

Public Document Pack



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| COMMITTEE: | PLANNING COMMITTEE |
| DATE: | WEDNESDAY, 16 FEBRUARY 2022 9.30 AM |
| VENUE: | FRINK ROOM (ELISABETH) - ENDEAVOUR HOUSE |

| Members | | |
|---|---|--|
| <u>Conservative</u> Sue Ayres (Vice-Chair) Peter Beer Margaret Maybury Mary McLaren Adrian Osborne | <u>Independent</u> John Hinton Alastair McCraw Stephen Plumb (Chair) <u>Liberal Democrat</u> David Busby | <u>Green and Labour</u> Alison Owen Leigh Jamieson |

This meeting will not be broadcast live to YouTube, therefore members of the public and press who wish to view the live meeting will need to attend in person.

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/21/26 TO CONFIRM THE MINUTES OF THE MEETING HELD ON 02 FEBRUARY 2022

To follow.

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

5 **SITE INSPECTIONS**

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

6 **PL/21/27 PLANNING APPLICATIONS FOR DETERMINATION BY THE COMMITTEE** 5 - 12

An Addendum to Paper PL/21/27 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/21/04359 LAND SOUTH OF, SLOUGH ROAD, BRANTHAM, SUFFOLK** 13 - 44

b **DC/21/06913 GENESIS CORNER, CLAY HALL LANE, ACTON, SUFFOLK, CO10 0AQ** 45 - 56

Notes:

1. The next meeting is scheduled for Wednesday 2 March 2021 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:

[BABERGH DISTRICT COUNCIL PUBLIC SPEAKING ARRANGEMENTS](#)

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

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

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

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

Date and Time of next meeting

Please note that the next meeting is scheduled for Wednesday, 2 March 2022 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, Claire Philpot on: 01473 296376 or Email: Committees@baberghmidsuffolk.gov.uk

Introduction to Public Meetings

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

Domestic Arrangements:

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

Evacuating the building in an emergency: Information for Visitors:

If you hear the alarm:

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



PL/21/27

BABERGH DISTRICT COUNCIL

PLANNING COMMITTEE

16 FEBRUARY 2022

SCHEDULE OF APPLICATIONS FOR DETERMINATION BY THE COMMITTEE

| Item | Page No. | Application No. | Location | Officer |
|------|----------|--------------------|---|---------|
| 6A | 13-44 | DC/21/04539 | Land South of, Slough Road, Brantham, Suffolk | SS |
| 6B | 45-56 | DC/21/06913 | Genesis Corner, Clay Hall Lane, Acton, Suffolk, CO10 0AQ | LB |

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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BMSDC COVID-19 – KING EDMUND COUNCIL CHAMBER ENDEAVOUR HOUSE

Babergh and Mid Suffolk District Councils (BMSDC) have a duty of care to ensure the office and the space used by Members of the Public, Councillors and Staff are COVID-19 Secure and safe. But each person is responsible for their own health and safety and that of those around them.

The BMSDC space within Endeavour House has been assessed and the level of occupancy which is compatible with COVID-19 Secure guidelines reached, having regard to the requirements for social distancing and your health and safety. As a result, you will find the number of available seats available in the Council Chamber and meeting rooms much lower than previously.

You must only use seats marked for use and follow signs and instructions which are on display.

The following specific guidance must be adhered to:

Arrival at Endeavour House (EH) and movement through the building

- On arrival use the main entrance.
- If there are other people inside signing in, wait outside until the space is free.
- Whilst in EH you are now required to wear your face covering (unless you have an exemption) when inside in all parts of the building (including the access routes, communal areas, cloakroom facilities, etc.).
- You may only take off your mask once you are seated.
- Use the sanitizer inside the entrance and then sign in.
- Please take care when moving through the building to observe social distancing – remaining a minimum of 2m apart from your colleagues.
- The floor is marked with 2m social distancing stickers and direction arrows. Please follow these to reduce the risk of contact in the walkways.
- Do not stop and have conversations in the walkways.
- There are restrictions in place to limit the occupancy of toilets and lifts to just one person at a time.
- Keep personal possessions and clothing away from other people.
- Do not share equipment including pens, staplers, etc.

- A seat is to be used by only one person per day.
- On arrival at the desk/seat you are going to work at you must use the wipes provided to sanitize the desk, the IT equipment, the arms of the chair before you use them.
- When you finish work repeat this wipe down before you leave.

Cleaning

- The Council Chamber and meeting rooms at Endeavour House has been deep cleaned.
- General office areas including kitchen and toilets will be cleaned daily.

Fire safety and building evacuation

- If the fire alarm sounds, exit the building in the usual way following instructions from the duty Fire Warden who will be the person wearing the appropriate fluorescent jacket
- Two metre distancing should be observed as much as possible but may always not be practical. Assemble and wait at muster points respecting social distancing while you do so.

First Aid

- Reception is currently closed. If you require first aid assistance call 01473 264444

Health and Hygiene

- Wash your hands regularly for at least 20 seconds especially after entering doors, using handrails, hot water dispensers, etc.
- If you cough or sneeze use tissues to catch coughs and sneezes and dispose of safely in the bins outside the floor plate. If you develop a more persistent cough please go home and do not remain in the building.
- If you start to display symptoms you believe may be Covid 19 you must advise your manager, clear up your belongings, go home and follow normal rules of isolation and testing.
- Whilst in EH you are required to wear your face covering when inside

(unless you have an exemption) in all parts of the building (including the access routes, communal areas, cloakroom facilities, etc.). Re-useable face coverings are available from the H&S Team if you require one.

- First Aiders – PPE has been added to first aid kits and should be used when administering any first aid.
- NHS COVID-19 App. You are encouraged to use the NHS C-19 App. To log your location and to monitor your potential contacts should track and trace be necessary.

Agenda Item 6a

Committee Report

Item No: 6A

Reference: DC/21/04359

Case Officer: Samantha Summers

Ward: Brantham.

Ward Member/s: Cllr Alastair McCraw.

RECOMMENDATION – GRANT RESERVED MATTER OF LAYOUT, SCALE, APPEARANCE AND LANDSCAPING WITH CONDITIONS

Description of Development

Reserved Matters Application following Outline Application DC/19/01973 and subsequent appeal APP/D3505/W/19/3241261. Town and Country Planning Act 1990 - Erection of 65No residential dwellings (of which 35% allocated as affordable homes) including landscaping, public open space and associated infrastructure.

Location

Land South Of, Slough Road, Brantham, Suffolk

Expiry Date: 01/12/2021

Application Type: RES - Reserved Matters

Development Type: Major Small Scale - Dwellings

Applicant: Matthew Homes Limited

Agent: Miss Alison Edwards

Parish: Brantham

Site Area: 2.88ha

Details of Previous Committee / Resolutions and any member site visit: Yes, Outline permission was refused by Babergh Planning Committee on the 9th October 2019 (but was subsequently allowed on appeal).

Has a Committee Call In request been received from a Council Member: No

Has the application been subject to Pre-Application Advice: Yes, reference number DC/21/03621. Feedback was negative on the layout of the scheme. The developer was encouraged to make the site greener, in terms of natural but also sustainable elements.

PART ONE – REASON FOR REFERENCE TO COMMITTEE

The application is referred to committee for the following reason:

- This is a major application of more than 15 dwellings.

PART TWO – POLICIES AND CONSULTATION SUMMARY

Summary of Policies

CN01 - Design Standards
CR02 - AONB Landscape
TP15 - Parking Standards - New Development
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
CS13 - Renewable / Low Carbon Energy
CS15 - Implementing Sustainable Development
CS18 - Mix and Types of Dwellings
CS19 - Affordable Homes
NPPF - National Planning Policy Framework

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

Brantham Parish Council

28th September 2021

The Brantham Parish Council would like to ensure there are distinct conditions regarding the sustainability of the development especially regarding reusable materials, reduced waste and tending toward a zero carbon footprint.

Part of this would be the inclusion of electric car charging facilities for each dwelling which are required by the appeal decision as indeed is secure cycle storage which is not visible in the plans.

Good to see affordable housing at 35% of dwellings but note they are the smaller buildings, in close proximity of each other and appear to be built of different materials to the houses not categorised as affordable.

Brantham still relies on East Bergholt and Manningtree High schools to educate the 11+ age group - travel needs of these age groups needs to be considered and catered for in terms of grants to cover the costs for these children.

Footpath/rights of way do not seem to have been clearly retained. School children attending East Bergholt High School by bus are being expected to cross Slough Road twice each journey to get to the bus stop and people taking children to Gravel Pit Lane play area, or to catch the bus into Ipswich will be required to cross Slough Road 3 times whilst children attending Manningtree High School will need to cross Slough Road twice and the A137 to get to school. There is a need to improve the footpaths around the fields in order to keep the school children safe. The Council would ask that a condition is created which would improve the foot network to avoid this situation. The drawings show quite a verdant western border to the development and as per the appeal, the nature of this border should be secured via a planning condition.

The appeal also proposed some 1.5 height dwellings to soften the border yet, apart from the required single-story dwelling at the north end, all other dwellings are double height with no building being 1.5 height - this needs to be rectified to adhere to the appeal ruling. A key phrase in the appearance of the proposal when viewed from East End towards the gap on Slough Road would show the two settlements closer than before, but the undeveloped and landscaped frontage would provide some mitigation.

Further, all housing elevations visible from within the AONB shall be treated and finished as the approved Front Elevations. The various elevational treatments proposed will need to address the Palette of Colours as suggested by the AONB Publication Guidance on the selection and use of colour in Development: Guidance. The neighbouring Dedham Vale AONB continue to insist on the adoption of such guidance within new developments, and a similar and no lesser compliance will be acceptable in this application.

Further to the earlier point about sustainability, it is noted that the developer states that the development will be sustainable and should therefore be using only locally sourced materials. BPC require that this is strictly observed by Conditions, and that only local indigenous materials, with appropriate traditional building detailing, will be approved. The use of (for example) slate or slate type materials is not acceptable as it is not geologically indigenous to the region and cannot thereby be considered as locally sourced. Similarly, the use of concrete look-alike roofing materials must be avoided, the proximity to the AONB requiring plain clay tiles or preferably Suffolk pan-tiles as a minimum standard.

East Bergholt PC have commented on the provision of planted screening along the western boundary, and of limiting development in order to achieve sufficient density to provide visual screening. This should be subject of a Condition with the type of planting, height and density to be agreed.

This end of the village has very limited light pollution and as such the development should be sympathetic to that.

Notwithstanding these comments, all other conditions identified in the appeal decision should apply as a minimum

26th November 2021

Firstly *all* the comments from the Brantham Parish Councils previous submission still stand.

The Brantham Parish Council fully supports and echoes the comments of the East Bergholt Parish Council.

The Brantham Parish Council finds the new documentation inconsistent and confusing – for example the proposed street scenes document has not changed so does not reflect the 1.5 height dwellings shown in the Massing Plan. The change control is not traceable - it would help for all changes to have been

specified in a separate document. Documents just saying they have been amended is not transparent enough.

The concerns Brantham Parish Council would like to re-iterate are:

The issue of sustainability - there is still no statement as to how the development will be carbon neutral nor how electric car charging points will be installed in all dwellings.

There needs to be expert review of the lighting plans to ensure the dark sky environment is maintained to an acceptable level.

The revised documents have not addressed the previously identified need for a paved walkway from the development to the bus stop at East End to eliminate the need for school children heading to East Bergholt High School to cross Slough Road multiple times.

There have been changes to the western border but still not clear whether the planting plan aligns with the decision of the Appeal.

As mentioned earlier, the street scenes A still show 2 height buildings with no 1.5 height. The massing plan shows only 2 1.5 height dwelling but at the lowest part of the estate - to soften the appearance, as required by the appeal decision, the western border should contain more 1.5 height dwellings especially toward the northern higher part of the land in order to successfully soften that view. In the bedroom number plan, the 1.5 height building are still shown as 4 bedroom dwellings.

There is a concern over the distribution of the social shared ownership and affordable rent houses which are still proposed to be built of different materials and clustered together. We would wish the applicant to better distribute these properties and ensure consistency of materials and for the Planning Committee place a condition that these affordable properties be made available solely to residents who have a strong connection to the village of Brantham.

The materials palette is still a concern, and we would refer to our previous comments.

The visitor carpark spaces still appear to be low in number especially in the eastern part of the plot The refuse plan shows refuse vehicles will need to reverse for significant distances to reach all parts of the development - the Parish Council is concerned as to the safety issues that arise from this.

31st December 2021

Brantham Parish Council Comments on the second revision of the documents for DC/21/04359 dated 7 Dec 2021.

Firstly *all* the comments from the Brantham Parish Councils previous two submissions still stand so please read this response in conjunction with those comments regarding dark skies, paths, the distribution of, the materials used on and the occupancy of the affordable rent and shared ownership properties, the materials palette, visitor carpark spaces and the refuse plan.

The Brantham Parish Council finds the new documentation still at odds with the planning appeal decision and still has not addressed the important issues raised previously.

We are pleased to see the applicant has produced an Energy strategy statement but disappointed to note it only talks of minimising impacts, selecting materials from responsible suppliers where possible and

recycling materials where possible etc. The comment about seeking opportunities to reuse materials from the site suggests the report has not been written with this site in mind as the site is a green field.

The report also contradicts itself. In section 1.2 the author writes: For the development at Slough Road, Brantham dwellings constructed following the implementation of these regulations will incorporate improved fabric U-Values, Showersave Waste Water Heat Recovery (WWHR) to non-single story dwellings and PV panels to meet a 31% reduction in carbon emissions. and then in section 7 specifically excludes all these technologies from being installed at this site.

It is the councils view that as a sustainability statement it falls short of the carbon neutral ambition and very specifically excludes any whole life energy mitigations such as heat pumps, car charging points etc. which are required by Babergh District Councils own Sustainability statement/ report & checklist.

We are pleased to see the increase in the number of 1.5 height buildings along the western border required by the appeal statement but feel the designs of these dwellings needs to be reviewed since the street scenes barely show a difference to the 2 storey buildings and do very little to soften the view of the estate when viewed from East End. We note an inconsistency in the street scene plan shown as 3/12/21 on the plan but recorded as 6/12/21 on the Issue sheet – we presume this is the same plan.

There is no refreshed tenure plan so assume the same design as previously and therefore comments still stand.

We note it is proposed to build tandem parking spaces rather than the much more practical side by side spaces. Side by side spaces remove unproductive car movements and will also ease the installation of electric vehicle charging points.

27th January 2022

"Comments on the third revision of the documents for DC/21/04359 dated 20 Dec 2021

Again *all* the comments from the Brantham Parish Council's previous three submissions still stand so please read this response in conjunction with those comments regarding children going to school, pedestrians using nearby routes, dark skies, paths through the development, the distribution of, the materials used on and the occupancy of the affordable rent and shared ownership properties, the materials palette, visitor carpark spaces and the refuse plan.

The Brantham Parish Council finds the new documentation still at odds with the planning appeal decision and still has not addressed the important issues raised previously.

BPC fully support the comments made on Sustainability and Climate change made by the Environmental Health team on 10th January.

Key issues raised in this revision are:

Affordable Housing

The distribution of, and materials used to construct, the affordable and shared ownership houses - Designing these properties as near neighbours and constructing them of different materials unnecessarily sign posts the dwellings as affordable. A much more even distribution of these properties throughout the development is desirable. We would reinforce a desire that a number of these properties be reserved for residents with a strong connection to the village of Brantham

Building Height

The required 1.5 height buildings are still almost as tall as the 2height dwellings and do not achieve the Appeal ambition of softening the landscape when viewed from East End.

EV Charging

Whilst very pleasing to see EV charging points addressed in the plan, BPC is disappointed they are only plots with potential for EV charging and is further disappointed that the affordable housing plots are largely excluded even from the potential of EV charging. The carpark spaces are still shown as one behind rather than side by side with the attendant issues that arise as previously explained.

Materials

The materials plan has not addressed the earlier comments regarding the elevational treatments needing to come from the Palette of colours suggested by the AONB Publication "Guidance on the selection and use of colour in Development: Guidance". The neighbouring Dedham Vale AONB continue to insist on the adoption of such guidance within new developments, and a similar and no lesser compliance will be acceptable in this application. BPC still insist that the use of locally sourced materials be included as a condition.

Perimeter

In the Site Layout plan there appears to be a gap behind the gardens of plots 12, 13, 14, 15,16, 17, the corner carpark, plots 18-21, 22, 23, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 49, 50, 51, 52, and the drainage bowl and the neighbouring properties. BPC is unclear how this gap will be in reality, is it a pathway, hedging etc? How wide will the gap be and what provision is planned if it is a gap to be fit for purpose and prevent the void being used inappropriately.

Refuse Plan

In additional to comments made previously about refuse we find it inappropriate for the residents in Plots 64 and 65 to have to wheel their bins to outside plot 63, similarly plots 16, 42, 38 & 39 have unnecessarily long routes requiring the gardens of these plots to be made smaller in order to provide a walkway for the bins.

Drainage

Local residents have commented to the council that water tends to collect more in the South and Eastern parts of the land so hope the various draining plans can be amended to accommodate the natural drainage requirement."

East Bergholt Parish Council

It was proposed by Councillor Woodcock, seconded by Councillor Dent and **RESOLVED** (unanimously) that the Council continues to support the representations made by Brantham Parish Council and in particular that conditions be attached to a permission which:

1. ensure a limited lighting impact scheme as East Bergholt sits between two AONBs and is a largely light free zone with dark night skies;
2. make a condition of the scheme the planting of significant screening on the west and south sides of the site to protect views from the countryside and the AONBs;
3. provide suitable pavement from Brantham to East End;
4. route all construction traffic to the site via the A137 to avoid further disruption to the busy routes of the B1070 (including the High School) and Straight Road where traffic conditions already cause concern; and
5. provide for houses to be built to carbon neutral standards and with energy efficient heating (as per the example set by East Suffolk Council).

National Consultee

National Health Service

The CCG has reviewed the latest documents but feels that the response made in 2019 is still pertinent and will not be making further comments at this stage.

Comments from the Outline Planning Application DC/19/01973

No objection although comments were expressed relating to future funding:

This development is not of a size and nature that would attract a specific Section 106 planning obligation. Therefore, a proportion of the required funding for the provision of increased capacity by way of extension, refurbishment or reconfiguration at Constable Country Medical Practice (and the branch The Surgery Chapel St Mary), servicing the residents of this development, would be sought from the CIL contributions collected by the District Council.

Natural England

Standing advice.

Anglian Water

From the details submitted to support the planning application the proposed method of surface water management does not relate to Anglian Water. As such, we are unable to provide comments on the suitability of the surface water management. The applicant and the Local Planning Authority should seek the advice of the Lead Local Flood Authority and the Internal Drainage Board if applicable. The

Environment Agency should be also consulted if the drainage system directly or indirectly involves the discharge of water into a Main River.

County Council Responses

SCC Highways

Notice is hereby given that the County Council as Highway Authority make the following comments:

Exact details of the highway design will be agreed when the developer enters into formal agreement with the Highway Authority under Section 38 of the Highways Act 1980 relating to the construction and subsequent adoption for highway.

CONDITIONS

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

Parking Condition: The use shall not commence until the area(s) within the site shown on Drawing No. 21-3132-008E for the purposes of manoeuvring and parking of vehicles has been provided and thereafter that area(s) shall be retained and used for no other purposes.

Reason: To ensure that sufficient space for the on-site parking of vehicles is provided and maintained in order to ensure the provision of adequate on-site space for the parking and manoeuvring of vehicles where on-street parking and manoeuvring would be detrimental to highway safety to users of the highway.

Cycle storage Condition: The areas to be provided for secure cycle parking as shown on drawing number 21-3132-003E shall be provided in its entirety before the development is brought into use and shall be retained thereafter for no other purpose.

Reason: To ensure that the provision for cycle parking is provided in line with sustainable transport policies.

Bin Condition: The areas to be provided for presentation and storage of Refuse/Recycling bins as shown on drawing number 21-3132-003E shall be provided in its entirety before the development is brought into use and shall be retained thereafter for no other purpose.

Reason: To ensure that refuse recycling bins are not stored on the highway causing obstruction and dangers for other users.

NOTES

The Local Planning Authority recommends that developers of housing estates should enter into formal agreement with the Highway Authority under Section 38 of the Highways Act 1980 relating to the construction and subsequent adoption of Estate Roads.

The works within the public highway will be required to be designed and constructed in accordance with the County Council's specification. The applicant will also be required to enter into a legal agreement under the provisions of Section 278 of the Highways Act 1980 relating to the construction and subsequent adoption of the highway improvements. Amongst other things the Agreement will cover the specification of the highway works, safety audit procedures, construction and supervision and inspection of the works, bonding arrangements, indemnity of the County Council regarding noise insulation and land compensation claims, commuted sums, and changes to the existing street lighting and signing.

A Public Footpath is recorded through the proposed development area and the developer is reminded the granting of planning permission is separate to any consents that may be required in relation to Public Rights of Way, including temporary closures for construction. Consents to work on any PROW are to be obtained from the Public Rights of Way & Access Team at Suffolk County Council, as the Highway Authority.

SCC – Lead Local Flood Authority

Suffolk County Council, as Lead Local Flood Authority (LLFA), have reviewed application ref DC/21/04359.

The following submitted documents have been reviewed and we recommend approval of the application at this time.

- Site Layout Plan Ref 21-3132-002 Rev B
- Location Plan Ref 21-3132-001
- Drainage Strategy Ref 2104-571 ST001 G
- Basin Sections Ref 2104-571 ST003 F
- Drainage Strategy and SuDs Design & Maintenance Ref 2104-571 Rev D
- Detailed Hard and Soft Landscaping Proposals ref 21-217-01 to 04 Rev D

SCC - Public Rights of Way

We previously responded to this application on 8 September 2021 with an objection. Our concerns have been addressed with revised drawings and documents and we therefore now remove our objection. Thank you for taking the time to consider this response.

SCC Development Contributions

The outline planning application under reference DC/19/01973 has an associated planning obligation dated 10 December 2020. The planning obligations previously secured under the first planning permission must be binding upon this application if Babergh District Council make a resolution to approve and grant a further planning permission.

SCC Archaeology

Assuming the conditions for Application DC/19/01973 and subsequent appeal APP/D3505/W/19/3241261 are sufficient to secure all archaeological work including post excavation reporting, I do not recommend further conditions on this Reserved Matters application.

SCC Fire and Rescue

A condition is required for fire hydrants.

SCC Transport Strategy

Thank you for notifying me about the re-consultation. On reviewing the documents submitted I have no comment to make.

Internal Consultee Responses

BMSDC – Heritage

The Heritage Team have no comments to provide on the above application.

BMSDC Public Realm

Public Realm Officers welcome the addition of the natural play area within this development. We do have concerns about the extent of the public open space, as a fenced SUDS basin with no public access should not be included in the open space provision.

If this area is planned to be fenced, then it is our view that the open space is inadequate for a development of this size.

OFFICER COMMENT – This matter has been resolved with the inclusion of a knee rail.

BMSDC Planning Policy

Thank you for the e-mail, planning policy have no comments to make.

Environmental Protection – Air Quality

Many thanks for your request for comments in relation to the above application. I can confirm that I have no comments to make with respect to the above application as all issues relating to Local Air Quality Management were addressed at the outline permission stage.

Environmental Protection – Noise/Odour/Light

Thank you for the consultation request , Environmental protection have no objection to the above reserved matters application.

Environmental Protection – Sustainability

Many thanks for your request to comment on the Sustainability/Climate Change mitigation related aspects of this application.

I have viewed the applicant's documents namely the Energy Strategy and note the contents therein. Whilst a fabric first approach is to be welcomed it is disappointing that the reduction in CO2 levels using the fabric measures detailed is only 5.38% below the 2013 Building Regulation Part L1A standard. Particularly when the interim standard will require a 31% improvement in developments with permission granted after June 2022. So, the purchasers of these properties would automatically have a poorer standard property.

No other low carbon measures are proposed for this development. Considering we are in the midst of a Climate and Ecological Emergency this is disappointing, when the national target is to achieve net zero, i.e., 100% Carbon emission reduction by 2050, only 28 years away. With developments constructed with levels of insulation, fabric measures and low carbon building services just equal or slightly better the current building regulations' Part L requirements it is likely that they will need to be retrofitted within a few years. The other issue is that the properties will be more expensive to heat in the winter and may overheat in the summer.

Condition 15 of the appeal decision requires that before the development is commenced details of the areas to be provided for the manoeuvring and parking of vehicles including electric vehicle charging

points and secure cycle storage shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be carried out in its entirety before the development is brought into use and shall be retained thereafter and used for no other purpose.

Drawing 21-3132-010 details an electric vehicle charging plan, but the wording only states the potential for 16 amp spurs on the dwelling or garage. Approximately 20% of dwellings are not shown as having access to EV infrastructure.

The sale of new fossil fuelled cars and vans will be prohibited in the UK from 2030. The number of electric vehicles on the roads in the UK is expanding exponentially and it has been recognised in the Suffolk County Council Climate Action Plan that the number of charging points will need to increase as well.

I would recommend that the applicant reviews the actual provision of EV charge points and not just the potential for a 16Amp spur to cover more dwellings.

BMSDC Strategic Housing

Key Points

1. Background Information

- This is a Reserved Matters application for 65 dwellings
- This development proposal triggers an affordable housing contribution under current local planning policy of 35%.
- At reserved matters stage the applicant has agreed to provide 23 affordable housing dwellings. (See below for detail of tenure and mix).
- 17 homes for affordable rent
- 6 homes for shared ownership

2. Housing Need Information:

- 2.1 The Ipswich Housing Market Area, Strategic Housing Market Assessment (SMHA) document, updated in 2017, confirms a continuing need for housing across all tenures and a growing need for affordable housing.
- 2.2 The 2017 SHMA indicates that in Babergh there is a need for 73 new affordable homes per annum.
- 2.3 Furthermore, by bedroom numbers the affordable housing mix should equate to:

| Ref2 | |
|--|--|
| Estimated proportionate demand for affordable new housing stock by bedroom number | |
| Bed Nos | % of total new affordable stock |
| 1 | 46% |
| 2 | 36% |
| 3 | 16% |
| 4+ | 2% |

- 2.4 This compares to the estimated proportionate demand for new housing stock by bedroom size across all tenures.

| Ref3 Estimated proportionate demand for all tenure new housing stock by bedroom number | |
|---|-----------------------------|
| Bed Nos | % of total new stock |
| 1 | 18% |
| 2 | 29% |
| 3 | 46% |
| 4+ | 6% |

- 2.5 The Council's Choice Based Lettings system currently has circa. 917 applicants registered for affordable housing in Babergh at May 19. Of those, 21 applicants state a local connection to Brantham.

3. Preferred Mix for Open Market homes.

- 3.1 The Council's 2014 Suffolk Housing Needs Survey shows that there is high demand for smaller homes, across all tenures, both for younger people, who may be newly forming households, families and for older people who are already in the property owning market and require different, appropriate housing, enabling them to downsize. Affordability issues are the key drivers for this increased demand for smaller homes.
- 3.2 With an ageing population, both nationally and locally new developments should include properties suitable for older people and these together with all other homes on the site should, wherever possible, be built to Lifetime-Homes standards or equivalent current standard at the time.
- 3.3 There is strong demand for one and two-bedroom flats/apartments and houses. Developers should consider flats/apartments that are well specified with good size rooms to encourage downsizing amongst older people, provided these are in the right location for easy access to facilities. Older people have also expressed their desire for chalet bungalows of one and a half storey. This may include sheltered or extra care housing where appropriate.
- 3.4 Broadband and satellite facilities as part of the design for all tenures should be standard to support.

3.5 All new properties need to have high levels of energy efficiency.

3.6 It is noted that the application design and access statement indicates that two storey 2,3,4 and 5 bedroom homes could be delivered with a consideration to include one and a half storey dwellings. It is recommended that a broad range of homes are provided to include 1 bedroom homes and bungalows with less emphasis on 4 and 5 bedrooms, for the reasons mentioned above.

4. Preferred Affordable Housing Mix:

4.1 This scheme should provide an affordable contribution of 35% = 22 affordable dwellings. The current registered highest district housing need by bedroom size is for 1 and 2 bedroom homes followed by a smaller need for 3+ bedrooms.

4.2 The tenure split should be approximately 75% affordable rented and 25% shared ownership as follows:

- 17 Affordable rented dwellings =
4 x 1b x 2p maisonette @ 50sqm minimum – 18,19,20,21
9 x 2b x 4p houses @ 79sqm minimum – 14, 15, 16, 17, 32, 33, 35, 38, 39
4 x 3b x 5p houses @ 102sqm minimum – 34, 36, 37, 40
- 6 Shared Ownership dwellings =
- 4 x 2b x 4p houses @ 79sqm minimum – plot 4,5,7,8
- 2 x 3b x 5p houses @ 93sqm minimum – 12,13

Total number of dwellings: 23

5. Other requirements for affordable homes:

- Properties must be built to current Homes and Communities Agency National Housing Standards March 2015.
- The council is granted 100% nomination rights to all the affordable units on first lets and 75% on subsequent lets.
- Any Shared Ownership properties must have an initial share limit of 70%.
- The Council will not support a bid for Homes & Communities Agency 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.
- The location and phasing of the affordable housing units must be agreed with the Council to ensure they are integrated within the proposed development according to current best practice.
- On larger sites, the affordable housing should not be placed in groups of more than 15 units
- Adequate parking provision is made for the affordable housing units and cycle storage and bin stores.
- It is preferred that the affordable units are transferred to one of Babergh's partner Registered Providers – information is available from the housing enabling team.
- The properties must be tenure blind.
- The layout of parking should mirror that of the open market units to ensure properties are tenure blind.
- The highway access to the affordable dwellings needs to be built to an adoptable standard. This is to enable either adoption by the Highway Authority or to reduce long term maintenance costs for the eventual Registered Provider, which will either be passed on to tenants/leaseholders or be absorbed by the RP, reducing future investment in affordable housing.

BMSDC – AONB

Thank you for re-consulting the AONB team on the above Reserved Matters. I have reviewed the landscape documents Jba 21/217-01 - Jba 21/217-04 dated 7 December 2021 and have the following comments to make.

The AONB team welcome the removal of the 1.2 m high fencing with rabbit mesh from around the northern and southern drainage basins and its replacement with knee high post and wire fencing. We broadly support the additional soft landscaping now being proposed around the drainage basin. Extra shrub planting as proposed in the southern basin should also be planted in the northern basin.

The scheme still includes Sweet Gum Trees (Liquidambar styraciflua) as part of the tree mix along the western boundary of the site faces out into the countryside and AONB. The team recommend that these are substituted with Oak, Holly or Cherry as per our response dated 22.11.21 as these would be more appropriate given the rural western backdrop to the development.

Place Services – Landscape

This letter sets out our consultation response on the revised drawings received 07/12/2021

Boundary treatment

We welcome the changes done to the previously proposed 1.2m high post and rail fencing. The 0.6m knee rail now proposed is acceptable.

Landscaping

We welcome the additional planting to the attenuation basins. Additional shrub planting should also be included in the northern basin, as per proposed on the southern basin.

The AONB officer has queried the use of sweet gum tree along the western boundary of the site and recommended Oak, Holly or Cherry to be used instead. We are in support of this recommendation

Details on the type/design of inlet and outlet

We acknowledge the need to use the standard concrete inlet/outlet and railings to meet the requirements for adoption of SuDS features the proposed marginal planting around these elements will help to soften its appearance.

Place Services – Ecology

We have reviewed submitted documents for this Reserved Matters application. This includes the Details Hard and Soft Landscaping Proposals – Rev D (James Blake Associates Ltd, July 2021) and the Landscape Management and Maintenance Plan (James Blake Associates Ltd, July 2021).

We have also reassessed the Preliminary Ecological Appraisal and Preliminary Bat Roost Assessment, the Landscape and Ecological Strategy (Tyler Grange Ltd, April 2019), the Breeding Bird Report (Tyler Grange Ltd, July 2019) and Shadow Habitats Regulations Assessment (Tyler Grange Ltd, April 2019), provided by the applicant, relating to the likely impacts of development on designated sites, Protected & Priority species/habitats.

It is indicated that we still generally support the proposed soft landscaping for this development at an ecological perspective and consider that appropriate planting specifications and schedules have been proposed within the Details Hard and Soft Landscaping Proposals. However, we do recommend that the native hedge mix should be amended, as it currently recommends that 40% of the hedgerow will consist of native rose species. As a result, the following alternative mixture could be implemented to increase species richness and visual amenity:

- 60% Hawthorn (*Crataegus monogyna*)
- 20% Field maple (*Acer campestre*)
- 10% Hazel (*Corylus Avellana*)
- 5% Trees (Wild cherry, English oak)
- 5% made of Holly, Spindle, Crab apple, Dogwood, Blackthorn, Dog rose and Guelder rose (only a few % each IF they are present in the locality).

In addition, it is indicated that we support the Landscape Management and Maintenance Plan (James Blake Associates Ltd, July 2021) in principle. However, to ensure that measurable biodiversity net gains will be achieved for this development, in line with paragraphs 174[d] and 180[d] of the NPPF 2021, we encourage the developer to provide a Biodiversity Net Gain Assessment using the DEFRA Biodiversity Metric 3.0 (or any successor). The Biodiversity Net Gain Assessment should preferably follow the Biodiversity Net Gain Report & Audit Templates (CIEEM, 2021). The Biodiversity Net Gain Report should inform the finalised soft landscaping scheme / Landscape Management and Maintenance Plan for this application.

Furthermore, we still recommend that the locations, heights, orientations and technical specifications of the proposed bespoke biodiversity enhancement measures (Integrated bird and bat boxes) should be provided within the soft landscaping scheme / Landscape Management and Maintenance Plan.

However, it is indicated that we are pleased to see the inclusion of hedgehog friendly fencing to be delivered throughout the site. Alternatively, this should be delivered via a separate Biodiversity Enhancement Strategy to be secured as a condition of any consent prior to slab level. We also still encourage the developer to include Swift boxes within the development, as this Suffolk Character Species is known to be partly declining due to a lack of available roosting options.

Furthermore, a wildlife friendly lighting scheme must also be provided for this application, as required under condition 21 of the appeal decision. We note that an indicative lighting strategy has been provided, but it is indicated that further information will be required to meet the requirements of the condition. The wildlife friendly lighting scheme should follow ILP Guidance, and a professional ecologist should be consulted to advise the lighting strategy for this scheme. In addition, the following measures should be indicated to avoid impacts to foraging and commuting bats:

- Light levels should be as low as possible as required to fulfil the lighting need.
- Environmentally Sensitive Zones should be established within the development, where lighting could potentially impact important foraging and commuting routes for bats.
- Lux levels and horizontal lighting should be directed away from boundary edges and Environmentally Sensitive Zones and kept as low as possible. This should preferably demonstrate that the boundary features and Environmentally Sensitive Zones are not exposed to lighting levels of approximately 1 lux. This is necessary to ensure that light sensitive bat species, will not be affected by the development.
- Warm White lights should be used preferably at 3000k within Environmentally Sensitive Zones. This is necessary as lighting which emit an ultraviolet component or that have a blue spectral content have a high attraction effects on insects. This may lead in a reduction in prey availability for some light sensitive bat species.
- Light columns should be as short as possible as light at a low level reduces the ecological impact.

- The use of cowls, hoods, reflector skirts or shields could be used to prevent horizontal spill in Environmentally Sensitive Zones.

Suffolk Wildlife Trust

Thank you for sending us details of this application, we have read the Landscape Management and Maintenance Plan (LEMP) (James Blake, July 2021) and have the following comments:

The LEMP proposes management of the existing hedgerows through cutting the top and sides of native hedgerows once annually in late November and managing proposed native and ornamental hedgerows through cutting once or twice annually; once in June and, if required, again in November.

This management prescription is not suitable for any hedgerow intended to add wildlife value to the development. Hedge cutting in June may cause disturbance to nesting birds as well as potentially damaging nests and eggs, hedge cutting should not be carried out during the bird nesting season from March 1st to August 31st. Nesting birds are protected under the Wildlife and Countryside Act (1981) (as amended), which gives protection to all wild birds and makes it an offence to intentionally take, damage or destroy the nest of any wild bird whilst it is in use or being built or to take or destroy the egg of any wild bird.

If hedgerows are to be managed in order to provide wildlife value to the site, as set out in the Preliminary Ecological Appraisal and Preliminary Bat Roost Assessment (Tyler Grange, April 2020) which accompanies the original application DC/19/01973, the hedgerows should be cut as late as possible from January 1st to February 28th. This will allow nuts and berries within the hedgerow to be used by foraging birds throughout the winter months. Additionally, we can find no mention within the LEMP, or any other documents submitted with the application as to the retention of deadwood on site for stag beetles, the provision of bird and bat boxes and the provision of cut-outs in fencing panels for hedgehogs, as proposed within the Preliminary Ecological Appraisal and Preliminary Bat Roost Assessment (Tyler Grange, April 2020).

Recommended condition

1. PRIOR TO ANY WORKS ABOVE SLAB LEVEL: BIODIVERSITY ENHANCEMENT STRATEGY

“A Biodiversity Enhancement Strategy for Protected and Priority species shall be submitted to and approved in writing by the local planning authority.

The content of the Biodiversity Enhancement Strategy shall include the following:

- a) Purpose and conservation objectives for the proposed enhancement measures;
- b) detailed designs to achieve stated objectives;
- c) locations of proposed enhancement measures by appropriate maps and plans;
- d) persons responsible for implementing the enhancement measures;
- e) details of initial aftercare and long-term maintenance (where relevant).

The works shall be implemented in accordance with the approved details prior to occupation and shall be retained in that manner thereafter.”

Reason: To enhance Protected and Priority Species/habitats and allow the LPA to discharge its duties under the s40 of the NERC Act 2006 (Priority habitats & species) as updated by the Environment Act 2021.

B: Representations

At the time of writing this report at least 20 letters/emails/online comments have been received. It is the officer opinion that this represents 20 objections. A verbal update shall be provided as necessary.

Views are summarised below:-

- Development should address the village demographic
- Are there to be jobs created by the development?
- Height of dwellings along the western border should be no more than 1.5 storeys
- No more than 65 dwellings on the site
- More traffic in the area
- Design of dwellings should be sympathetic to the surroundings
- Landscape impact
- Inadequate access
- Loss of good agricultural land
- Closing the gap between the parishes of East Bergholt and Brantham
- Local services will become overwhelmed
- Density of build is out of keeping with the village
- Loss of views
- Type of housing is not in keeping with the village which has a high number of bungalows
- Footpath between the existing dwellings to be upgraded to a bridleway – the developer does not own that land
- Loss of privacy
- Possible flood issues for existing properties
- Light and noise pollution
- Impact on wildlife
- There should be footpath access through the site
- Visibility concerns in Slough Road
- Services and facilities in Brantham are on the eastern side of the A137 people would have to cross the busy road to access these
- Over development of the site
- Roof heights are too high
- Loss of light to existing residents
- Land levels on the site are higher than the existing properties
- Access from back gates of existing properties on the site may be blocked
- Additional pollution from vehicles
- Maintenance of the open space should be organised through a management company rather than existing residents paying for it
- Internal road safety issues
- Public transport is poor
- Increase in crime/anti-social behaviour
- Why is the layout different to the outline permission
- Loss of existing hedgerow

(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: DC/19/01973 | Outline Planning Application (some matters reserved) Erection of residential development of up to 65 new dwellings (including minimum of 35% affordable homes, with areas of landscaping and public open space, including vehicular access, and associated infrastructure works. | DECISION: REF 09.10.2019 |
| REF: DC/20/01775 | Outline Planning Application (some matters reserved, access to be considered) Erection of residential development of up to 65 new dwellings (including minimum of 40% affordable homes), with areas of landscaping and public open space, including vehicular access, and associated infrastructure works (re-submission of DC/19/01973). | DECISION: WDN 02.07.2020 |
| REF: DC/21/04374 | Discharge of Conditions Application for DC/19/01973 allowed under Appeal Reference APP/D3505/W/19/3241261-Condition 4 (Written Scheme of Investigation) | DECISION: GTD 13.08.2021 |

PART THREE – ASSESSMENT OF APPLICATION

1.0 The Site and Surroundings

- 1.1 The 2.88ha application site is located at the northern fringe of the Parish of Brantham adjoining the defined Built-Up Area Boundary (BUAB) for Brantham (a Hinterland Village). The site is part of a wider agricultural holding and is currently of arable nature.
- 1.2 To the immediate north is the vehicular highway known as Slough Road, with agricultural land beyond (including the Dodnash Special Landscape Area). Immediately east is established residential dwellings of varying single and two-storey form. To the south is further domestic dwellings, with Ipswich Road / A137, a core vehicular route linking Brantham to Ipswich beyond the immediate residential settlement. To the west is open agricultural farmland. The area is predominantly rural, located within the Stour Estuary Sites of Scientific Interest (SSI) and the Stour and Orwell Special Protection Area (SPA). The site is directly served by Slough Road at a vehicular level. The site is also served at a pedestrian level by Slough Road (northeast), and Ipswich Road via footpath links. The site is closely connected to the services, facilities and amenities of Brantham.

2.0 The Proposal

- 2.1 The application seeks reserved matters for 65 dwellings. The reserved matters under consideration are layout, scale, appearance and landscaping. The access point and number of dwellings was established under the outline permission.

Accommodation Schedule

Site: Slough Road, Brantham

Drawing No. 002 Rev. A Date. 16.12.21

DEVELOPMENT BRAND: Matthew Homes

Open Market Housing

| Ref. | No. Beds | Storey | GIA. Sq.ft. | No. |
|---------------|----------|--------|-------------|-----------|
| 1004 | 2B | 1 | 1004 | 2 |
| 1102 | 3B | 2 | 1102 | 12 |
| 1136 | 3B | 2 | 1136 | 3 |
| 1319 | 4B | 2 | 1319 | 5 |
| 1319 B | 4B | 2 | 1319 | 2 |
| 1424 | 4B | 2 | 1424 | 3 |
| 1557 | 4B | 2 | 1557 | 3 |
| 1730 | 4B | 2 | 1730 | 7 |
| 1848 | 4B | 2 | 1848 | 5 |
| TOTAL: | | | | 42 |

| Affordable Housing | | Actual % | 35.4 | |
|--------------------|------------|----------|---------|-----------|
| Ref. | No. Beds | Storey | Sq. ft. | No. |
| Rented | | | | |
| 2B | 2B | 2 | 850 | 9 |
| 3B | 3B | 2 | 1001 | 4 |
| 1B | 1B Flat GF | 2 | 538 | 2 |
| 1B | 1B Flat FF | 2 | 647 | 2 |
| | | | | 17 |
| Shared | | | | |
| 2B | 2B | 2 | 850 | 4 |
| 3B | 3B | 2 | 1001 | 2 |
| | | | | 6 |
| | | | | 23 |

| | | | | |
|-----------------------|--|--|--|-----------|
| TOTAL: | | | | |
| OVERALL TOTAL: | | | | 65 |

2.2 The amount of floor area created by the market housing is 2217.96 square metres (which will feed into CIL).

- 2.3 All market dwellings have on-site parking with some properties also benefitting from garages. Smaller units have parking in either a parking court or to the front of the dwellings. A total of 16 visitor parking bays are provided on the site.
- 2.4 The density of build on the site is 22.56 units per hectare.
- 2.5 The site comprises two bungalows at the entrance to the site and four one-and-a-half-storey dwellings on the western boundary, with the remaining 59 dwellings being two-storey.
- 2.6 All dwellings have a private rear garden with the block of flats (plots 18-21) having a communal garden which is private to the flats. The garden sizes range from approximately 50 square metres for the smaller dwellings and around 140 square metres for the larger properties.
- 2.7 Typically within the site, back-to-back distances range from around 20-25 metres. Most of the dwellings are around the parameter of the site with dwellings backing onto existing built form in Ipswich Road and Slough Road. The back-to-back distances of these properties range from about 38-72 metres. Much of the built form would be more obscure angles than direct back-to-back positioning.
- 2.8 Materials on the site comprise buff and red brick with black or red roof tiles. Some dwellings will have elements that are finished in black weatherboard. Precise details of materials have not yet been agreed but can be secured by condition.
- 2.9 The site area is 2.88Ha.

3.0 The Principle of Development

- 3.1 The starting point for any planning decision is the development plan, as identified in Section 38(6) of the Planning and Compulsory Purchase Act 2004. Determination of any application must be made in accordance with the plan unless material considerations indicate otherwise. A key material consideration regarding the principle of development is the National Planning Policy Framework (NPPF) 2019.
- 3.2 The age of policies itself does not cause them to cease to be part of the development plan or become "out of date" as identified in paragraph 213 of the NPPF.
- 3.3 Even if policies are considered to be out of date, that does not make them irrelevant; their weight is not fixed, and the weight to be attributed to them is within the remit of the decision taker. There will be many cases where restrictive policies are given sufficient weight to justify refusal despite their not being up-to-date.
- 3.4 Also, as required by paragraph 213 of the NPPF, the weight attributed to development plan policies should be according to their degree of consistency with the NPPF. The closer the aims of a policy are to the NPPF, the greater the weight that can be attributed to them.
- 3.5 The principle of development has been established by the granting of outline planning permission under DC/19/1973 [Outline Planning Application (some matters reserved) - Erection of residential development of up to 65 new dwellings (including minimum of 35% affordable homes, with areas of landscaping and public open space, including vehicular access, and associated infrastructure works)].

3.6 This application concerns the Reserved Matters of the Outline application which are:

- Access
- Layout
- Scale
- Appearance
- Landscaping

These issues will be looked at in turn in the report that follows.

3.7 As this is a Reserved Matters application, the detailing of the proposal will be assessed against Babergh Local Plan and Babergh Core Strategy. These policies are given full weight in decision making and are considered to be consistent with the National Planning Policy Framework.

3.8 There has been much negotiation during the course of this application between the developer and Officers. Particular points that have required changes include surface water drainage, highway safety, landscape impact, affordable housing location and general layout changes, sustainability and ecology.

4.0 History

4.1 Babergh Planning Committee refused Outline Planning Application DC/19/01973 -[Outline Planning Application (some matters reserved) - Erection of residential development of up to 65 new dwellings (including minimum of 35% affordable homes, with areas of landscaping and public open space, including vehicular access, and associated infrastructure works) on the 9th October 2019. The reasons for refusal were:

1. *Policy CS2 of the Core Strategy seeks to direct new development sequentially to the towns / urban areas, and to the Core Villages and Hinterland Villages. Policy CS11 of the Core Strategy requires development to consider the landscape characteristics of the village, and also requires the identification of local housing need. Policy CS15 of the Core Strategy seeks to ensure that development respects landscape features. Furthermore, the LPA is able to demonstrate a 5 Year Housing Land Supply, thus the 'tilted balance' of Paragraph 11(d) of the NPPF is not engaged.*
2. *The proposal is not considered to form sustainable development by reason of bringing the edge of the Brantham Built Up Area Boundary closer to East End leading to an unacceptable level of settlement coalescence not respecting the existing landscape feature of separation between the settlements. No exceptional circumstances or other material considerations have been demonstrated to outweigh the harm identified in the sustainability respect. Given the absence of a local housing needs survey, the scheme has not adequately demonstrated a local housing need. Furthermore, the proposal lacks demonstrable social, economic and environmental benefits, and undermines the essence of the NPPF further through no justifiable need or mitigating measures. The proposal fails to reflect Policies CS2, CS11 and CS15 of the Babergh Core Strategy (2014) and Paragraph 8 of the NPPF.*

4.2 The applicant took the decision to the Planning Inspectorate for an Appeal Hearing. Whilst the appeal was running, a further application was received for Outline Permission for a similar scheme but offering 40% affordable housing on the site rather than the previous 35% under DC/20/01775 - Outline Planning Application (some matters reserved, access to be considered) Erection of residential development of up to 65 new dwellings (including minimum of 40%

affordable homes), with areas of landscaping and public open space, including vehicular access, and associated infrastructure works (re-submission of DC/19/01973). The applicant was advised that the additional 5% affordable housing contribution did nothing to address the two reasons for refusal of the previous outline permission. The application was withdrawn by the applicant.

- 4.3 The Planning Inspector decided to allow the first outline application (Appeal Decision APP/D3505/W/19/3241261). In the Decision Letter the Inspector concluded that:

Conclusion

67. *The proposal would deliver up to 65 dwellings (including a minimum of 35% affordable) on a greenfield site adjacent to the BUAB of Brantham, defined as a hinterland village in the CS where development is acceptable subject to Policies CS2, CS11 and CS15. In this case the local need for the level of market and affordable housing proposed has been justified in addition to the other planned development in the village to address past under provision of housing, reverse population decline, rebalance the ageing population, provide more affordable housing which is in particularly short supply and better match the substantial employment growth which is planned for the village. In respect of the second main issue, the sense of separation between Brantham and East End would be slightly reduced resulting in some marginal harm to the settlement pattern and landscape character of the Plateau Farmlands.*
68. *The proposal complies with 7 out of 11 criteria in Policy CS11 and 17 out of 19 criteria in Policy CS15, the overwhelming majority; there is slight conflict with the remaining criteria regarding landscape effects. In relation to the Policy CS2 tests there is a proven justifiable need for the development and in Brantham's case this also amounts to exceptional circumstances. In any event, as noted above, this aspect of the policy conflicts with the NPPF and thus carries reduced weight.*
69. *Overall, the proposal complies with the development plan taken as a whole and, insofar as there is any conflict, material considerations in favour are sufficient to warrant permission. The social and economic benefits of providing further market and affordable housing in the specific circumstances of Brantham outweigh the limited environmental harm that would arise in this case.*
70. *Having regard to the above the planning balance is firmly in favour of the scheme and the appeal should therefore be allowed.*

- 4.4 In the Decision Letter, the Planning Inspector made several points which should be considered as part of a Reserved Matters application. He made a suggestion that setting the development back from Slough Road, providing open space at the front of the site and making the first properties in the development single storey would help to give the visual break between East Bergholt and Brantham. He also suggested 1.5-storey dwellings would help to soften the appearance of the development on the western boundary.

49. *The Concept Masterplan shows no buildings forward of the front elevation of Coronation, leaving a more generous undeveloped frontage than following the building line along Slough Road. In addition, the first dwellings on the site could be limited to single storey, maintaining a more open ambience along the road and reflecting the low profile dwellings on Slough Road when approaching the gap from both directions. In this way the separation distance between the nearest buildings would be considerably more than the 55 m claimed by the Council and their impact would be reduced. As the visualisations from*

views 9 and 12 show, reducing the bulk of the frontage buildings would increase the perception of an undeveloped gap and in view 5 the four important Oak trees would be more visible, not being subsumed within the built up area in the same way. Although the Council argue that this would not help much, it would be a step towards making the scheme acceptable.

51. *There is however a precedent for new housing development on the western side of Brantham immediately south of the appeal site, namely Poppy Field.*

This housing scheme, permitted by the Council with the approval of the Parish Council in 2016, comprises a row of mainly two storey dwellings fronting Ipswich Road.

With gardens to the rear these back onto the same arable fields which would form the foreground to the appeal proposal. Although sited closer to East End and at a slight angle, the proposal would be seen as almost a continuation of Poppy Field.

Whilst the latter is marked by a long 1.8 m high boundary fence with little or no space for landscaping, the appeal site provides scope for a softer settlement boundary. The appellants' evidence¹¹ promises 'a distinctly wooded edge' and 'extensive new landscaping along the western boundary'.

This can be secured by condition. The Council argues that the density necessary to provide 65 dwellings on the site could preclude this, but the description of the proposal is for up to 65 dwellings and this explicit flexibility may be needed to ensure a satisfactory scheme. In addition, some dwellings along the boundary could be 1.5 storeys to mitigate their height.

- 4.5 Following the appeal decision, a new applicant took pre-application advice on the layout of the site under DC/21/03621.

5.0 Layout

Indicative Layout at Outline stage DC/19/01973



Pre-application for Reserved Matters layout DC/21/03621



Reserved Matters layout for this application



- 5.1 There is one vehicular access point to the development from Slough Road. An area of open space is provided at the entrance to the site, which forms an attenuation basin with trees planted around the outside of the basin. Two bungalows form the gateway to the site and are on the building line of the nearest neighbour to the east (Coronation). This forms a step for an increase in height of the buildings as one moves through the site. The setting back of the bungalows along with the open space at the front of the site helps to retain a visual break between the two settlements of East End and Brantham. A large proportion of the development is tucked behind existing housing in Slough Road and Ipswich Road and straightens off the corner of a field.
- 5.2 The western boundary of the site is the sensitive boundary in terms of impact on the wider landscape. This boundary has a landscaping belt with the main internal road running alongside the landscaping with visitor parking bays on the western side of the road. This pushes built form back into the site and with a mix of one-and-a-half-storey and two-storey dwellings along this road, breaks up the rooflines and softens the landscape views. This will be particularly evident as the trees in the landscaping belt mature.
- 5.3 Most of the dwellings are within the eastern part of the site which forms an infill area to the rear of the existing properties in Slough Road and Ipswich Road. Dwellings are arranged around the parameter of the site forming back-to-back properties with existing development. There are some back-to-back properties in the centre of the site with the southern dwellings overlooking a larger open space which also forms an attenuation basin and grass mound with an informal natural play area which comprises a fallen log and steppingstones.
- 5.4 There is a permissive footpath which is accessed from Slough Road and runs in a straight line south, to the existing public footpath at the southern end of the site and exits between existing

properties in Ipswich Road. This permissive path is to be retained in its current position, running along the boundary with the property known as Coronation. The permissive path also links up with the public footpath at the southern end of the site and heads west to the wider footpath network. The permissive path forms a buffer between the existing dwelling and the new development in the northern section of the site. In addition to this a cycle path will run from the permissive path around the outside of the attenuation basin to join with the main internal road. This will make the site pedestrian and cycle friendly.

- 5.5 Many existing residents have gates in their rear boundary fences to access the site. A strip of land has been retained around the parameter for existing residents to be able to access the permissive path that runs through the site.
- 5.6 All dwellings will have either a garage or a store in the rear garden for secure bicycle storage. All dwellings have parking on-site, at the front of their dwellings or in a parking court in the case of the block of flats and pair of semi-detached dwellings.
- 5.7 Most of the dwellings on the site are either detached or semi-detached properties. There is a block of four flats in the eastern corner of the site and three terraces in the south-eastern corner of the site which comprises 2 x row of three and 1 x row of four properties.
- 5.8 Affordable housing has been divided into three sections of the site. Six semi-detached houses which are to be shared ownership are in the northern part of the site and are located on the permissive path. Two pairs of semi-detached dwelling and a block of four flats are located in the north-eastern section of the site. In the south-eastern corner of the site there are a pair of semi-detached houses, a terrace of three and a terrace of four houses. Affordable housing contribution for this site 22.7 dwellings but the developer has decided to provide 23 dwellings on the site.
- 5.9 Electric vehicle charging points have been provided for dwellings either within their garages or on outside walls. The properties in the south-eastern corner of the site with parking to the front of dwellings will be ducted under the footpath to provide charging points at the parking bays associated with their dwellings. There are six properties that do not benefit from EV charging points which are plots 16-21, they are a pair of semi-detached houses and the block of four flats. This is because their parking is within a parking court, and it would be difficult to ensure that people did not use electricity that does not belong to them.
- 5.10 Parking spaces have been provided on site for all dwellings apart from the parking court and the dwellings in the south-eastern corner of the site where cars are parked in front of dwellings. Parking is compliant with current parking standards and an additional 16 visitor parking bays have been provided on the site.
- 5.11 A plan showing the waste collection points has been provided. Collection points are located along the internal roads where large vehicles can move freely without having to enter dead end road where turning would be problematic. SCC Highways have raised no objection to the proposals on highway safety grounds.

6.0 Scale

- 6.1 Dwellings on the site range from single-storey to two storeys. The bungalows are approximately 6.2 m high. The one and a half storey dwellings are 7.5m and 8.2m high and the two storey dwellings are 9m high.

6.2 Two bungalows form the entrance the site. Four one and a half storey dwellings are located on the western boundary to help break up the ridge heights of the development and to soften the development in terms of landscape impact. These were suggestions made by the Planning Inspector. The remaining 59 dwellings are two-storey.

7.0 Appearance

7.1 There is a limited palette of materials proposed for the development of red and buff brick with red and black roof tiles. Some elements of the houses will have black weatherboarding. The limited palette allows for the development to have a distinctive character which also blends with materials seen outside of the site in Brantham. Precise manufacturer, type and colours have not been specified at this time and therefore a condition will be required for the developer to submit details prior to commencement above slab level.

7.2 Careful consideration of the design of the dwellings has been a negotiation point throughout pre-application and this reserved matters application. House designs blend with each other in order to keep the affordable housing units as tenure blind as possible. However, the block of flats and the terrace rows have only one each on the site and therefore the design will be slightly different from the other dwellings. However, design detailing has been used to tie these unique dwellings to the others on the development. This is achieved by the materials used, the use of porch canopies above front doors and decorative arch brickwork above ground floor windows and on gable ends.

8.0 Landscaping

8.1 Landscaping was a major consideration of this site and was discussed at length during the appeal hearing as it was one of the reasons for refusal at outline stage. As discussed above, the use of lower height buildings on the open edges of the development help to retain the open feel of the development when viewed from outside of the site. The particularly sensitive areas to the north (Slough Road) and the south-western corner, where the public footpath enters the site from the west, both have open green spaces. This helps to transition the development from built form to open countryside.

8.2 The landscaping belt along the western boundary will help to screen the development from wider landscape views and will disrupt the hard surfacing of dwellings and road by the use of trees and grassed areas.

8.3 Two areas of sustainable drainage are provided on the site which also form the green open areas within the site, one at the northern end of the site and one in the south-western corner.

8.4 The south-western SUDS area is to be planted with marginal plants, wet wildflowers and at the top of the basin will be seeded with wildflowers and planted with trees. The area is to be enclosed with a knee rail to stop toddlers from falling into the basin. This type of barrier allows wildlife to move freely around the area. Adjacent to the basin is an open grassed area with grass mound, fallen log, stepping-stones and bench to form an informal natural play area. This area will be enclosed by a knee rail to stop vehicles parking on the grassed area.

8.5 The permissive footpath runs from this area, up through the development to Slough Road. The path will be finished in Hoggin. A cycle path runs around the southern and western part of the SUDS area and joins the internal road. This path is also to be finished in Hoggin. There are eight visitor parking bays arranged around this southern open space. The play area has a good amount of natural surveillance from houses that are arranged around three sides of the area.

- 8.6 The SUDS area to the north of the site will also be planted with marginal plants, wet wildflowers and wildflowers at the top of the basin. Trees are to be planted around the basin with additional bulb planting for further interest. A knee rail is to be provided in this area.
- 8.7 A knee rail is to be provided along the roadside on the western boundary that forms the landscape buffer, this will protect the verge from vehicular parking on this green area.
- 8.8 Street tree planting is a feature of this development along with specimen shrubs which will make the more densely developed areas of the site a more inviting space and encourage insects and birds to use this area.
- 8.9 All gardens will benefit from hedgehog friendly fencing which will allow animals to move around the site and out into the countryside. Integrated bat boxes, sparrow terraces and built-in swift boxes feature on many of the houses, particularly on the eastern and southern boundaries.

9.0 Impact on Residential Amenity

- 9.1 Many of the dwellings on the site are built back-to-back with either new development or existing properties in Slough Road and Ipswich Road. The back-to-back distances are considered to be acceptable in terms of protecting privacy with a minimum distance of 20 metres.

10.0 Planning Obligations

- 10.1 A s.106 agreement was drawn up at appeal stage to secure the affordable housing contribution. 35% of 65 dwellings is 22.7 dwellings. The S.106 secures 22 dwellings but did not make provision for the 0.7 of a dwelling to be collected by way of a commuted sum. The developer has offered 23 dwellings on the site and therefore a Unilateral Undertaking will be required to secure this further dwelling.

11.0 Parish Council Comments

11.1 Affordable Housing

The distribution of, and materials used to construct, the affordable and shared ownership houses - Designing these properties as near neighbours and constructing them of different materials unnecessarily sign posts the dwellings as affordable. A much more even distribution of these properties throughout the development is desirable. We would reinforce a desire that a number of these properties be reserved for residents with a strong connection to the village of Brantham

OFFICER RESPONSE: The distribution of the affordable dwellings is acceptable to the Strategic Housing Team. The materials will match those of the market dwellings. We are unable to secure the affordable units for residents with a connection to Brantham this would have needed to be carried out as part of the S.106 agreement at outline stage.

11.2 Building Height

The required 1.5 height buildings are still almost as tall as the 2height dwellings and do not achieve the Appeal ambition of softening the landscape when viewed from East End.

OFFICER RESPONSE: The 1.5-storey dwellings mentioned in the appeal decision letter was a suggestion and did not form a restriction on height condition of the outline allowed by the Planning Inspector. However, the four dwellings that are 1.5-storey do help to break up the roof lines of the development and soften the landscape impact.

11.3 EV Charging

Whilst very pleasing to see EV charging points addressed in the plan, BPC is disappointed they are only plots with potential for EV charging and is further disappointed that the affordable housing plots are largely excluded even from the potential of EV charging. The carpark spaces are still shown as one behind rather than side by side with the attendant issues that arise as previously explained.

OFFICER RESPONSE: A revised drawing has been received to give all properties EV charging points other than the dwellings that share a parking court.

11.4 Materials

The materials plan has not addressed the earlier comments regarding the elevational treatments needing to come from the Palette of colours suggested by the AONB Publication "Guidance on the selection and use of colour in Development: Guidance". The neighbouring Dedham Vale AONB continue to insist on the adoption of such guidance within new developments, and a similar and no lesser compliance will be acceptable in this application. BPC still insist that the use of locally sourced materials be included as a condition.

OFFICER RESPONSE: Materials have not been finalised at this stage other than general red and buff brick and black and red roof tiles with some elements of dwellings having black weatherboarding. All of these materials, with the right choices, are locally distinctive. A condition is required to secure the details of the materials to be used.

11.5 Perimeter

In the Site Layout plan there appears to be a gap behind the gardens of plots 12, 13, 14, 15,16, 17, the corner carpark, plots 18-21, 22, 23, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 49, 50, 51, 52, and the drainage bowl and the neighbouring properties. BPC is unclear how this gap will be in reality, is it a pathway, hedging etc? How wide will the gap be and what provision is planned if it is a gap to be fit for purpose and prevent the void being used inappropriately.

OFFICER RESPONSE: Some of the objections received relate to existing properties that have gates in the rear garden fences to access the site and the footpath network. The developer has provided a strip of land between the existing and proposed rear garden fences for existing residents to still access the site. This is to be finished in grass and will be maintained by the Management Company of the development in the future.

11.6 Refuse Plan

In addition to comments made previously about refuse we find it inappropriate for the residents in Plots 64 and 65 to have to wheel their bins to outside plot 63, similarly plots 16, 42, 38 & 39 have unnecessarily long routes requiring the gardens of these plots to be made smaller in order to provide a walkway for the bins.

OFFICER RESPONSE: The refuse collection plan has been viewed by SCC Highways who have raised no objection to the scheme of collection.

11.7 Drainage

Local residents have commented to the council that water tends to collect more in the South and Eastern parts of the land so hope the various draining plans can be amended to accommodate the natural drainage requirement.

OFFICER RESPONSE: The surface water drainage details have been examined by the LLFA who have raised no objection to the scheme.

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 Local Plan 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 principle of development has been established by Outline permission DC/19/01973 (allowed at appeal). This application seeks agreement of Reserved Matters comprising access, layout, scale, appearance and landscaping. Other than outstanding comments from the Sustainability Officer and Ecologist on small changes to the submission, there are no outstanding issues.
- 12.3 The development is considered to be thoughtful in its relationship with the countryside and has taken the Planning Inspector's comments into consideration when designing the scheme. The permissive footpath through the site has been retained and formalised to link it with the existing public footpath network and allow access from Slough Road through the site into Ipswich Road and the facilities and amenities that the village has to offer. The mix of housing is considered to be varied, providing single, one-and-a-half and two-storey dwellings of one to four bedrooms. There is an overprovision of affordable units on the site. The proposed development is considered to be compliant with the policies listed above.

RECOMMENDATION

That authority be delegated to the Chief Planning Officer to grant reserved matters for layout, scale, appearance and landscaping when sustainability and ecology issues have been resolved, subject to a unilateral undertaking being agreed for the extra affordable dwelling.

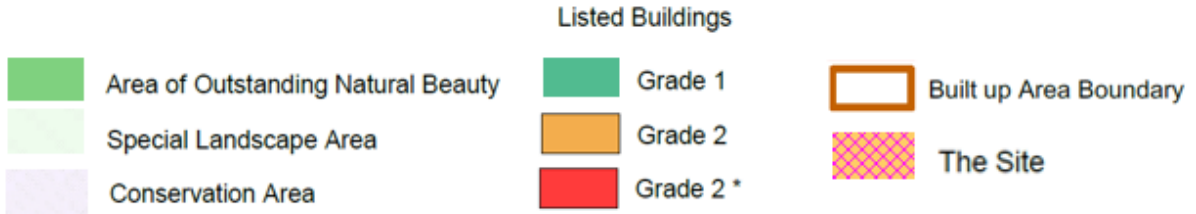
Conditions

- Details of materials to be agreed
- Parking
- Cycle Storage
- Bins

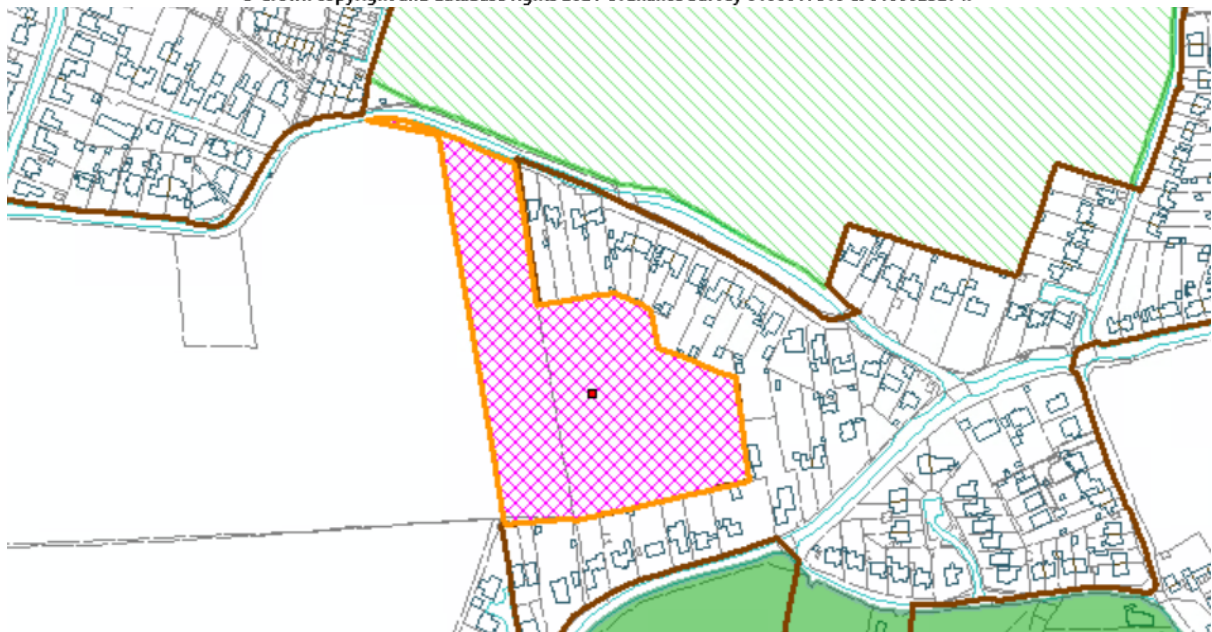
Application No: DC/21/04359

Parish: Brantham

Location: Land South Of Slough Road



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Agenda Item 6b

Committee Report

Item No: 6B

Reference: DC/21/06913

Case Officer: Lynda Bacon

Ward: Long Melford.

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

RECOMMENDATION – GRANT PLANNING PERMISSION WITH CONDITIONS

Description of Development

Planning Application - Conversion and alteration of existing detached garage to form 1 No. unit of holiday let accommodation (revised scheme to DC/20/03058 - withdrawn).

Location

Genesis Corner, Clay Hall Lane, Acton, Suffolk CO10 0AQ

Expiry Date: 01/03/2022

Application Type: FUL - Full Planning Application

Development Type: Minor All Other

Applicant: Mrs Margaret Maybury

Agent: Mr Ben Elvin

Parish: Acton

Details of Previous Committee / Resolutions and any member site visit: None

Has a Committee Call In request been received from a Council Member: No

Has the application been subject to Pre-Application Advice: Yes (DC/21/05266)

PART ONE – REASON FOR REFERENCE TO COMMITTEE

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

The applicant, Mrs Margaret Maybury, is a Babergh District Councillor.

PART TWO – POLICIES AND CONSULTATION SUMMARY

Summary of Policies

NPPF - National Planning Policy Framework

CS01 - Applying the presumption in Favour of Sustainable Development in Babergh
CS03 - Strategy for Growth and Development
CS15 - Implementing Sustainable Development
CS17 - The Rural Economy
CN01 - Design Standards
CN03 - Open Space within Settlements
CN06 - Listed Buildings - Alteration/Ext/COU
TP15 - Parking Standards - New Development

Neighbourhood Plan Status

This application site is within a Neighbourhood Plan Area.

The Neighbourhood Plan is currently at:-

Stage 1: Designated neighbourhood area (area designated 26 Oct 2021)

Accordingly, the Neighbourhood Plan has Little weight.

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

Acton Parish Council

Acton Parish Council objects to this application and recommends refusal.

The application planning statement suggests that the footprint of the building will remain the same but in fact a front porch will be added to the garage building which will increase the buildings footprint. The increased footprint, raising of the roof height and addition of dormer windows into the roof will most certainly increase the overall size and mass of the building.

Currently the garage building sits subservient to the host dwelling. The increase in size and mass will compete with the host dwelling and together have a greater impact on the setting of the neighbouring heritage listed dwelling Puddledock Garden.

The proposed development works will change the character of the existing garage so that it no longer appears subservient to its host dwelling, but instead presents as a self-contained dwelling, thereby harming the character of the area and the adjacent setting of Puddledock Garden.

The impact of the change in character should be considered if the existing roadside hedge of large conifer trees were to be removed.

Increased activity from the proposed development will be more intense than from the current permitted uses. Activity will, in fact, be greater than if it were a new separate dwelling. Vehicle and people

movements from overnight guests, tradespeople and staff will have an impact on the quiet enjoyment of Puddledock Garden.

According to the application planning statement, the holiday let will benefit the local economy by employing two people. Any employment benefit should be expressed as a percentage of a fulltime employee. In this instance the business would be unlikely to generate anything like one fulltime position, let alone two. Therefore, the proposal does not add significant benefit to the local economy.

The planning statement states that there is good access and ample parking but this is not the case. There will need to be provision for parking and ample turning space for vehicles from two separate dwellings, plus additional staff vehicle parking. It is considered that there is inadequate space to accommodate all these vehicles.

The Parish Council is concerned about the increase in traffic along Clay Hall Lane and the difficulties of guests negotiating the poorly designed access.

The loss of a garage/storage space to serve the rural host dwelling should be considered as poor design. The constraints of the site would not allow future owners an opportunity to provide a replacement garage or storage space.

Should officers be minded to approve this application, conditions should be applied which ensure the development is not used as an independent dwelling and a time limit for guest stays to be applied.

A vehicle parking and turning plan should also be submitted.

Additional bin storage should also be considered as this is a commercial business and will require segregation of waste from the host dwelling.

National Consultee

N/A

County Council Responses

SCC – Highways

The County Council as Highway Authority does not wish to restrict the grant of permission due to the application not having a detrimental effect upon the adopted highway.

Internal Consultee Responses

Heritage Team

As per my comments on pre-application DC/21/05266, I consider that the proposed scheme reduces the harm from the previous iteration, under DC/20/03058, as the proposed dormer window is now located on the south elevation of the garage, away from Puddledock Garden.

However, I consider that some harm to the latter would remain, due to the increased height of the garage, which is the same as previous, which would likely cause the garage/holiday let building to become overly dominant within the setting of the listed building and thus detract from appreciation of its significance. I would characterise the remaining harm as a very low level of less than substantial. I request that this is taken into consideration against any public benefits, as per para.202 of the NPPF.

If the LPA are minded to approve this application, I would not request any conditions in this case.

Environmental Management – Land Contamination

Confirm no objection to the proposed development from the perspective of land contamination and request that the LPA are contacted in the event of unexpected ground conditions being encountered during construction and that specified minimum precautions are undertaken until such time as the LPA responds to the notification. Also advise that the developer is made aware that the responsibility for the safe development of the site lies with them.

Economic Development

No comments received; consultation period has now expired.

B: Representations

At the time of writing this report at least 2 letters/emails/online comments have been received. It is the officer opinion that this represents one objection, and one general comment. A verbal update shall be provided as necessary.

Views are summarised below:-

- Note that first floor windows are on the opposite side from the original design, meaning that neighbour's bedroom and garden will not be overlooked.
- Revised application is not substantially different and does not address the remaining concerns raised previously by the neighbour, the Heritage Team and Acton Parish Council.
- Detrimental impact on visual and residential amenities, raising the roof of the existing garage will appear incongruous. A new self-contained dwelling squeezed alongside the existing is out of character with the area and the listed building and its curtilage.
- There is no requirement for a holiday let within Acton.
- Marginal or zero benefit to the local community, longer term pressure for a change of use to a separate independent dwelling.
- Noise: lacks sound insulation or other improvements to absorb noise and mitigate disturbance.
- Highway safety: site has a difficult means of access and a poorly designed area for car parking.
- Planning History: existing dwelling (granted in 2012) was designed 'with limited impact on a listed building and its curtilage' and material harm was mitigated. Proposed development conflicts with these planning measures and is an unnecessary over development of the site.

(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: DC/20/03058 | Full Application - Change of use (and associated alterations/works) from existing garage to 1 No. unit of holiday let accommodation | DECISION: WDN 05.01.2021 |
| REF: DC/21/05221 | Householder Application - Erection of front porch extension. | DECISION: GTD 17.11.2021 |

PART THREE – ASSESSMENT OF APPLICATION

1.0. The Site and Surroundings

- 1.1. Genesis Corner is a detached one-and-a-half storey dwelling, with detached double garage adjacent, located to the east of Clay Hall Lane within the defined Built-Up Area Boundary (BUAB) for Acton. The site has minimal frontage onto Clay Hall Lane and is largely concealed from direct public view by the existing hedgerow in the ownership of the neighbouring property (Puddledock Garden).
- 1.2. The site benefits from established vehicular access, adjoining the highway of Clay Hall Lane at its western most tip.
- 1.3. To the north, south and south-east are detached residential dwellings. To the east, the area opens towards agricultural countryside, delineated by domestic rear gardens and mature trees/hedgerows. The Grade II listed Puddledock Garden is located to the north of the site. To the west is a Tree Preservation Order (TPO) group listing and a definitive Public Right of Way (PROW) runs along the southern and eastern boundary of the site.
- 1.4. The site is within a wider area designated in the Local Plan (2006) as an Area of Visual and/or Recreational Amenity (AVRA) and is not within any vulnerable flood zone area and is otherwise unconstrained.
- 1.5. The subject garage is situated to the north of the host dwelling and is also immediately south of the detached dwelling known as Puddledock Garden, an early C19th clay lump cottage with a thatched roof.

2.0. The Proposal

- 2.1. The proposal seeks planning permission for the conversion and alteration of the existing detached double garage to form a holiday let comprising accommodation over two floors, with open-plan living space on the ground-floor (including a shower room) and one bedroom at first-floor level with en-suite bathroom facilities.
- 2.2. Proposed alterations include the introduction of glazing at ground floor level together with the addition of a front entrance porch. A double-width window dormer roof extension with PV panels above is proposed to the southern roof slope and the existing eaves and ridge levels will be raised by 0.5m (to 2.75m and 6.094m respectively) to facilitate the accommodation at first floor level.
- 2.3. Parking for the existing dwelling and the proposed development is provided on the driveway within the site and an attached cycle store is to be attached to the rear of the building.
- 2.4. The application is a revised proposal to that submitted In July 2020 under application reference DC/20/03058, which was withdrawn prior to determination. The current application differs to that previously submitted as the proposed side dormer window has been located to the opposite (southern) side of the building and the internal layout and fenestration have been amended accordingly.

3.0. The Principle Of Development

- 3.1. The starting point for any planning decision is the development plan, as identified in Section 38(6) of the Planning and Compulsory Purchase Act 2004. Determination of any application must be made in accordance with the plan unless material considerations indicate otherwise.
- 3.2. As a planning application for conversion and alteration of an existing detached garage to form one unit of holiday accommodation, the application is assessed primarily against Saved Local Plan policies CN01, CN06 and TP15, Core Strategy policies CS01, CS15, CS17 and the NPPF.
- 3.3. Saved Policy CN01 requires that developments are of an appropriate scale, form, design and materials for the location; and should respect adjacent development and the surrounding environment. In addition, and whilst no works to a listed building are proposed here, Saved Policy CN06 goes on to refer to new work within the curtilage or setting of a listed building and requires proposals to harmonise with the existing building and its setting; and retain a curtilage area and/or setting which is appropriate to the listed building and the relationship with its surroundings. Saved Policy TP15 requires new development proposals to comply with current parking standards.
- 3.4. Core Strategy Policies CS01 CS3, CS15 and CS17 support the presumption in favour of sustainable development at the local level and state, *inter alia*, that the rural and local economy should be supported through the encouragement of tourism and leisure-based businesses.
- 3.5. The proposal is considered to comply with the development plan and core strategy policies listed above. These policies are consistent with the aims of the NPPF. Paragraph 84 of the Framework is of relevance and offers support for sustainable rural tourism. Paragraph 202 is also relevant as it deals with less than substantial harm to the significance of a designated heritage asset.
- 3.6. The application site is within the Built-Up Area Boundary (BUAB) of Acton and is therefore considered to be situated within a sustainable location and the principle of converting the garage into a modest, one-bedroom holiday let is considered acceptable. To ensure the use is restricted to holiday accommodation only, a planning condition to this effect is recommended.
- 3.7. The key issues fall to determining the proposal's impact on the setting of the adjacent Grade II listed building, residential amenity and highway safety.

4.0. Site Access, Parking and Highway Safety Considerations

- 4.1. The proposal does not seek to alter the existing access or driveway arrangements. Whilst the proposal would displace the potential to park two cars from within the existing garage and on to the driveway, there remains adequate parking and turning space on the plot such that parking provision would remain compliant with the Suffolk Parking Standards. Parking for the holiday accommodation is proposed to the front of the garage building and, in total, four parking spaces are available for the proposal and the host dwelling.
- 4.2. The proposal would not have a detrimental impact on the existing highway and is therefore acceptable in this regard.

5.0. Design And Layout [Impact On Street Scene]

- 5.1. The garage is an existing building with an existing relationship with the host dwelling and its Grade II listed neighbour, Puddledock Garden, situated to the north. The existing layout of the site is largely unaltered by the proposal. The proposed extensions to the garage to facilitate the proposed holiday let use are, of themselves, minimal additions comprising a side dormer window, front porch addition and an increase in roof height of 0.5m. The design and appearance of the building would also be altered; cream boarding will be applied to the existing red brick facades and glazing installed in one of the garage door openings. The modest scale and form of the proposal ensures that the development retains a subservient relationship with the host dwelling and the design and materials are considered appropriate alongside the main dwelling. In this regard the development is in accordance with Saved Policy CN01.
- 5.2. The impact of the development on the existing street-scene would be negligible. The garage is largely concealed from public view due to the oblique position of the site in relation to the highway and the intervening hedgerow and tree screen, which includes a group of Silver Birch trees protected by a Tree Preservation Order.
- 5.3. The key issues in the determination of the application are the impact of the proposal on the setting of the adjacent Grade II Listed building and residential amenity.

6.0. Landscape Impact, Trees, Ecology, Biodiversity And Protected Species

- 6.1. The proposal does not affect the wider landscape and would cause no harm to biodiversity or protected species and no enhancement measures are required.

7.0. Land Contamination, Flood Risk, Drainage and Waste

- 7.1. The proposal does not give rise to any land contamination issues.
- 7.2. The site is situated within Flood Zone 1 and is therefore at low risk from flooding.
- 7.3. Waste arising from the proposal will be disposed of utilising the existing collection service.

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

- 8.1. Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires special regard to be given to the desirability of preserving listed buildings and their setting, which is of considerable weight and importance.
- 8.2. Paragraph 195 of the NPPF requires local planning authorities to identify and assess the particular significance of any heritage asset that may be affected by a proposal (including by development affecting the setting of a heritage asset) and take this assessment into account when considering the impact of a proposal on a heritage asset, to avoid or minimise conflict between the heritage asset's conservation and any aspect of the proposal.
- 8.3. Paragraph 200 states that any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification. Paragraph 202 of the NPPF states that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm

should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.

- 8.4. Saved Policy CN06 states that new work within the curtilage or setting of a listed building should, amongst other things, be of an appropriate scale, form, siting and detailed design to harmonise with the existing building and its setting. The Grade II listed Puddledock Garden is located to the north of the site and the subject garage is approximately 9 metres from its gable end, the impact of the proposal on the setting of the listed building requires assessment here.
- 8.5. The Heritage Officer has identified that the proposal will lead to a very low level of less than substantial harm and that this level of harm is due to the increased height of the garage, which would likely cause the garage/holiday-let building to become overly-dominant within the setting of the listed building and thus detract from appreciation of its significance. Paragraph 202 of the NPPF is, therefore, engaged; and the identified very low level of harm is required to be weighed against the public benefits of the proposal.
- 8.6. The Supporting Statement submitted with the application considers the benefits resulting from this proposal, as follows:
- i) The proposal will result in the employment of two people, generating direct economic and social benefits through increased employment in the local area. In turn, this will lead to increased spend in the local economy where staff will live and spend locally.
 - ii) The proposal will generate local spend through the provision of holiday accommodation in a sustainable location where access to local services and facilities is available by a range of transportation methods. Paragraph 81 of the NPPF is clear that significant weight should be placed on the need to support economic growth and productivity, taking into account both local business needs and wider opportunities for development. The weight to be given to these benefits would, thereby, outweigh the very limited harm to the heritage asset identified.
 - iii) Local B&B facilities, have now been closed for many years, meaning that there is a recognised need for such accommodation in the immediate area. The continued success of villages such as Lavenham as a tourist destination continues to provide additional need for good quality accommodation in sustainable locations such as this. The proposal would, therefore, meet an identified need in the wider area also.
 - iv) The accommodation also provides facilities for both able bodied and less able people, thereby being accessible to all. Cycling and walking will be promoted for access to all tourist attractions locally.
- 8.7. The identified “very low of less than substantial heritage harm” is as a result of the proposed increase in height of the garage roof by adding 0.5m to the existing wall plate; the profile and pitch of the existing roof remains unaltered. This level of harm has been reduced from the previous iteration (DC/20/03058 identified ‘low level’ harm), as the proposed dormer window has now been located away from Puddledock Garden and the plainness of the roofline towards the listed building has been sustained. As the heritage harm is of a ‘very low level’, the public benefit to be weighed against it needs only to be ‘low level’ to be balanced in favour of the development.
- 8.8. The public benefits identified in the application are modest economic and social benefits; namely the provision of an employment generator offering accessible holiday accommodation in a sustainable location. When balanced against the scale of any harm or loss and the significance of

the heritage asset, the public benefits are considered to outweigh the very low level of harm identified.

9.0. Impact On Residential Amenity

- 9.1. It is considered that the proposal does not impact on the amenity of neighbouring properties by reason of its scale, form or detailed design. Given the positioning and scale of the extensions, the proposal is not considered to result in any significant impact on neighbouring amenity, including loss of light, privacy, or outlook or on the wider setting of the site to warrant refusal.
- 9.2. In terms of the proposed use as a one-bed holiday let, the accommodation is modest and unlikely to generate an intensification of use that would be more apparent in the locality than the domestic use of the whole property by a single family household.
- 9.3. As there is a close physical relationship between the building and the host dwelling, it is considered appropriate to restrict the control of the operation to the occupants of the main dwelling only.

10.0. Parish Council Comments

- 10.1. The majority of matters raised by Acton Parish Council have been considered in the above report however, the following issues have also been raised:
 - The impact of the change in character should be considered if the existing roadside hedge of large conifer trees were to be removed.
 - Concern expressed about the increase in traffic along Clay Hall Lane and the difficulties of guests negotiating the poorly designed access.
 - The constraints of the site would not allow future owners an opportunity to provide a replacement garage or storage space.
- 10.2. In terms of the affect that the removal of the roadside hedge could have on the potential impact of the proposal, it is the Case Officer's assessment that the set-back position of the garage behind the front elevation of the main dwelling, the good degree of separation to the highway and the TPO protected Silver Birch trees, are cumulatively sufficient to mitigate any negative visual impact on the street scene. The impact of the proposal on the setting of the Listed building is not predicated on how well screened the development is from public view.
- 10.3. The increase in traffic along Clay Hall Lane and the suitability of the access have been assessed by the Local Highway Authority and it is considered that the development will not have a detrimental effect upon the adopted highway. Furthermore, it is anticipated that future occupiers of the holiday let will be given directions by the provider as part of the rental agreement.
- 10.4. In terms of replacement storage facilities, there is sufficient space about the building to accommodate an additional shed building, if required. A replacement garage would, however, be likely to require planning permission and should permission not be forthcoming, adequate off-street parking is retained and alternative secure storage could be achieved in a shed elsewhere.

PART FOUR – CONCLUSION

11.0. Planning Balance and Conclusion

- 11.1. The site is within the built-up area boundary of the village and is in a sustainable location for holiday-let purposes. The proposed extensions are modest additions to an existing building that do not materially impact on neighbouring amenity, the existing street-scene or highway safety. The intensity of use for holiday accommodation purposes is constrained by the limited scale of the building.
- 11.2. A very low level of less than substantial harm to a heritage asset has been identified. A balanced judgement of the scale of harm and the significance of the heritage asset has been undertaken and it is considered that the proposal delivers an economic and social public benefit, albeit modest, to outweigh the harm.
- 11.3. The application accords with relevant development plan policies and national planning guidance and there is no significant conflict with the NPPF.
- 11.4. Planning permission is recommended.

RECOMMENDATION

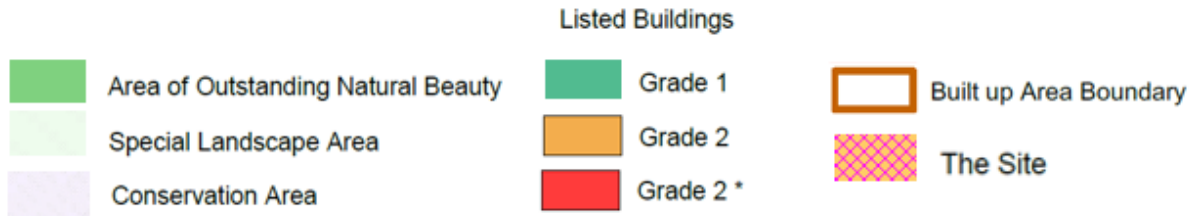
That the application is GRANTED planning permission and includes the following conditions:-

Standard time limit
Approved Plans
Holiday let occupation restriction
Holiday let operator restriction

Application No: DC/21/06913

Parish: Acton

Location: Genesis Corner, Clay Hall Lane



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