site includes the former site of Church House Farm, which may have had early origins. 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 2018 (Paragraph 199), any permission granted should be the subject of planning conditions to record and advance understanding of the significance of any heritage asset before it is damaged or destroyed.

In this case the conditions would be appropriate.

Internal Consultee Responses (Appendix 6)

Planning Policy

The emerging JLP is due for a second round of regulation 18 consultation early 2019. Therefore, limited to moderate consideration should be given in decision-making. The emerging JLP document contains a significant amount of evidence and justification work that has been undertaken. Therefore, it is important for the case officer to consider the direction the emerging joint plan is heading in for the purposes of decision-making.

The site in question was not put forward for consideration through the ‘call for sites’ (Aug 2017) policy consultation. However, it has more recently been put forward since this time and the planning policy team do not support the site.

The site is considered unsuitable. The site would have unsuitable access from Church Lane. Whilst a peak time bus service is located within 800m there is poor pedestrian access to services. The site would create significant landscape impacts also the site is located within proposed extension to the AONB. The proposal would create an impact upon a number of trees and their setting; there would also be historic setting impacts and potential archaeological impacts. The proposal would not sensitively integrate with the existing pattern and form of development and would be at odds in the wider spatial context. The proposal is recommended for refusal.

The policy team have not assessed this application from a detailed material consideration perspective (such as fully understanding planning constraints or planning history of the site) only broadly looked at the site from a principle perspective and explained at what stage emerging planning policy documents are at for appropriate consideration and weighting by the case officer in their planning assessment and weighted decision. Therefore, there may well be other material issues with the site in addition to what has been highlighted in this response.

Strategic Housing

- This proposal triggers an affordable housing contribution of 35% under current local policy. This scheme proposes 21 dwellings in total
- The revised masterplan and site layout received 27th March 2020 details the proposal for 7 affordable homes consisting of a mix of 1, 2 and 3 bed dwellings. The tenure proposed is affordable rent and shared ownership. The mix and layout are acceptable.
- The layout does not appear to provide the size of each unit. The affordable dwellings should meet national minimum space standards. Please can the developer confirm this.
- This is a s106 site, therefore the allocation will be on a Babergh district wide basis to applicants on the Councils Choice Based Lettings Scheme.
- The council is granted 100% nomination rights to all the affordable units on initial lets and 100% on subsequent lets.
- The Council will not support a bid for Homes England grant funding on the affordable homes delivered as part of an open market development. Therefore, the affordable units on that part of the site must be delivered grant free.
- Adequate parking provision is made for the affordable housing units adjacent to the dwellings.
- It is preferred that the affordable units are transferred freehold to one of Babergh's partner Registered Providers and for the avoidance of doubt this could include the Council itself.

The district wide need is currently 844 applicants with the highest need for 1 and 2 beds followed by 3+ beds. There are 14 applicants with a connection to Brantham requiring 1,2 and 3 beds.

As previously mentioned, this scheme would be allocated to those with a connection to Babergh in the first instance. Therefore the 844 is the relevant figure. Applicants with a local connection can of course still apply for them.

Heritage

This application concerns the proposed erection of 15 dwellings and the conversion of the existing property to provide 6 apartments, along with the alteration to 2 vehicular accesses, within the setting of the Grade II* listed parish church of St Michael and the Grade II listed lychgate to its north. A previous iteration of this application followed a pre-application enquiry, reference DC/18/03003 for a similar number of dwellings on the same site.

The Heritage Team did not object to the revised scheme at application stage as it was considered that the harm to the setting of the assets had been effectively removed. However, there was a concern raised by Historic England over the impact that some of the dwellings to the side of the site nearest the church would have upon the setting and therefore the significance of the church and lychgate. This current application sees the entire removal of properties from the side of the site closest to the church. This is welcome.

The setting of the church and gate will be preserved through this development and as such I do not oppose the scheme. No conditions are necessary.

Place Services Landscape

The amended site masterplan submitted has contained the residential development to the northern part of the site to allow for the retention of the existing trees and vegetation in a woodland and ecological parcel to the south and eastern part of the site area. Although these amendments are welcomed, we still have concerns over the proposed layout. In particular, the proposed parking arrangements to the north and central areas and its locations need reviewing. Furthermore, the green open space created around northern parking area is not adequate as it does not relate to the proposed development and does not deliver acceptable levels of passive surveillance. On this basis we would recommend that the LPA Urban Design officer is consulted as part of this planning application and any future planning condition applications to discuss and comment on the layout design as this will be critical to deliver a development which is truly integrated within the existing landscape and green space.

In addition to this, the following landscape recommendations should be taken into consideration to ensure satisfactory landscape mitigation and good quality public realm is achieved:

1) Proposed screening along the northern boundary and by proposed parking spaces is insufficient and inadequate and should be revised. There is an opportunity to improve amenity and biodiversity at this location by introducing a native mixed hedge and to reinforced existing planting to replace the loss of dead elms (G3).

2) The green open space created at the back of plots 16 to 18 sits detached from the residential development and does not create an inviting space to be used by the new community. The green open space should be part of the proposed development and be suitably integrated within the layout design.

3) Sensitive boundary treatment in between plots at those locations where existing vegetation is present will be required in order to maintain any existing wildlife corridors along this boundary. Boundary treatment around the perimeter of the site will require careful design to avoid impacting on the existing planting and proposed planting.

4) In general, the use of brick walls is expected on those locations where the boundary fronts onto the public domain, including parking areas, footpath links and areas of open space.

5) As per our previous comments (dated 29/01/2019): G13 and G12 (Leylandii cypress and False cypress) have been retained as part of the green open space. These soft landscape features provide screening to the existing shed buildings on site. While retention of the existing vegetation is welcome, in this instance, the retention is not appropriate as they no longer serve a purpose of screening within the new proposal. The site will benefit from tree planting of higher quality and amenity and biodiversity value.

6) No blue infrastructure has been proposed as part of the development proposal. We would encourage the use of SuDS as a means of water run-off attenuation from the proposed hard surfaces. Any blue infrastructure should be integrated within the landscape proposals.

We recommend a holding objection is placed on the application until the above landscape and design comments have been considered and embedded in the revised scheme.

Place Services Ecology

No objection subject to securing a) a proportionate financial contribution towards HRA mitigation to avoid impacts from residential development on Stour & Orwell SPA and Ramsar site and b) ecological mitigation & long-term management measures and biodiversity enhancements

Summary

We have now reviewed the recently submitted Landscape Ecological Management Plan (LEMP) (Skilled Ecology, Nov 2019). These comments are therefore in addition to those provided to the LPA (letter dated 11 Nov 2019).

In principle we are satisfied that this LEMP includes outline management for retained habitats and biodiversity enhancements in accordance with national planning policy to deliver net gain and recommend that implementation in full is secured as a condition of any consent.

However, the LEMP also needs to include:

- a) a work schedule (including an annual work plan capable of being rolled forward over a five-year period).
- b) details of the legal and funding mechanism(s) by which the long-term implementation of the plan will be secured by the developer with the management body(ies) responsible for its delivery.
- c) The plan shall also set out (where the results from monitoring show that conservation aims and objectives of the LEMP are not being met) how contingencies and/or remedial action will be identified, agreed and implemented so that the development still delivers the fully functioning biodiversity objectives of the originally approved scheme.

We therefore recommend that the additional details in an Updated LEMP which is secured by a condition of any consent.

We consider that there is sufficient ecological information available for determination as further survey & assessment has been recommended, particularly for protected and Priority species.

This is required for the LPA to have certainty of impacts for Protected and Priority species and habitats for this application and to demonstrate its compliance with its statutory duties including its biodiversity duty under s40 NERC Act 2006.

The mitigation measures identified in the LEMP (Skilled Ecology Consultancy Ltd, November 2019) should therefore be secured and implemented in full. This is necessary to conserve and enhance protected and Priority Species particularly bats and reptiles.

Impacts will be minimised such that the proposal is acceptable subject to conditions based on BS42020:2013. In terms of biodiversity net gain, the enhancements proposed will contribute to this aim.

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

Public Realm

I am of the opinion that the proposed development of this site will not materially impact on local public open space. The site is currently in private ownership and the proposed development seeks to create an 'arcadian development' surrounded by largely private open space. This would require a local management company to undertake future management and maintenance of the area and to undertake any enhancements required as part of Woodland and Ecological Area Management Plan. This Plan must be produced prior to permission being granted to safeguard the important wildlife areas.

I note that the SCC developer contribution response mentions play space provision in relation to CIL contributions. A contribution towards local play space to improve the quality of local play provision would be anticipated as there is no play provision incorporated into this development.

Until this information is provided, Public Realm cannot support this application.

Land Contamination

No objection.

Environmental Health

Whilst I have no objection in principle to this application, I do have some concerns about the likelihood of loss of amenity to surrounding residential dwellings during the demolition and construction phases of the development.

In order to safeguard residential amenity, I would therefore recommend that conditions be attached to any permission.

Arboricultural Officer

In arboricultural terms this is an improved design compared to previous application DC/18/05177 due to significantly less tree loss and a more sustainable relationship between the proposed dwellings and trees scheduled for retention. I therefore have no objection in principle to this application subject to it being undertaken in accordance with the measures and conditions specified in the accompanying arboricultural report. Although a number of trees, including one of 'Category A' value, are proposed for removal their loss is unlikely to result in a significant impact upon the character of the local area as the majority of the heavily wooded site boundary is to remain, appropriate new planting can also be secured in mitigation. If you are minded to recommend approval, we will also require a more detailed arboricultural method statement to help ensure that protection measures are implemented effectively, this can be dealt with under condition.

Communities

On behalf of Communities I concur with the Public Realm team response 6/11/19 in regard to play provision.

B: Representations

At the time of writing this report at least 31 letters/emails/online comments have been received. It is the officer opinion that this represents 28 objections and at least one supporting submission. A verbal update shall be provided as necessary. All representations received have been taken into account.

Views are summarised below:

- *Adverse wildlife impacts
- *Adverse AONB character impact
- *Lack of services in Brantham to sustain further development
- *Cumulative impact given nearby 300 dwelling development
- *Highway safety concerns
- *Pedestrian safety concerns
- *Joint Local Plan identifies sufficient housing sites for Brantham
- *No foul water drainage strategy
- *No surface water drainage strategy
- *Ground water contamination from treatment plant
- *Need for tanker access to service treatment plant
- *Adverse landscape character impacts
- *Noise and light pollution
- *Overlooking from proposed bungalows over Cedar Close properties
- *Church Lane is not suitable for large and heavy vehicles
- *Land instability to the rear of Cedar Close properties
- *Adverse impact on the Grade II* listed Church of St Michael and All Angels and Grade II listed lychgate

*Removal of 100 trees

PLANNING HISTORY

REF: B/0086/79/FUL	Use of land as seasonal tented camping site.	DECISION: GRA 02.07.1979
REF: B/0708/77/FUL	Temporary use of land for siting of two residential caravans.	DECISION: GRA 07.10.1977
REF: B/1101/78/FUL	Retention of two residential caravans for temporary period.	DECISION: GRA 08.12.1978
REF: B/0709/77/FUL	Alterations and extensions.	DECISION: GRA 12.10.1977
REF: B/14/01367	Erection of detached double garage and store (existing garage to be demolished).	DECISION: GRA 05.01.2015
REF: B/07/01820	Erection of detached double garage and store (existing garage to be demolished).	DECISION: GRA 22.01.2008
REF: B//02/01044	Erection of single storey extension to garage and provision of pitched roof.	DECISION: GRA 29.07.2002
REF: B//00/01769	Erection of two storey extension to form self-contained annexe for elderly relative and alterations to the existing house as amended by drawing numbers 04G and 06C received by the Local Planning Authority 11th April 2001	DECISION: GRA

PART THREE – ASSESSMENT OF APPLICATION

1.0 The Site and Surroundings

- 1.1. Brantham Place is located on the western side of Church Lane, on the north-eastern fringe of the village of Brantham. The 4.3ha site is occupied by a six-bedroom, two storey dwelling (originally built in 1597 and rebuilt in 1906), set within well-established gardens and woodland. Much of the wooded area is concentrated toward the site's southern boundary. The property was originally known as Church House Farm. The property is not a designated heritage asset. It is of some historic interest; however, the significance of the building would not be harmed by this proposal.
- 1.2. To the west is Cedar Close, situated at a much lower level than the application site. The common boundary between the site and the Cedar Close properties forms part of the village's built up area boundary. School Lane is located north of the site. Mottways and School Cottages, residential properties, fall to the northeast. The site's southern boundary adjoins open countryside. To the east is Church Lane, together with the Grade II* listed Church of St Michael and All Angels, associated graveyard and related Grade II listed lychgate.

- 1.3 A public footpath (Byway 016) adjoins the site's southern boundary, which provides pedestrian connection between Church Lane and the body of the village, via Cedar Close, Birch Drive and Brooklands Rise.
- 1.4 The site is located within the extension to the Suffolk Coast and Heaths AONB. The site is not in a Conservation Area. Brantham falls within the RAMS 13km Zone of Influence.
- 1.5 The site is wholly within Flood Zone 1, where there is a very low probability (less than 1 in 1000 annually) of river or sea (fluvial) flooding.
- 1.6 The application site is outside of the Built-Up Area Boundary of Brantham as defined by the 2006 Babergh Local Plan. The site abuts the boundary to the western side of the site and shares a boundary with the dwellings of Cedar Close. Therefore, the proposal is contrary to policy CS02 of the Babergh Core Strategy 2014. In the emerging Joint Local Plan, the site is outside of the proposed settlement boundary, however this document is given limited weighted because of its early stage.

2.0 **The Proposal**

Below is the original scheme prior to an amended layout



The amended layout following consultation and neighbour responses

- Creating a holistic, sense of place and community through the creation of a village green approach around the existing main house.
- Connection to Church Lane and the footpath.

2.3 The proposed apartment mix comprises 2 x 1 bed and 4 x 2 bed units. Three of the units are aimed at over 55s. Of the 15 dwellings, three are proposed as bungalows, the remainder are two-storey houses most of which are detached. The proposed affordable mix comprises 2 x 1 bed; 2 x 2 bed; and 3 x 3 bed units. The market dwelling mix (other than over 55s) comprises 2 x 1 bed; 2 x 2 bed; 2 x 3 bed; 3 x 4 bed; and 2 x 5 bed units. All units exceed the Nationally Described Space Standard including the affordable units and apartments.

Plot Number	New Build or Conversion	Type	Size	GIA (m2)	GIA (SqFt)
01	Conversion	Over 55	2 Bed Apartment	123.1	1325.1
02	Conversion	Over 55	2 Bed Apartment	95.3	1025.4
03	Conversion	Over 55	1 Bed Apartment	82.5	887.6
04	Conversion	Market	2 Bed Apartment	130.7	1406.8
05	Conversion	Market	1 Bed Apartment	64.0	688.9
06	Conversion	Market	2 Bed Apartment	96.4	1037.5
07	New Build	Affordable	3 Bed - Type 2	100.0	1076.4
08	New Build	Affordable	3 Bed - Type 3	100.0	1076.4
09	New Build	Market	5 Bed - Type 1	178.9	1926.1
10	New Build	Market	5 Bed - Type 3	181.5	1953.9
11	New Build	Market	5 Bed - Type 2	190.6	2052.0
12	New Build	Market	5 Bed - Type 1	178.9	1926.1
13	New Build	Market	4 Bed - Type 2	147.3	1585.8
14	New Build	Market	4 Bed - Type 1	147.3	1585.3
15	New Build	Market	4 Bed - Type 3	153.5	1652.3
16	New Build	Market	4 Bed - Type 4	151.0	1625.1
17	New Build	Affordable	3 Bed - Type 1	106.8	1149.4
18	New Build	Affordable	3 Bed - Type 2	100.0	1076.4
19	New Build	Affordable	2 Bed - Type 1	84.4	908.5
20	New Build	Affordable	2 Bed - Type 1	84.4	908.5
21	New Build	Affordable	3 Bed - Type 2	100.0	1076.4
Total				2597	27950

2.4 The existing Church Lane vehicular access is to be utilised, widened and required visibility splays incorporated as necessary. The existing northern vehicle access point on Church Lane will be restricted to pedestrian/cyclist use only. The site layout features extensive internal footpaths, one leading south that connects to the existing public right of way which connects Church Lane with the body of the village, and one extending east to the northern Church Lane access.

2.5 Parking arrangements predominantly take the form of single and double detached garages, largely set behind dwellings. Uncovered vehicle hardstands are provided for the affordable units and some of the apartments in the converted dwelling.

2.6 Conversion of the main house requires minimal external alterations, with existing door and window positions utilised where possible. The new southern dwellings allow the formation of a courtyard to serve as a common amenity area for future occupants of the apartments.

2.7 The palette of finishing materials includes red brick; timber cladding; plain roof tiles, grey aluminium framed openings and lead detailing and flashings. Landscape boundary treatments include a mix of brick walls, timber fencing, estate railings and hedgerows.

3.0 Policy Context

3.1 Relevant to the submitted application, the development plan comprises the following: Babergh Local Plan 2011-2031 Core Strategy (2014); and the saved policies from the Babergh Local Plan

Alteration no.2 (2006). Those most important policies for the determination of the application are listed in summary form in Part Two of this report.

- 3.2 The Joint Local Plan (JLP) is emerging, subject to a second round of “Regulation 18” consultation in 2019. The NPPF states that decision-takers may give weight to relevant policies in emerging plans according to their stage of preparation, the extent to which there are unresolved objections to relevant policies, and their degree of consistency with national policies. The JLP is at an early stage and is therefore not weighed as a determinative consideration in this instance. This said, it is nonetheless useful to understand the strategic direction of travel offered by the JLP in respect to the site and the village within which it is located.
- 3.3 Brantham is designated in the Core Strategy as a Hinterland Village. The site sits outside, although adjoining the village’s settlement boundary. The emerging JLP reclassifies the settlement as a Core Village, does not allocate the site for housing and does not propose to vary the settlement boundary adjoining or near the application site.
- 3.4 Policy CS1 seeks to secure development that improves the economic, social and environmental conditions in the Babergh district. Policy CS1 essentially repeats the “presumption in favour of sustainable development” as that set out at paragraph 11 of the NPPF.
- 3.5 Policy CS2 requires that, outside of the settlement boundary, development will only be permitted in exceptional circumstances subject to a proven justified need. As already noted, the site is outside the settlement boundary and Policy CS2 therefore applies.
- 3.6 The exceptional circumstances test at Policy CS2 applies to all land outside the settlement boundary. This blanket approach is not consistent with the NPPF, and the weight to be applied to this policy should be tempered as a result. The fact the site is outside the settlement boundary is therefore not necessarily a determinative factor upon which the application turns. Nevertheless, the underlying strategy within the policy is considered to be sound and it remains the case that, as a development plan policy, it sits at the starting point for decision-taking purposes.
- 3.7 Policies CS1, CS11 and CS15 are consistent with the NPPF and carry full weight. Collectively policies CS1, CS2, CS11, and CS15 provide the principal assessment framework against which the application is to be assessed. They are the most important policies for the determination of this application and taken in the round that basket of policies is considered to be up to date.

In light of this, and where the Council can demonstrate a five-year housing land supply, the “tilted balance” under paragraph 11d of the NPPF (as repeated in policy CS1) cannot engage.

Owing to the site’s location near to designated heritage assets and within an AONB extension area, additional policies of importance include those saved in the 2006 Local Plan - CN06 (Listed Buildings) and CR02 (AONB Landscape). They are relevant policies but are not the most important for the determination of this application; regardless, the application poses not conflict with them.¹

- 3.8 An additional document also considered material to the determination of this application is the Suffolk Coast and Heaths Area of Outstanding Natural Beauty (AONB) Management Plan 2018 - 23.

¹ Officers have embraced the statutory duty under s66 of the listed buildings Act in considering this application. Endorsing the comments of the Heritage team they are satisfied that no harm is posed i.e. the significance of any nearby assets would be preserved. Likewise due regard has been paid to the Section 85 of the *Countryside and Rights of Way Act 2000*: the application would not adversely impact upon the Suffolk Coast and Heaths AONB or effect its inherent beauty (nor would the Dedham Vale AONB be impacted by the proposal).

4.0 **Policies CS2 and CS11**

4.1 Policy CS2 (as well as the exceptional circumstances test) requires development outside of BUAB to have a proven justifiable need. The policy further states that Hinterland Villages will accommodate some development to help meet the needs within them.

The Bergholt judgment² is clear that in respect of the relationship between policies CS2 and CS11, for developments outside of BUAB if there is to be compliance with policy CS2 then there must be both a proven justifiable need and exceptional circumstances; compliance with policy CS11 might assist the Council with being satisfied in that respect but it does not override the requirement to meet them.

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 where the criteria related to Core Villages in CS11 are addressed to the satisfaction of Council and the additional criteria related to Hinterland Villages are also met.

4.2 Consideration for Core Villages against Policy CS11 and the SPD:

- the landscape, environmental and heritage characteristics of the village;
- the locational context of the village and the proposed development (particularly the AONBs, Conservation Areas, and heritage assets);
- site location and sequential approach to site selection;
- locally identified need - housing and employment, and specific local needs such as affordable housing;
- locally identified community needs; and
- cumulative impact of development in the area in respect of social, physical and environmental impacts.

Additional hinterland village criteria:

- is well designed and appropriate in size / scale, layout and character to its setting and to the village;
- is adjacent or well related to the existing pattern of development for that settlement;
- meets a proven local need, such as affordable housing or targeted market housing identified in an adopted community local plan / neighbourhood plan;
- supports local services and/or creates or expands employment opportunities; and does not compromise the delivery of permitted or identified schemes in adopted community / village local plans within the same functional cluster

Whilst the site relates to a Hinterland Village, the criteria for Core Villages are also considered:

Policy CS11 Core Village Criteria

The landscape, environmental and heritage characteristics of the village

4.3 As already noted, the site lies within the Suffolk Coast and Heaths AONB extension area but this is not a formal designation at this point in time. The AONB officer raised concerns regarding the original scheme, in particular regarding the extent of tree removal and the impact this would have

² R (on the application of East Bergholt PC) v Babergh DC [2016] EWHC 3400 (Admin).

on the special qualities of the AONB. Design and layout changes were subsequently made which the AONB officer now welcomes.

- 4.4 The AONB officer has made suggested additional changes in order to provide a more respectful landscape response to the AONB extension area. These changes have since been incorporated. Car parking near School Cottages has been set away from the common boundary and native hedgerow planting incorporated along this boundary, improving connectivity between the existing treed areas, the newly proposed areas of landscaping and the wider established habitat areas. The hedgerow planting will conserve and enhance the wooded character of the AONB extension area. The AONB officer also suggests hedgehog-friendly fencing panels between properties to enable hedgehogs to move freely across gardens. This can be addressed by planning condition.
- 4.5 The AONB officer has considered whether the works to Brantham Place impact on the AONB extension area. In respect to this element of the scheme the officer concludes: 'We have no concerns about the proposed alterations to Brantham Place as it well screened and we do not consider that modifications to the main building will impact on the natural beauty of the existing or proposed extension to the AONB.'
- 4.6 In the absence of any outstanding concerns from the AONB officer, it is concluded that the revised scheme constitutes a respectful response to the natural beauty of the AONB extension area, in accordance with the principles of the Suffolk Coast and Heaths Area of Outstanding Natural Beauty (AONB) Management Plan 2018 - 23. Consistency with the aims and objectives of the Management Plan means the proposal finds support in saved Policy CR02 (even though, strictly speaking, the site is not within the AONB).
- 4.7 The Heritage Team's focus, as well as that of Historic England, relates to the safeguarding of views to and from the Grade II* listed Church of St Michael and All Angels. Effects on the setting of the listed lychgate must also be carefully considered. By removing housing from the side of the site closest to the church and lychgate the views to these assets are safeguarded. The retention of the wooded areas flanking both sides of the main access also ensure the development responds respectfully to the setting of these assets. The Heritage Team raises no objection to the application. Likewise, Historic England does not raise an objection, an important material consideration. The proposal safeguards the listed setting of both the church and associated lychgate, consistent with local and national heritage policies. There is no evidence presented by SCC Archaeology to suggest planning consent should be withheld. The conditional approach to archaeological assets, as recommended by the consultee, is supported.
- 4.8 Brantham Place is not a designated heritage asset. It is deemed a non-designated heritage asset given its age and historic integrity. Retention of the building and its re-use, to be undertaken without significant external modifications, aids in appreciating the historic site layout, and is supported.
- 4.9 The proposal offers significant benefits in the context of the environmental characteristics of the site, village and broader area. Most notable is the creation of a publicly accessible woodland and ecological area that would be the subject of a Landscape Ecological Management Plan (LEMP). This would offer a significant natural environmental resource to local village residents, a resource currently in private ownership. This area would be accessible for village residents from multiple access points, from the south as well as the east. The publicly-accessible wooded area features a network of pedestrian routes offering connectivity between the body of the village and Church Lane. This pedestrian network will provide opportunity for local residents, both from within and outside the development, to frequent the ecological area and take advantage of a significant environmental and recreational asset, one that, over time, will benefit from enhanced biodiversity values brought about

by the scheme's proposed biodiversity enhancements. This scheme element weighs heavily in favour of the application.

- 4.10 The LEMP would effectively manage existing habitats as well as create and manage new habitats. The management of the area subject of the LEMP will be the responsibility of a future management company (not Council). As noted by the Ecological Consultant, additional details are required to be incorporated into the LEMP to ensure ongoing management and implementation, such as an annual work plan, biodiversity monitoring programme, and legal and funding mechanisms. These are seen as critical to the success of the scheme and can be secured by way of legal agreement and/or condition.
- 4.11 The site exhibits a high-level sense of enclosure. This is owing to the substantial wooded areas enveloping the site, particularly to the north and south. There are essentially no views of the internal areas of the site from neighbouring public vantage points. The greatest visibility is from Church Lane and from here only partial glimpses of Brantham Place are possible. Brantham Place is not visible from School Lane, Valley Close or Cedar Close. There will be few, if any, views into the site from the village from which the whole of the development will be appreciated. As a result, any change in local landscape character will be very much localised. The development will certainly not appear as one that either intrudes into the countryside or appears visually isolated. To the contrary, the development integrates well into its surroundings. Limiting tree removal, retaining wooded areas and limiting housing density such that large expansive gardens are realised, all assists in assimilating the development into the landscape.
- 4.12 Development will be visible from the rear of some neighbouring plots, particularly those along Cedar Close. There will be long distance views of some of the dwellings from limited points along neighbouring roads, potentially including Birch Drive when it interests with Cedar Close. However, from these vantage points views will be appreciated with established village housing in the foreground. A backdrop of housing in this context is an acceptable character outcome.
- 4.13 The heavily-wooded site and its associated verdant character contribute significantly to the landscape setting of Brantham. The proposal seeks to limit tree removal largely to those within the site, screened from external views by existing boundary vegetation. The exception to this is the removal of the elms adjacent Cedar Close. These however suffer from Dutch elm disease and their removal is inevitable; it will occur irrespective of whether the development advances or not. Retention of all other external vegetation ensures the verdant qualities of the site, and landscape setting of the village, is maintained. The incorporation of native hedgerow planting in locations such as adjacent the School Cottages, will in time reinforce local landscape character.
- 4.14 A number of the issues raised by the landscape consultant have been subsequently addressed, such as introducing northern boundary landscape screening, integrating the former open space area to the rear of plots 15 and 16 into the development scheme, and removing trees G13 and G12 (Leylandii cypress and False cypress). There is nothing in the landscape consultant's response that amounts to issues that are deemed fatal to the application. In landscape terms the scheme is deemed acceptable.

The locational context of the village and the proposed development

- 4.15 The site is physically well related to the village. The western boundary abuts the settlement boundary where neighbouring conventional housing exists. The siting of housing on the application site has been undertaken in a manner that sees proposed house plots backing onto well-established

house plots. Back to back housing development, where new meets established, is an indicator of a natural, logical edge-of-village extension.

- 4.16 Although elevated, the development will not overwhelm the village in a visual sense. As already noted, the site is secluded, barely visible from external vantage points.

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

- 4.17 The scheme has been informed by pre-application dialogue with, and direction from, the Strategic Housing Officer. As a result, the Strategic Housing Officer raises no objection to the quantum, design and location of the affordable housing element. The proposal promotes the principles of a mixed and inclusive community. The affordable housing provision is 35%, policy compliant.
- 4.18 The scheme includes 3 x 4 bed units and 2 x 5 bed units. Usually such larger homes are not supported given the local need is for small household dwellings. However, this is countered by the inclusion of 2 x 1 bed and 2 x 2 bed market units. One-bedroom units are seldom incorporated into housing schemes and are welcomed.
- 4.19 The application is supported by a policy CS11 compliance statement which purports to identify a need for the development. However, it does not properly engage with the criteria listed within the CS11 SPD, nor does it identify a particular local need within the village that the development could satisfy. Plainly, given the significant number of dwellings due to be delivered by Taylor Wimpey to the south of the village it is unlikely that there is a residual housing need in Brantham and adjoining settlements.
- 4.20 However, while this policy conflict must be noted and taken into account the inclusion of smaller units and affordable housing, with a limited number of market dwellings, is not considered to render that conflict particularly significant on the particular facts of this case noting the support of the Housing team and that the sub-division of an existing dwelling is an acceptable outcome envisaged by the NPPF.

Site location and sequential approach to site selection

- 4.21 The site is adjacent to the Built-Up Area Boundary (BUAB) of Brantham. Members will recall the East Bergholt judgement which found that no-one site which is adjacent to a BUAB may be seen as sequentially preferable or unpreferable when compared to another such site. As there does not appear to be a known deliverable site within the BUAB, the site is sequentially justified.

Locally Identified Community Needs

- 4.21 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 a full needs assessment, the proposal delivers benefits through CIL that counters, to some degree, this policy conflict. The absence of a supporting needs assessment is therefore not, in its own right, fatal to the application.

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

- 4.22 Policy CS11 requires the cumulative impact of development both within the Hinterland Village in which the development is proposed and the functional cluster of villages in which it is located, to be a material consideration when assessing proposals under the policy.
- 4.23 As alluded to by a number of local residents in their submissions, there is an extant planning permission for 288 dwellings at a site south of the village. Clearly this approval is of substantial

scale in light of the size of the village. This said, there is nothing before officers to suggest that there would be an unacceptable cumulative impact if both the approved development and the subject proposal advance. The sites are well separated and so there will be no cumulative landscape harm. None of the consultee responses raise a concern in respect to cumulative harm, noting the Highway Authority concludes 'it is our opinion that this development should not be prevented or refused on highways grounds as there are no unacceptable impacts on highway safety, or the residual cumulative impacts on the road network would be severe'.

CS11 Hinterland Village Criteria – in specific relation to Hinterland Villages, the following criteria must also be considered:

is well designed and appropriate in size / scale, layout and character to its setting and to the village

- 4.24 The application site is on the edge of the village. The main development of the village is to the east of Brantham Hill (the A137). The site is to the north east of the village and adjoins the BUAB on the western side of the site. The development comprises the conversion of a non-designated heritage asset which would be retained in the centre of a wooded site. The further 15 dwellings would mostly be sited in the northern part of the site which has fewer trees. The southern part of the site would remain largely unchanged by the development and would form an ecological area which protects the character of the site from wider landscape views.
- 4.25 Church Lane has a much looser pattern of development than the main village, with dwellings with larger gardens and a feeling of space and openness. The proposed dwellings reflect this looser pattern and allow for larger gardens in which existing trees can be retained.
- 4.26 The design and materials of the proposed dwellings are considered to reflect those used within the village and therefore reflect local distinctiveness.
- 4.27 Parking has been arranged so that it does not dominate the development. The site retains its woodland setting which is an important feature of the northern part of the village.

is adjacent or well related to the existing pattern of development for that settlement

- 4.28 As noted above, the site, although outside of the Built Up Area Boundary, does abut it on the western boundary. The site sites between development in Cedars Close and Church Lane and is considered to be well related to the existing pattern of development.

meets a proven local need, such as affordable housing or targeted market housing identified in an adopted community local plan / neighbourhood plan

- 4.29 A Local Needs Assessment was submitted with the application. However, this document did not address the actual need within Brantham. The Strategic Housing Team have confirmed that the district wide need is currently 844 applicants with the highest need for 1 and 2 beds followed by 3+ beds. There are 14 applicants with a connection to Brantham requiring 1,2 and 3 beds. Concluding: "There is clearly a need from the housing register both with a connection to Babergh and Brantham therefore I would say that the need can be justified on that point."
- 4.30 The development has a good mix of affordable dwellings, flats, houses and bungalows. Although a specific need has not been identified for local people, the mix of housing does address a wider need within the Babergh district for smaller units of accommodation and also lifetime homes. There are some larger dwellings proposed which would satisfy commuters because of the excellent road links to Ipswich and Railway line to London in close proximity to Brantham. The absence of a supporting needs assessment, whilst not weighing in favour of the application, is not fatal to it.

supports local services and/or creates or expands employment opportunities

4.31 *While the proposal is unlikely to directly create or expand employment opportunities of itself, it would not hinder or prejudice them. Bearing in mind the accessibility of the site to nearby services and facilities it is likely that the future occupiers would support local services.*

does not compromise the delivery of permitted or identified schemes in adopted community / village local plans within the same functional cluster

4.32 The only made village local plan within the functional cluster is the East Bergholt Neighbourhood Plan; it contains no site allocations. An approval of this application would not compromise the delivery of permissions within that village, the village of Brantham, or the wider functional cluster.

4.33 Whilst there is a lack of a comprehensive Local Housing Needs Assessment, thus conflicting with policy CS11, the proposed development responds well to most of the criteria set out above.

5.0 Policy CS15

5.1 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 in Policy CS15 are covered in the individual sections of this report and it is not, therefore, necessary to run through each and every one of those criteria in this section of the report.

5.2 What follows is, therefore, an overarching summary of the most relevant issues.

5.3 Policy CS15 (ii) seeks to ensure that development proposals make a positive contribution to the local character, shape and scale of the area. The detailed design of the housing is well-considered, adopting traditional forms and commonly used local materials. Scale is not inconsistent with neighbouring residential development. The scheme delivers an attractive townscape quality that is respectful of the character and scale of the village. Local distinctiveness is maintained.

5.4 Policy CS15 (xviii) seeks to minimise the need to travel by car using alternative sustainable transport means and improving air quality. The site is well connected to the village via established pedestrian networks and nearby bus stops. Proposed pedestrian linkages through the site seek to take advantage of the existing public footpath network. A good range of amenities and services, including primary school, are located within short walking distance of the site. The supporting LEMP notes the need for a lighting plan to be worked up in conjunction with an ecologist to ensure the latest standards for minimising impacts to bats are followed. There is therefore scope to provide some low-level lighting to the proposed pedestrian network. As recommended by the Highway Authority, a contribution is sought for surface improvements to public footpath 16. The overall result is a scheme that will encourage future residents to walk and cycle from the site into the village, in turn limiting car dependency. The site is deemed a sustainable one for housing development.

5.5 The scale of the proposal would provide work for contractors during the construction period, thereby providing economic gain, through local spend within the community. (criterion iii of CS15).

5.6 As already covered in this report, the proposal offers significant biodiversity enhancement outcomes, furthering criterion vii of CS15.

5.7 The proposed development would support local services and facilities, a public benefit weighing positively in the planning balance.

- 5.8 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 residential development (criterion xi of CS15).
- 5.9 During construction, methods will be employed to minimise waste (criterion xiv of CS15).
- 5.10 The dwellings would 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).

6.0 Highway Safety (Parking, Access, Layout)

- 6.1 The Highway Authority does not object to the access, noting the required visibility for the western access on the highway can be met. The Authority considers the additional 17 vehicles that will be generated at peak hours will not have a severe impact on the surrounding road and junctions. In other words, the surrounding road network has the capacity to absorb the increase in traffic generated by the scheme.
- 6.2 On-site parking for the development is acceptable. Parking is provided either in the form of garaging or vehicle hardstands. Vehicle turning areas provide sufficient space for vehicles to enter and exit properties in a safe manner.
- 6.3 Given the absence of objection from the Highway Authority and absence of conflict with transport-related policies, there is no reason to resist the proposal on highway safety grounds.

7.0 Residential Amenity

- 7.1 The revised development scheme incorporates bungalows along the western edge where plots back on to the Cedar Close properties. This is a sensitive interface, not least because the subject land is elevated at this location, with a steep embankment running along the rear of these properties. The bungalows are a deliberate design response. They seek to achieve an acceptable amenity interface to the Cedar Close properties. Many residents in Cedar Close raise concerns regarding overlooking and loss of privacy, noting the elevated position of the new housing plots well above the back gardens of Cedar Close. Limiting the adjoining plots to single-storey, combined with the generous building setbacks from the top of the embankment, severely limits, if not entirely negates, direct views from the back of the bungalows down into the rear gardens and windows of the Cedar Close properties. Back-to-back distances at this interface exceed 20 metres.
- 7.2 In amenity terms, there are no other sensitive interfaces, with boundaries facing open countryside and a graveyard. Where there is neighbouring residential development, such as to the northern boundary, the neighbouring dwellings are set some distance from the site with intervening vegetation evident.
- 7.3 Internal amenity levels for the proposed housing and converted apartments is provided to a high level. New housing features open plan living areas with convenient access to generous, in some cases extremely generous, private gardens.

8.0 Arboricultural Impacts

- 8.1 There is a loss of trees, an unavoidable consequence of developing a plot where established park-like conditions exist. In total 51 trees and seven groups of trees are proposed to be removed, half the amount that was originally proposed for removal (90 trees and 12 groups of trees). Whilst the removal of 50 trees amounts to a considerable loss, the supporting Arboricultural Report (AR) confirms the removal of only one Category A tree, a sweet chestnut (T34). As already noted, tree removal is concentrated to the less landscape sensitive northern portion of the site. Additionally,

the trees to be removed are limited to those internal to the site, other than the perimeter elm trees that are the subject of Dutch elm disease. The internal trees are screened by surrounding vegetation that is being retained, which includes the substantial 25-metre-high beech trees (13) and English oaks (4) that sit along the site's northern boundary. The existing screening limits the adverse landscape character harm of the tree removal.

- 8.2 The AR recommends protection measures for the retained trees, particularly where hard landscaping is proposed within root protection areas, such as 'reduced-dig' construction methods and tree protective fencing and ground protection. The AR recommends that hard landscaping details be managed by planning condition so that these details can be carefully considered in the context of potential tree impacts. The AR also recommends the submission of utility service details and tree protection measures where these pass through root protection areas. These are critical mitigation measures that must be adhered to so that the trees proposed for retention are indeed retained and their health and vitality is not compromised by the development works. Officers support the recommended conditional approach to tree protection.

9.0 Landscaping

- 9.1 The masterplan includes locations for proposed landscape planting, including trees and hedgerows. As is a common approach, landscape detail such as planting species, mix and density are not provided. As per industry practice these are appropriately managed by planning condition. The proposed planting, in principle, is accepted, a scheme element that will complement and reinforce local landscape character. Importantly, the planting will to some degree offset the adverse landscape harm resulting from the proposed tree removal.
- 9.2 The masterplan details boundary treatments by specifying red brick walls, timber fencing and estate railings. Much care must be taken with boundary treatments, particularly in a sensitive setting such as this site. It is essential that soft, discrete boundary demarcation is incorporated. Natural materials and colour finishing is paramount. This position is supported by the Council's Landscape Consultant, who also notes the need to ensure that boundary treatments, where existing vegetation is present, will be required to maintain existing wildlife corridors. High, close-boarded timber fencing will need to be kept to an absolute minimum, as such a treatment offers scant respect to a parkland setting and will serve only to inhibit, rather than promote, wildlife corridor connectivity. The management of boundary treatments is best dealt with by planning condition.

10.0 Ecology

- 10.1 Regulation 9(5) of the Conservation of Habitats and Species Regulations 2010 (Implemented 1st April 2010) requires all 'competent authorities' (public bodies) to 'have regard to the Habitats Directive in the exercise of its functions.' For a Local Planning Authority to comply with regulation 9(5) it must 'engage' with the provisions of the Habitats Directive.
- 10.2 As already noted in this report, a key focus of the proposal's design ethos is the preservation and enhancement of local wildlife habitats, including the retention and long-term management of the proposed woodland and ecological area. The Council's Ecology Consultant recommends planning conditions to secure biodiversity enhancements and these are supported by officers.

11.0 Drainage, Flooding and Infrastructure Services

- 11.1 A sustainable drainage scheme to dispose of surface water has been submitted and is acceptable to the Suffolk County Council Flood and Water Management Team. Further details are required and can be secured by condition.

- 11.2 The application forms states that foul water will be disposed of on-site. This raised an objection from The Environment Agency which prefers to see development of this size connected to mains sewage. The Planning Agent has confirmed that there is a manhole on the site and also mains sewage in Church Lane. A consultation has been sent to Anglian Water and an update will be given on this issue at the Committee meeting.

PART FOUR – CONCLUSION

12.0 Planning Balance and Conclusion

- 12.1 Central to the balancing exercise to be undertaken by decision makers is Section 38(6) of the Planning and Compulsory Purchase Act 2004; which requires that, if regard is to be had to the Core Strategy for the purpose of any determination to be made under the Planning Acts, determination must be made in accordance with the plan unless material considerations indicate otherwise.
- 12.2 The scheme broadly complies with policy CS11 but the circumstances of the application are not exceptional and there is not a proven justifiable need. The application does not comply with the development plan viewed as a whole.
- 12.3 The Council benefits from a five-year land supply and collectively the policies most important to the determination of this application are up to date.
- 12.4 However, with the exception of the policy conflicts identified, the scheme poses little harm in environmental terms and positively responds to the social and economic strands of sustainability. The proposal would comply with the policies of the NPPF when viewed as a whole and complies with the thrust of policy CS15.
- 12.5 While the application conflicts with policy CS2, the weight to be afforded to this policy is lessened. Likewise, while the applicant has failed to illustrate that there is a local need within the village and conflicts with policy CS11, the housing proposed is nevertheless generally favourable in light of the smaller units and affordable housing proposed. The larger units are acknowledged, but undoubtedly necessary to support the rest of the development. Housing is of itself an important consideration, noting the Government's intention to significantly boost housing supply. There is an opportunity here to secure housing that of itself poses little material harm and where there is a named developer willing to commence development quickly and deliver at an expeditious rate³. In the current economic circumstances this must be considered as positive.
- 12.6 The scheme is considered to constitute a site responsive design. The revised design approach addresses many of the concerns raised originally by consultees and residents, and now responds much more appropriately to the site's opportunities and constraints:
- Incorporation of bungalows along the site's sensitive western edge, maintaining amenity for Cedar Close residents;
 - Containment of development to the northern portion of the site, the least visible part of the site from public vantage points;
 - Avoiding housing on the eastern side of the site, preserving the highly-valued setting of the nearby listed church and lych gate, as well as views to and from these assets;

³ A Statement of Common Ground in that respect confirms this and the applicant is happy to accept a shortened commencement time limit to underline the commitment to deliver.

- Retention of the wooded areas, safeguarding landscape character and respecting the intrinsic scenic beauty of the AONB extension area;
- Largely limiting tree removal to the internal area of the site;
- Adoption of a curvilinear road alignment, offering an informal and spacious design quality responding to the established parkland surroundings;
- Improving highway safety by removal of an existing vehicle access point as well as utilising the existing Church Lane access;
- Proposed perimeter hedgerow planting, reinforcing landscape character and improving residential amenity interfaces.
- Converting and re-using the main building, rather than demolishing it, retaining a sense of the original historic layout and setting of Brantham Place, a respectful approach to a non-designated heritage asset.

- 12.7 The site is a sustainable one for housing, well connected to the village by an established footpath network. The village offers a good range of conveniently-located services and amenities for future occupants, including a primary school able to be reached directly by foot. The proposal constitutes an edge-of-village extension owing to the close physical relationship the site has with the adjacent settlement. The existing PRow Byway 016 requires some repairs and resurfacing. The Highway Authority has requested a £25,000 contribution from the development. This would obviously be of some benefit to the residents as it is the safest route for the vulnerable user to gain access to school, shop and other village amenities. The contribution would be secured via a S.106 agreement.
- 12.8 Technical consultee responses indicate that the proposal does not give rise to adverse outcomes in respect to landscape character, the AONB, local distinctiveness, heritage, archaeology, highway safety, residential amenity, drainage, groundwater conditions or flood risk.
- 12.9 A significant environmental benefit of the scheme is the making of the established woodland a publicly accessible recreational and ecological asset. The proposal offers opportunity to secure the long term management of the asset, one that is currently in private ownership and offering limited public benefit. This is a positive scheme element that is attached significant weight.
- 12.10 Therefore, as a planning balance the officer assessment herein does acknowledge departures from the most important relevant development plan policies; the application conflicts with the development plan as a whole. However, where there is conflict, this is outweighed by the significant public benefits proposed.
- 12.11 In light of the above there are clearly material considerations indicating that permission should be granted other than in accordance with the development plan. There are no other material considerations that warrant the withholding of planning permission. Recommendation is therefore to grant planning permission.

RECOMMENDATION

(1) Subject to the prior agreement of a Section 106 Planning Obligation on appropriate terms to the satisfaction of the Chief Planning Officer to secure:

- Affordable housing
- On site open space including management of the space to be agreed and requirement for public access at all times.
- RAMS financial contribution
- £25,000 contribution for surfacing of the PROW 016

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

- Reduced 18-month time limit to implement
- Approved Plans
- Phasing
- Details of materials
- Highways
- Details of implementation, maintenance, and management of surface water drainage scheme
- Details of sustainable urban drainage system components and piped networks
- Secure mitigation and ecology enhancement measures
- Ecology – in accordance with Ecological Appraisal
- EPS Licence of Bats
- LEMP
- Wildlife Sensitive Design Scheme
- Construction Management Plan
- Construction/clearance hours
- No burning
- Surface water management strategy
- Hard and soft landscaping including boundary treatments
- Hedgehog fencing scheme to be agreed
- Arboriculture - utility service details within RPAs
- Arboriculture – hard landscaping within RPAs
- Programme of archaeological work
- No occupation until archaeological assessment complete
- Fire hydrant provision details
- Sustainable efficiency measures

(3) And the following informative notes as summarised and those as may be deemed necessary:

- Pro-active working statement
- SCC Highways notes

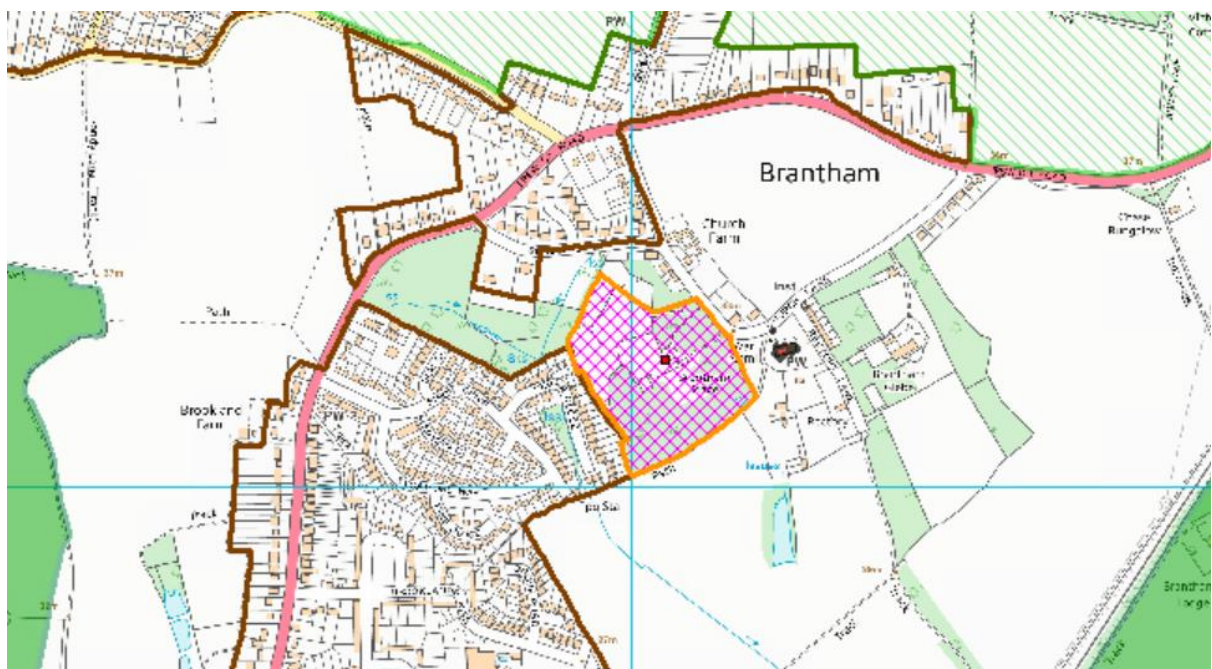
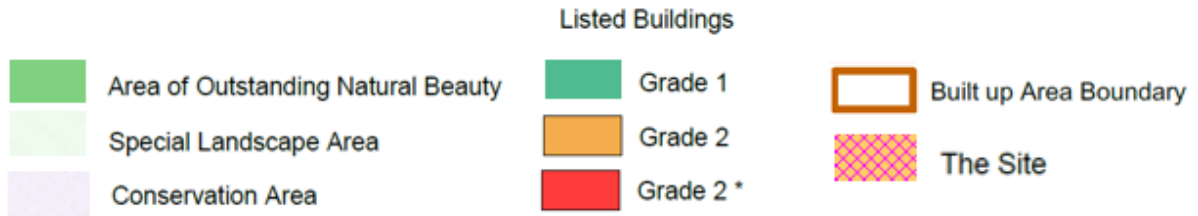
(4) That in the event of the Planning obligations or requirements referred to in Resolution (1) above not being secured and/or not secured within 6 months that the Chief Planning Officer be authorised to refuse planning permission for the following reason:

Inadequate provision of infrastructure contributions which would fail to provide compensatory benefits to the sustainability of the development and its wider impacts, contrary to the development plan and national planning policy.

Application No: DC/18/05177

Parish: Brantham

Location: Brantham Place, Church Lane



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