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COMMITTEE:	PLANNING COMMITTEE
DATE:	WEDNESDAY, 15 JUNE 2022 9.30 AM
VENUE:	FRINK ROOM (ELISABETH) - ENDEAVOUR HOUSE

Members		
<u>Conservative</u> Simon Barrett Peter Beer Michael Holt	<u>Independent</u> John Hinton Alastair McCraw Stephen Plumb (Chair)	<u>Green and Labour</u> Alison Owen Leigh Jamieson (Vice-Chair)
<u>Independent Conservatives</u> Mary McLaren Adrian Osborne	<u>Liberal Democrat</u> David Busby	

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

To receive declarations of disposable pecuniary interests and other registerable or non-registerable interests by Members.

3 PL/22/1 TO CONFIRM THE MINUTES OF THE MEETING HELD ON 27 APRIL 2022 5 - 10

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

5 **SITE INSPECTIONS**

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

6 **PL/22/2 PLANNING APPLICATIONS FOR DETERMINATION BY THE COMMITTEE** 11 - 14

An Addendum to Paper PL/22/2 will be circulated to Members prior to the commencement of the meeting summarising additional correspondence received since the publication of the agenda but before 12 noon on the working day before the meeting, together with any errata.

a **DC/19/00567 LAND NORTH OF, BURSTALL LANE, SPROUGHTON, IPSWICH, IP8 3DE** 15 - 132

b **DC/20/05137 LAND AT COBBOLDS FARM, IPSWICH ROAD, HADLEIGH, IP7 6BG** 133 - 160

Notes:

1. The next meeting is scheduled for Wednesday 29 June 2022 commencing at 9.30 a.m.
2. Where it is not expedient for plans and drawings of the proposals under consideration to be shown on the power point, these will be displayed in the Council Chamber prior to the meeting.
3. The Council has adopted Public Speaking Arrangements at Planning Committees, a link is provided below:

[Public Speaking Arrangements](#)

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

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

- A representative of the Parish Council in whose area the application site is located to express the views of the Parish Council;
- An objector;

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

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

Date and Time of next meeting

Please note that the next meeting is scheduled for Wednesday, 29 June 2022 at 9.30 am.

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.

132 SITE INSPECTIONS

132.1 The Case Officer presented Members with a request for a site visit regarding application number DC/20/03083, Erwarton Hall Farm Yard, The Street, Erwarton, providing Members with details of the proposal including: the location and layout of the site, and the reason for the site visit.

132.2 The Chief Planning Officer and the Case Officer responded to questions from Members on issues including: the reason for the site inspection request, any amendments to the application since the previous site inspection request, the proposed access to the site, and the layout of the site.

132.3 Members considered the representation from Councillor Davis who spoke as the Ward Member.

132.4 Members debated the site visit request on issues including: the heritage aspects of the site.

132.5 Councillor Owen proposed that a site visit be undertaken.

132.6 Councillor Beer seconded the proposal.

By a vote of 8 votes for and 1 against

It was RESOLVED:

That a site visit be undertaken in respect of application number DC/20/03083.

133 PL/21/31 PLANNING APPLICATIONS FOR DETERMINATION BY THE COMMITTEE

In accordance with the Council's arrangements for Public Speaking at Planning Committee, representations were made as detailed below relating to the items in Paper PL/21/31 and the speakers responded to questions put to them as provided for under those arrangements.

Application Number	Representations From
DC/20/03116	Ian Levett (Cockfield Parish Council) Steven Hopkins (Objector) Alan Valentine (Applicant) Councillor Clive Arthey (Ward Member)

It was RESOLVED

That subject to the imposition of conditions or reasons for refusal (whether additional or otherwise) in accordance with delegated powers under Council Minute No. 48(a) (dated 19 October 2004) decisions on the items referred to in

Paper PL/21/31 be made as follows:-

134 DC/20/03116 LAND TO THE EAST OF, SUDBURY ROAD, COCKFIELD, BURY ST EDMUNDS, SUFFOLK, IP30 0LN

134.1 Item 6A

Application Proposal	DC/20/03116 Planning Application – Erection of new workshop building with the existing access to the site from the A1141 upgraded.
Site Location	COCKFIELD – Land to the East of, Sudbury Road, Cockfield, Bury St Edmunds, Suffolk, IP30 0LN
Applicant	Firstgrade Recycling Systems Limited

134.2 The Case Officer presented the application to the Committee outlining the proposal before Members including: the previous planning applications at the site, the location and layout of the site, proposed access to the site, the proposed drainage design and landscaping plans, and the officer recommendation of refusal as detailed in the tables papers.

134.3 The Case Officer and the Chief Planning Officer responded to questions from Members on issues including: the response received from Suffolk County Council Highways, the suitability of the location for a business, alternative sites in the area, the reasons for the change in recommendation since the application was previously presented to Committee, and the previous decision made by Committee and the outcomes of the subsequent judicial review.

134.4 Members considered the representation from Ian Levett who spoke on behalf of Cockfield Parish Council.

134.5 The Parish Council representative responded to questions from Members on issues including: any consultation between the Applicant and the Parish Council, and the hours of operation at the site.

134.6 The Area Planning Manager responded to questions from Members on issues including: the action which could be taken if planning conditions were breached at an application site.

134.7 Members considered the representation from Steven Hopkins who spoke on behalf of the Objector.

134.8 The Planning Lawyer and the Objector responded to questions from Members on issues including: the outcome of the judicial review of the application previously presented to Committee, and the application of Planning Policies.

134.9 Members considered the representation from Alan Valentine who spoke as the Applicant.

134.10 The Applicant responded to questions from Members on issues including: any alternative sites considered, the plans in place for the existing operating site, the reason for the lack of consultation with the Parish Council, whether any pre-application planning advice had been sought, the design and appearance of the properties, any proposed plans for highway improvements, the potential increase in the number of vehicle movements at the site, the operating hours of the site, and the planned timescale for works to commence should planning permission be approved.

134.11 A break was taken from 10:55am until 11:14am.

134.12 Members considered the representation from Councillor Arthey who spoke as the Ward Member.

134.13 The Ward Member responded to questions from Members on issues including: how long the location had been in employment or industrial use.

134.14 The Case Officer provided clarification to Members regarding the location of the machinery storage area and the red line plan shown in the presentation.

134.15 The Case Officer responded to questions from Members on issues including: whether the location shown would be considered as agricultural land or open countryside.

134.16 Members debated the application on issues including: the principle of development, the need to support economic growth and productivity, the application of the policies within the National Planning Policy Framework,

134.17 The Chief Planning Officer provided clarification to Members regarding the application of the policies within the Local Plan and the National Planning Policy Framework.

134.18 Members continued to debate the application on issues including: the location of the site, and the suitability of the land for employment use.

134.19 Councillor McCraw proposed that the application be refused as detailed in the Officer recommendation contained in the tabled papers.

134.20 Councillor Owen seconded the proposal.

By a vote of 6 votes for, 2 against and 1 abstention.

It was RESOLVED:

That the application is REFUSED planning permission/ for the following reasons: -

The proposed employment site is unsustainably located in the countryside, outside of any Built-Up Area Boundary and outside of any allocated site for

such a use, where development such as this would not normally be approved.

At its closest point, the built-up area boundary of Cross Green is approximately 400 metres from the site, separated by agricultural fields and the ponds and moat of Cross Green Farm. There are no pedestrian or cycle routes from the site into Cross Green. Moreover, the A1141 that links the site and Cross Green is a national speed limit road that lacks any lighting. Additionally, the site's relationship with the other settlements of Cockfield is further removed, at 4.6km to Great Green, 1.8km to Windsor Green and 3km to Crowbrook. For these reasons, the site is not adjacent to or well related to the existing patterns of development for any hinterland village or core village. There is no proven local need within the proposal that is associated with Cross Green or the other settlements that make up Cockfield and any additional employment opportunities are minimal and delayed.

The proposal is, therefore, contrary to policies CS2, CS11 and CS15 and no satisfactory justification, even within the context of adopted employment policies, has been provided to depart from these policies.

The business of the meeting was concluded at 11.42 am.

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Chair

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PL/22/2

BABERGH DISTRICT COUNCIL

PLANNING COMMITTEE

15 JUNE 2022

SCHEDULE OF APPLICATIONS FOR DETERMINATION BY THE COMMITTEE

Item	Page No.	Application No.	Location	Officer
6A	15-132	DC/19/00567	Land North of, Burstall Lane, Sproughton, Ipswich, IP8 3DE	JH
6B	133-160	DC/20/05137	Land at Cobbolds Farm, Ipswich Road, Hadleigh, IP7 6BG	JME

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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Agenda Item 6a

Committee Report

Item No: 6A

Reference: DC/19/00567

Case Officer: Jo Hobbs

Ward: Sproughton & Pinewood.

Ward Member/s: Cllr Richard Hardacre. Cllr Zachary Norman.

RECOMMENDATION – GRANT PLANNING PERMISSION WITH CONDITIONS SUBJECT TO S106

Description of Development

Hybrid Application comprising: Outline Planning Application (Access to be considered) for the erection of up to 92 homes and 13 self-build/custom build plots (including provision of up to 37 affordable homes); open space, including a village wood; land for community use/ local shops/ office space; land for a village car park; land for an extension to existing village allotments; land for paddocks; land for relocated and enhanced caravan storage provision; safeguarded land for potential future relief road; new public right of way and associated infrastructure provision. Full planning application for spine road between Loraine Way and Burstall Lane (including accesses onto Burstall Lane and Loraine Way); access for proposed caravan storage area; accesses for self-build plots from Burstall Lane; and associated drainage and highway works (including formation of passing bays on Burstall Lane).

Location

Land North Of, Burstall Lane, Sproughton, Ipswich Suffolk IP8 3DE

Expiry Date: 30/09/2021

Application Type: OUT - Outline Planning Application

Applicant: Pigeon Land 2 Ltd And The Felix Thornley Cobbold Agricultural Trust

Agent: Ms S Pain, Turley Associates on behalf of Pigeon Investment Management

Parish: Sproughton

Site Area: 10.4ha

Density of Development:

Gross Density (Total Site): 10 dwellings per hectare (dph)

Net Density (Developed Site, excluding open space and SuDs): 22 dph

Details of Previous Committee / Resolutions and any member site visit: No (Video recordings of site made available to Members prior to committee meeting on 7th October 2020 and contained within Appendix 1 to this report).

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

Has the application been subject to Pre-Application Advice: Yes

DC/18/04319 – enquiry for mixed use development of 100 dwellings, B1(a) Employment, new open space/village green, public house extension and relocated allotments. Officer level advice development

could be acceptable if it met the various policy requirements relating to heritage, transport, local housing need, landscape and natural environment.

PART ONE – REASON FOR REFERENCE TO COMMITTEE

This application was previously considered by Babergh Planning Committee on 7th October 2020. Members resolved to approve the application subject to completion of a Section 106 agreement and planning conditions noted in the report and resolution/minutes to the committee meeting.

Since that resolution, officers have been working to agree a Section 106 agreement with the applicants, though with protracted negotiations on certain obligations; their terms and triggers, with officers concerned that the benefits previously proposed were potentially being diluted. The Section 106 agreement has now finally been agreed amongst all parties and to the satisfaction of officers, in accordance with Planning Committee's prior resolution, but in the intervening period there have been changes to material planning considerations that could affect the planning balance previously reported to planning committee. Officers consider the information presented to Members in October 2020 was correct, but since this date key further information has come to light that requires further consideration. Members are therefore asked to determine the application afresh.

Further to this the council has also received legal representations from a third party and on careful consideration officers are bringing this application back before Members for consideration to reduce any risks surrounding potential legal challenge to the decision the council takes on this application.

The following report sets out the matters that have changed since Members last considered this application, with the committee report appended Appendix 1, hereinafter referred to as the 'original committee report'. The Conclusion to the original committee report is revisited in full to provide an updated planning balance for this application.

At the end of this report the recommendation is to grant planning permission subject to the execution of the legal agreement which is in complete form.

PART TWO – POLICIES AND CONSULTATION SUMMARY

Summary of Relevant Policies

Babergh Core Strategy 2014:

- CS1 Applying the Presumption in favour of sustainable development in Babergh
- CS2 Settlement Pattern Policy
- CS3 Strategy for Growth and Development
- CS11 Strategy for Development for Core and Hinterland Villages
- CS12 Sustainable Design and Construction Standards
- CS13 Renewable / Low Carbon Energy
- CS14 Green Infrastructure
- CS15 Implementing Sustainable Development in Babergh
- CS17 The Rural Economy
- CS18 Mix and Types of Dwellings

- CS19 Affordable Homes
- CS21 Infrastructure Provision

Saved Policies in the Babergh Local Plan (2006):

- EN22 Light Pollution – outdoor lighting
- EM24 Retention of Employment Sites
- HS31 Public Open Space (Sites of 1.5ha and above)
- CR04 Special Landscape Areas
- CR07 Landscaping Schemes
- CR08 Hedgerows
- CN01 Design Standards
- CN04 Design and Crime Prevention
- CN06 Listed Buildings – Alteration/Extension/Change of Use
- TP15 Parking Standards – New Development
- TP16 Green Travel Plans

Supplementary Planning Documents

- Rural Development and Policy CS11 (2014)
- Affordable Housing (2014)
- Supplementary Planning Guidance on Provision of Outdoor Recreation Facilities and Open Space (2010)

Other material planning considerations

National Planning Policy Framework 2021

Babergh and Mid Suffolk Joint Local Plan – Pre-Submission (Reg 19) Document (November 2020)

Suffolk County Council Adopted Parking Standards
Suffolk County Council Minerals and Waste Local Plan (202) – Policy MP10

Sproughton Action Plan 2010 (n.b. this does not form part of the development plan but is considered to be a material consideration)

Neighbourhood Plan Status

An area has been designated for Sproughton Neighbourhood Development Plan in April 2020, and a Regulation 14 Pre-submission Consultation held from October to November 2021. This holds limited weight at present due to its early stage of preparation in line with paragraph 48 of the NPPF.

Consultations and Representations

There have only been two updates to consultation responses to those in the original committee report (Appendix 1) when Members last considered the application, which are as follows:

Natural England – confirm no objection to Habitats Regulations Assessment provided to them by the council subject to securing identified mitigation measures.

Babergh Mid Suffolk District Councils Heritage Officer:

As reported in the Tabled Papers for this application (Appendix 2) further discussion with the Council's Heritage Officer has noted there is potential to reduce the level of heritage harm to both the Grindle House and the listed buildings within the historic core of the village, subject to further details being provided. The harm to the significance of the Grindle House could reduce from a medium level of less than substantial harm if the planting of the community woodland provides a sufficiently mature tree belt. Also the harm to the significance of the setting of the heritage assets in the historic core could reduce further to no harm with detailed plans of building heights which can only be secured at the reserved matters stage. Members are advised to note the worst case scenario in their planning balance in relation to heritage harm, but officers would like to note the potential for this harm to be reduced.

B: Representations

No further representations have been received since the original committee report was considered by Members at Planning Committee to those noted in the Tabled Papers (Appendix 2). For ease of reference they were:

- For the interests of clarity, light pollution and loss of dark skies have been raised as issues in letters of representation. The scale and predominantly residential nature of the development will not lead to light pollution to an unacceptable level. A condition to restrict light pollution through a wildlife sensitive lighting scheme is included in the conditions in the committee report. Loss of property value has also been raised. However this is not a material planning consideration in itself. Other matters that may lead to a perceived loss of value such as residential amenity (outlook, privacy) have already been addressed in this report.
- As an update to the number of representations received, over 330 representations have now been received but all issues raised are covered in the committee report.

PLANNING HISTORY

No changes to the planning history of the site, but it should be noted the following appeal was considered and dismissed by the Planning Inspectorate on an adjacent site:

REF: DC/18/02010	Land On The East Side Of Bramford Road, Sproughton - Full Planning Application. Residential development of 49 dwellings with new vehicular access from Bramford Road (B1113), associated parking, landscaping and open space.	DECISION: Appeal APP/D3505/W/20/3256969 (by Hopkins Homes) dismissed 22 nd December 2020.
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PART THREE – ASSESSMENT OF APPLICATION

1. The Site and the Proposal

For the avoidance of any doubt, the site and proposal remain as previously reported in Appendix 1 to this report.

2. Assessment of Proposal

2.1 The previous assessment of the development is set out in the original committee report in Appendix 1. Since this assessment was made, the following matters have changed requiring further review:

- 1) Current progress of the Joint Local Plan
- 2) Current progress of the Sproughton Neighbourhood Plan
- 3) An assessment of local housing need
- 4) Changes to the National Planning Policy Framework in July 2021
- 5) The Council's current Housing Land Supply Position Statement
- 6) Other small-scale permissions granted in the locality
- 7) Further representation submitted

These matters will be reviewed in turn, and the Planning Balance/Conclusion to the committee report reviewed accordingly.

The emerging Joint Local Plan

2.2 The council's emerging Joint Local Plan was considered in paras 10.1 to 10.3 of the original committee report (Appendix 1). Members were advised that the document gave Members an indication of the direction of travel as to how to meet the council's housing requirements in the most sustainable way, identifying that this site was included as a potential allocation. Members were also advised in the planning balance that this was a matter of limited but nonetheless positive weight. The examination of the JLP has progressed, with an Exploratory Meeting with the Planning Inspectorate on 16th December 2021 considering progressing with the plan in two parts. Part 1 would set the housing requirement for the districts and provide an up-to-date development plan, but specific sites would be allocated in Part 2.

2.3 The progress of the JLP examination is not considered to alter the recommendation to Members in itself as they were advised to only place limited weight on the plan at the time of planning committee in October 2020. However, paragraph 12.6 of the original committee report must be revisited in that it noted that inclusion of this site as an emerging site allocation was 'a positive'. For the avoidance of doubt Members are advised to place no determinative weight on the site inclusion in the submission version of the JLP, particularly given the consideration of site allocations now in Part 2 of the plan. The starting point for the determination of the application remains the current development plan, in accordance with the S38(6) duty under the Planning and Compulsory Purchase Act 2006, and material planning considerations including the NPPF.

Sproughton Neighbourhood Plan

2.4 Progress has been made on the emerging Sproughton Neighbourhood Plan. A Regulation 14 Pre-submission consultation was held on the draft Sproughton Neighbourhood Plan from October to November 2021. This draft plan did include this application site under policy SPTN 1 through an

extension to the settlement boundary, though in effect did so on account of the progress of the JLP and the resolution to grant the current application. At present this plan is at an early stage of preparation and so plays no determinative role in the decision making process for this application.

Local Housing Need

2.5 Members were advised in paras 3.45 to 3.54 in the original committee report that officers did not consider a local housing need had been adequately proven through supporting information to this application.

2.6 Specifically paragraphs 3.50 to 3.52 set out how officers did not agree with the approach the applicants had taken in their local housing needs assessment submitted with this application. Officers considered that Sproughton was a Hinterland village that should not be considered within the “Ipswich functional cluster”, in line with its position in the settlement hierarchy of the current Core Strategy and not any emerging position in the emerging JLP. Sproughton was only required to consider the housing need of the village. Finally also officers consider that the projected, deliverable supply of dwellings for the village was not taken into account against the need.

2.7 Since the original committee report was considered by Members, an appeal has been determined for proposed residential development on the neighbouring site to the east side of the B1113 referred to by the applicants Hopkins Homes as ‘Land to the east side of Bramford Road’. The appeal public inquiry was held in early December 2020 and decision received 22nd December 2020 where the appeal was dismissed.

2.8 Local housing need was a matter that was discussed through that public inquiry. This information was not available at the time Members considered the original committee report in October 2020, but the evidence presented by the Council does update the understand on local housing need for Sproughton.

2.9 Despite the Council’s detailed evidence indicating that there was no existing local housing need in the village, the local housing need for the Hinterland Village of Sproughton was subsequently established by the Inspector as being 25 dwellings. This is a change in position to that previously reported to Members in the original committee report. Previously Members were advised that the applicants had not demonstrated local housing need which was a conflict with policy CS11, with officers adopting a precautionary stance. It can now be ascertained that the proposed development would in a strict sense address the identified local housing need, but with 105 dwellings being far in excess of the 25 dwellings required. There still remains conflict with CS11 in this regard because it cannot be said that local needs have been satisfactorily addressed and where in accordance with the NPPF it cannot be said that the application responds to local circumstances or need. What little need that does exist would be met multiple times over. For the avoidance of any doubt, this is a change to the assessment in the original committee report, where officers now consider the conflict to be more significant and that the application plainly conflicts with policy CS11 in that regard and this must weight against the proposal.

Changes to the National Planning Policy Framework 2021

2.10 The National Planning Policy Framework was revised in July 2021. The original committee report refers to the original paragraph numbers, but for the sake of expediency and transparency of the issues the amendment raise, the only substantive change to the NPPF that requires further consideration are revisions to current paras 161 to 163 of the NPPF. The site is within Flood Zone 1 in relation to fluvial

(river) flooding. However the site is within a low risk of surface water flooding /pluvial flooding within the site, both 1 in 30 year and 1 in 100 year. Whilst this risk was assessed and suitably mitigated through fixing of parameters at this outline stage and through planning condition, the NPPF revisions in July placed an extra duty on the council. Any site with flood increased flood risk would be required to go through the sequential and exception tests. Previously this would only have been applicable to this site in relation to fluvial flooding, but now pluvial flooding also triggers this requirement. In undertaking the sequential test, it should be considered if this quantum of development could be delivered at other sites in areas of lower flood risk that have planning consent that have not yet commenced construction. Whilst a detailed sequential test of all available sites has not been undertaken (therefore concluding the site does not pass the sequential test), it is considered that with the proposed surface water mitigation measures secured by condition this technical breach of this policy requirement is not fatal to this application as risks from surface water flooding can be adequately mitigated. Whilst there is an existing flood risk on site, the risk to people and property would be adequately mitigated and a suitable suite of mitigation measures have been identified and secured through condition in line with para 167 of the NPPF. More to the point, triggering the sequential test would not have altered officers recommendation to Members of planning committee (as considered in paras 6.1 and 6.2 of the committee report) or the parameters and planning conditions secured to adequately address surface water flooding on site.

2.11 All other matters relating to changes in the NPPF do not materially affect the recommendation presented to Members, with other changes relating to ensuring good pedestrian/cycle connectivity, beautiful design and noting the importance of incorporating trees for example can be achieved through the parameter plans and recommended planning conditions.

Housing Land Supply Position 2022

2.12 The publication of the council's latest housing land supply position statement in February 2022 identified the figure of 6.86 year supply for Babergh. With this supply of housing, while a greater level of supply is anticipated than was the case in October 2020 (when this application was considered by Committee), it is still 5+ years and the weighting to be afforded to the provision of housing remains largely the same.

Other small-scale permission granted within the locality

2.13 Considerations has been given to any small-scale permissions granted within the locality and particularly the parishes of Sproughton, Bramford and Great Blakenham, in particular for any impact on cumulative impacts assessment. Given the minor nature of any such applications, officers are satisfied that in direct or cumulative terms (both in planning terms and environmental impact assessment terms as set out in the updated attached screening opinion) they do not materially affect the assessments underpinning the decision to grant permission for this development and nor would this development prevent the delivery of those other permissions. Any other developments permitted do not materially change the assessment made for this application or mitigation required, or outcome of screening opinion which has been revisited prior to any decision being issued.

Further representation received since the original committee report

2.14 Further representations received since the application was considered at planning committee include only the additional response from Natural England and the further comment from the council's Heritage Officer. Natural England responded on 13th October 2020 to confirm they concurred with the

council's Habitats Regulations Assessment that the development would not result in adverse effects on the integrity of any protected sites identified in that assessment.

2.15 The council's Heritage Officer sought to clarify their comments, but this does not change the level of harm to heritage assets as reported to Members. For the avoidance of any doubt however as to how the heritage assets have been assessed, a brief summary of that assessment is repeated here. Paragraphs 3.27 to 3.38 of the original committee report consider the impact to the identified heritage assets. Paragraph 3.29 identifies the heritage assets in the vicinity of the development, and paragraph 3.30 identifies the heritage assets that are considered to be affected by the proposed development.

2.16 To expand on how the judgement of the level of harm was identified, the significance of the Grindle House (Grade II), the significance of the group of historic buildings in the village core (including Sproughton Mill and Mill House (both Grade II), Church of All Saints (Grade II*) Sproughton Hall and barns (Grade II) and the Tithe Barn (Grade II)) and the significance of the Wild Man Public House (Grade II) were first considered.

2.17 The Grindle House sits in a relatively undeveloped setting on The Grindle, with an agrarian surrounding to the south where the proposed development would be located. The relationship of this building to the surrounding landscape could be considered to form part of its significance. although evidence has not been provided by the applicant to demonstrate any functional link of this building to the land on the application site. The group of historic buildings in the village core are at some distance from the proposed development site, but historically they have been located close to open, undeveloped open countryside that forms the application site which is considered to form part of their significance. The significance of the Wild Man Public House is considered to relate to its function as a public house on the road network, and so to a large degree the proposed development site is not considered to relate to or form part of the significance of this asset.

2.18 Clearly the development would have an affect on both The Grindle House and the historic buildings in the village core, as the application site contributes to the significance of these assets. The development would lead to an effect as set out in paragraph 3.30 of the original committee report, repeated here for ease:

“3.30 In the Heritage officer's consultation responses it is ultimately concluded that the outline application proposal poses no harm to any heritage assets. However the detailed aspect of the application could result in a low to medium level of less than substantial harm to the significance of the Grindle House and a low level of less than substantial harm to the significance of the group of historic buildings in the village core identified above. In relation to the Wild Man public house it is considered with the submitted parameter plans the development could be designed to have no harm to the significance of this listed building.”

2.19 The harms were considered further in paragraphs 3.31 to 3.37 of the committee report, and the level of less than substantial harm identified balanced against the public benefits in the Conclusion to the report.

Ecology and protected species

2.20 Given the significant length of time between the committee resolution in October 2020 until now, the previous protected species surveys carried out at the site could be out of date. As a result a further survey through a site walkover should be carried out to ensure there have been no changes. In the absence of any further report(s) officers are minded to recommend they be carried out and are duly reflected in the recommendation below.

2.21 The Conclusion of the original committee report is now revisited with all the above further information considered.

PART FOUR – CONCLUSION

12. Planning Balance and Conclusion

12.1 The Council benefits from a five-year housing land supply. The tilted balance at paragraph 11(d) of the NPPF is not engaged in that respect.

12.2 The site is outside the settlement boundary and therefore conflicts with Policy CS2. As a policy of vital importance underpinning the spatial strategy of the Council, where the circumstances of this application are not exceptional and in the absence of a proven justifiable need, the development is considered to conflict with the development plan as a whole (notwithstanding an additional conflict with policy CS11 in relation to local housing need, and tension noted in respect of policy CR04). The direction of the development plan would therefore be to refuse to grant planning permission as the starting point in this decision. It is then important to consider whether other material considerations indicate that a decision other than in accordance with the development plan should be made.

12.3 Policy CS2 carries reduced statutory weight because of the age of the settlement boundaries and its inconsistency with the NPPF, although the overall settlement pattern strategy remains sound. Bearing in mind the relationship between the site and the settlement of Sproughton as a Hinterland Village, the underlying aims of policy CS2 are broadly met. Policies CS1, CS11 and CS15 are attached full statutory weight given their strong alignment with the NPPF in terms of this proposal. Therefore for the purposes of paragraph 11(d) the policies most important for determining the application as a whole are considered to be up-to-date. Whilst CS2 carries some reduced statutory weight, as a complement of policies they are not considered to be out-of-date and paragraph 11(d) is not engaged in that respect either.

12.4 Although the site is located outside the main part of Sproughton, it is on the edge of the village, close to other development. Policy CS11 contemplates development at such edge-of-village locations albeit subject to satisfying local needs among other things. The land is in a sustainable location, with pedestrian connectivity. The proposal would not be physically, visually or functionally isolated. The site's sustainable location is a scheme positive.

12.5 There are a notable number of benefits from the proposed development, many of which the applicant has provided following engagement with Sproughton Parish Council and local residents. These are, of varying significance:

- contribution of up to 68 market dwellings to housing supply (excluding the proposed self-build/custom build plots)
- provision of 13 self-build/custom-build plots where there identified demand from the council's self-build/custom build register
- provision of up to 37 affordable dwellings
- extension to existing allotments

- land for employment and community uses, although weight must be tempered on the basis of no end occupiers being identified at present for these uses
- new route for vehicular traffic to/from Burstall Lane to provide alternative junction of Loraine Way/Burstall Lane
- the provision of passing bays on Burstall Lane
- the provision of a bus shelter on Loraine Way
- traffic calming measures along Burstall Lane and improvements to the Burstall Lane/High Street junction
- provision of village gateway features and the promotion of a Traffic Regulation Order for the change in speed limit and weight limit extension
- new public open space, new public right of way between Loraine Way and the existing footpath SP9 with footpath and cycle path links through the site
- a community woodland
- village car park
- net gain for biodiversity
- highway mitigation measures of;
 - o B1113 - New zebra crossing north of Wild Man PH access
 - o B1113/Burstall Lane/Lower Street Junction – Reduce kerb radii and install uncontrolled crossing points
 - o A1071/B1113 Beagle Roundabout – Widening of approach lanes to roundabout
 - o Footway between Sproughton and Bramford – Cycle link on Loraine Way

12.6 The delivery of this quantum of housing, including self-build and a policy compliant level of affordable housing, the significant public open space including allotment extension, community woodland and creation of new public right of way are all considered to be benefits to this scheme. While there is no need within the village for the amount of units proposed (hence clear conflicts with policies CS2 and CS11), the role that the village can play within its wider cluster and the district has been considered. Therefore, while the Council can presently demonstrate a five-year HLS, the provision of 105 new dwellings is still a weighty consideration. The site itself was previously identified as playing a role in the future needs of the district within the emerging Joint Local Plan. But this is now of no determinative weight due to the recent updates in the examination process.

12.7 Those other matters which weigh against the application must also be considered. These include:

- Potential loss of Best and Most Versatile Agricultural land, although Grade 3 land
- Moderate to slight adverse landscape and visual effects, although reducing over time as landscaping matures
- Low to medium less than substantial harm (as a worst case scenario)

12.8 The proposal has the potential to result in a low to medium level of less than substantial harm to the setting of the neighbouring Grade II listed building the Grindle House and a low level of less than substantial harm to the listed buildings in the historic village core as set out above. This potential harm to the significance of a designated heritage asset is a disbenefit of the scheme which needs to be treated with the utmost importance in light of the statutory duties imposed by the listed buildings Act.

12.9 Full consideration has been given to the comments received from the Heritage Team. The level of harm to the above Grade II listed heritage assets is noted to be a low to medium level of less than substantial harm.

12.10 Paragraph 197 of the NPPF states that in determining planning applications, local planning authorities should take account of:

- the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;
- the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and
- the desirability of new development making a positive contribution to local character and distinctiveness.

12.11 Further to this paragraph 199 of the NPPF identifies “when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset’s conservation.” It continues to identify that “This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.”

12.12 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. In consideration of the contribution towards the Council’s housing targets, provision of affordable housing, employment uses/community space, village car park, open spaces including a community woodland, extension to allotments, creation of an additional public right of way, highway improvements and biodiversity net gain, it is considered that these public benefits would nonetheless outweigh the low to medium level of less than substantial harm to the significance of the heritage assets, even where a considerable importance and great weight is applied to the desire to keep the affected assets from harm and whether weighed individually by asset, or cumulatively. Even where the 202 test is satisfied, if a low to medium level of harm was identified it is still important and must still be weighed in the final balance.

12.13 The starting point for decision-taking purposes remains the development plan with the National Planning Policy Framework a material consideration in this decision. The policies of the Core Strategy generally conform with the aims of the Framework to promote sustainable transport through walking, cycling and public transport by actively managing patterns of growth in support of this, whereby significant development should be focused on locations which are or can be made sustainable, through limiting the need to travel and offering a genuine choice of transport modes.

12.14 However, the Framework objectives for sustainable development include delivering a sufficient supply of homes. The council can demonstrate at least the five-year housing land supply required by paragraph 74 of the Framework. Therefore, there are not the grounds on which to find policies as out of date in respect of housing supply and so it is not necessary to apply the ‘tilted balance’ of Framework paragraph 11 in that respect.

12.15 Nevertheless, meeting the requirements of paragraph 74 is not intended as a ceiling on further housing, where the Framework continues to support Government’s objective to significantly boost the supply of homes under paragraph 60 of the NPPF. The location is considered to be a sustainable location with some services provided within the village and good connections to Ipswich reducing the need to travel by private car. While the Applicant has not evidenced a local need for the development in accordance with policies CS2 and CS11, and would in fact bearing in mind the outcome of the Hopkins Home appeal surpass the little need that exists in the village multiple times over thereby failing to respect local circumstances, the benefits to flow from the delivery of 105 new dwellings are still weighty.

12.16 Although there would be harm through this proposal running contrary to the adopted settlement strategy of the Core Strategy, this would be off-set by the national policy considerations set out above.

12.17 As identified above in the report, the development would result in an impact on the landscape character and to visual receptors to the site. However, the landscape harms identified would reduce to slight adverse effect with mitigatory planting in the longer term. The extent of these harms must also be

noted, and that they do not occur over a significantly large area within the wider landscape. There would not be significant harm to the Special Landscape Area either. The site is physically very well related to the body of the village. Whilst the proposal will have an urbanising effect, the development will not appear isolated in a landscape sense (and paragraph 80 of the NPPF is not engaged). The development scale will not overwhelm the village given its size and sufficient provision can be made for required infrastructure.

12.18 The proposal would result in the development of 105 new dwellings, which would add to the local housing stock and offer meaningful support for the local services in the village, both during construction and following occupation of the development. Consequently, the proposal would have social and economic benefits that, given the scale of development proposed, which would be significant. These benefits are afforded more than moderate weight given the level of contribution towards the aim of achieving sustainable development. They weigh clearly in favour of the scheme.

12.19 Having regard to the comments of the highway authority, it is concluded that the proposal would not be detrimental to highway safety. Residential amenity of neighbours is safeguarded to an acceptable level and a high standard of amenity will be provided for future occupants of the development. Finally the development would enable a net gain for biodiversity compared to the existing value of the site for protected species. These are scheme positives (subject to satisfactory revised ecology surveys as outlined above and reflected below in the recommendation).

12.20 Therefore, it is considered the above merits of the scheme and compliance with policy CS15, including the accessible location of the housing and its contribution to boost housing supply, when balanced against the identified heritage harm, limited harm to the wider landscape and loss of agricultural land, would represent sustainable development and when considered as a whole would meet the requirements of policy CS15 and all other relevant local plan policies outlined above. The conflict with policy CS2 (and CS11 in so far as a lack of a local housing need) on the location of this development is noted and has been weighed accordingly. Matters relating to landscape and heritage harm and local housing need have been considered, but for the reasons identified in the above report these matters are considered not to be fatal to the application, and the proposal is considered to comply with the majority of criteria under policy CS11. Furthermore the benefits are considered to be significant and compelling in the overall planning balance.

12.21 The comments of Sproughton Parish Council and the significant number of objections to the scheme are noted. However the scheme must be assessed against the development plan and relevant material considerations, as it has done in the above report. The proposal is considered to represent a sustainably located site for new residential development and would provide the opportunity to deliver well designed, sustainable development with tangible benefits in relation to a community woodland and public open space, furthering the overarching thrust of policies CS1 and CS15 of the Core Strategy and providing for net gains to the three objectives of sustainability in accordance with the NPPF (which notwithstanding the development plan is a compelling material consideration). The application is therefore, and on a fine balance, recommended for approval because, although not in compliance with the development plan as a whole, other material considerations indicate that permission should be granted despite the harms identified and this is considered to be the appropriate outcome.

RECOMMENDATION

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

(1) Subject to the prior agreement of a Section 106 Planning Obligation on appropriate terms to the satisfaction of the Chief Planning Officer as summarised below and those as may be deemed necessary by the Chief Planning Officer to secure:

- Affordable housing – no less than 35% of total scheme
 - Properties shall be built to current Housing Standards Technical requirements March 2015 Level 1. All ground floor 1 bed flats to be fitted with level access showers, not baths.
 - The council is granted 100% nomination rights to all the affordable units on initial lets and 75% on subsequent lets
 - All affordable units to be transferred freehold to one of the Councils preferred Registered providers.
 - Adequate parking provision is made for the affordable housing units including cycle storage for all units.
 - Commuted sum option available to be paid instead of on site provision should the LPA agree to such request.
- Provision of at least 10 bungalows across different dwelling tenures
- Marketing of self-build plots to households on the council's Self-Build/Custom Build Register
- On site open space and play space and include management of the space to be agreed and requirement for public access at all times.
- Community woodland
- Extension to allotments
- Village car park
- Skylark mitigation area
- RAMS contribution (£121.89 per dwelling)
- Highway improvement works contributions to include:
 - Traffic regulation orders – to extend 30mph limit and moving of weight limit
 - B1113 - New zebra crossing north of Wild Man PH access
 - B1113/Burstall Lane/Lower Street Junction – Reduce kerb radii and install uncontrolled crossing points
 - A1071/B1113 Beagle Roundabout – Widening of approach lanes to roundabout
 - Footway between Sproughton and Bramford – Cycle link on Loraine Way
- Contribution to facilitate extension of 30mph speed limit and move weight limit
- Travel Plan monitoring fee
- Works to Footpath 9

(2) That the Chief Planning Officer be authorised to APPROVE Planning Permission upon provision of further satisfactory ecological surveys raising no new matters not already taken account of and completion of the legal agreement subject to conditions as summarised below and those as may be deemed necessary by the Chief Planning Officer:

- Reduced time limit for new homes, standard time limit for non-residential uses
- Approved Plans (Plans submitted that form this application) including broad compliance with indicative parameters plan
- Approval of reserved matters
- Phasing Condition (To allow phasing of the development and allows spreading of payments under CIL)

- Landscape; Advance planting, landscape management plan, soft and hard landscaping plan
- Ecology: Mitigation and enhancement measures, biodiversity enhancement strategy, landscape and ecological management plan, wildlife sensitive lighting.
- Tree method statement and protection plan
- Highways; details of spine road and highway mitigation at Burstall Lane, details of highway mitigation at B1113/Lower Street junction, village gateway signs, visibility splays, estate road construction, car parking/electrical vehicle charging/cycle storage details, refuse/recycling bins, construction management plan.
- Fire hydrants
- Surface water drainage
- Mineral safeguarding
- Archaeology
- Land contamination – further investigation and unknown contamination
- Market housing mix to be agreed prior to or concurrent with reserved matters to ensure proportion of 2/3 bedrooms dwellings secured in line with most recent housing market needs evidence
- Up to two storey development only
- Sustainability and energy strategy
- Level access to enable wheelchair access for all dwellings/buildings.
- Broadband service ducting
- Construction method statement, no burning of waste, restriction on hours of use and deliveries for class E and D2 uses
- Noise from any plant, equipment or machinery on non-residential uses
- Travel Plan

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

- Proactive working statement
- SCC Highways notes
- Anglian Water notes
- Lead Local Flood Authority notes

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

Appendix 1 – Committee report for DC/19/00567 from Babergh Planning Committee 7th October 2020

Appendix 2 – Tabled Papers presented at committee meeting on 7th October 2020

Appendix 3 – Minutes to Babergh Planning Committee meeting 7th October 2020

**Appendix 1 – Committee report for DC/19/00567 from Babergh
Planning Committee 7th October 2020**

Agenda Item 6a

Committee Report

Item 6A

Reference: DC/19/00567

Case Officer: Jo Hobbs

Ward: Sproughton & Pinewood.

Ward Member/s: Cllr Richard Hardacre. Cllr Zachary Norman.

RECOMMENDATION – GRANT PLANNING PERMISSION WITH CONDITIONS SUBJECT TO S106

Description of Development

Hybrid Application comprising: Outline Planning Application (Access to be considered) for the erection of up to 92 homes and 13 self-build/custom build plots (including provision of up to 37 affordable homes); open space, including a village wood; land for community use/ local shops/ office space; land for a village car park; land for an extension to existing village allotments; land for paddocks; land for relocated and enhanced caravan storage provision; safeguarded land for potential future relief road; new public right of way and associated infrastructure provision. Full planning application for spine road between Loraine Way and Burstall Lane (including accesses onto Burstall Lane and Loraine Way); access for proposed caravan storage area; accesses for self-build plots from Burstall Lane; and associated drainage and highway works (including formation of passing bays on Burstall Lane).

Location

Land North Of, Burstall Lane, Sproughton, Ipswich Suffolk IP8 3DE

Expiry Date: 30/10/2020

Application Type: OUT - Outline Planning Application

Applicant: Pigeon Land 2 Ltd And The Felix Thornley Cobbold Agricultural Trust

Agent: Ms S Pain, Turley Associates on behalf of Pigeon Investment Management

Parish: Sproughton

Site Area: 10.4ha

Density of Development:

Gross Density (Total Site): 10 dwellings per hectare (dph)

Net Density (Developed Site, excluding open space and SuDs): 22 dph

Details of Previous Committee / Resolutions and any member site visit: No (Video recordings of site made available to Members prior to committee meeting).

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

Has the application been subject to Pre-Application Advice: Yes

DC/18/04319 – enquiry for mixed use development of 100 dwellings, B1(a) Employment, new open space/village green, public house extension and relocated allotments. Officer level advice development

could be acceptable if it met the various policy requirements relating to heritage, transport, local housing need, landscape and natural environment.

PART ONE – REASON FOR REFERENCE TO COMMITTEE

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

It is a “Major” application for:

- a residential development of 15 or more dwellings

PART TWO – POLICIES AND CONSULTATION SUMMARY

Summary of Relevant Policies

Babergh Core Strategy 2014:

- CS1 Applying the Presumption in favour of sustainable development in Babergh
- CS2 Settlement Pattern Policy
- CS3 Strategy for Growth and Development
- CS11 Strategy for Development for Core and Hinterland Villages
- CS12 Sustainable Design and Construction Standards
- CS13 Renewable / Low Carbon Energy
- CS14 Green Infrastructure
- CS15 Implementing Sustainable Development in Babergh
- CS17 The Rural Economy
- CS18 Mix and Types of Dwellings
- CS19 Affordable Homes
- CS21 Infrastructure Provision

Saved Policies in the Babergh Local Plan (2006):

- EN22 Light Pollution – outdoor lighting
- EM24 Retention of Employment Sites
- HS31 Public Open Space (Sites of 1.5ha and above)
- CR04 Special Landscape Areas
- CR07 Landscaping Schemes
- CR08 Hedgerows
- CN01 Design Standards
- CN04 Design and Crime Prevention
- CN06 Listed Buildings – Alteration/Extension/Change of Use
- TP15 Parking Standards – New Development
- TP16 Green Travel Plans

Supplementary Planning Documents

- Rural Development and Policy CS11 (2014)
- Affordable Housing (2014)
- Supplementary Planning Guidance on Provision of Outdoor Recreation Facilities and Open Space (2010)

Other material planning considerations

National Planning Policy Framework 2019

Emerging Joint Local Plan – Preferred Options (Regulation 18) Consultation (July 2019)

Suffolk County Council Adopted Parking Standards

Suffolk County Council Minerals Core Strategy 2008 – Policy 5

Suffolk County Council Emerging Minerals and Waste Local Plan (2018) – Policy MP10

Sproughton Action Plan 2010 (n.b. this does not form part of the development plan but is considered to be a material consideration)

Neighbourhood Plan Status

An area has been designated for Sproughton Neighbourhood Development Plan in April 2020, but this holds no weight at present due to its early stage of preparation in line with paragraph 48 of the NPPF.

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

Members are directed to read and consider all consultation response/public representations received in full when determining this application.

Ward Councillors and Town/Parish Council

Cllr Zac Norman

Objection

Raise objection on the basis of conflict with policies including Core Strategy policies CS2, CS11 and CS15, Emerging Joint Local Plan policies LP16, LP30, LP01, LP18 and SP08, and NPPF paragraphs 196 and 127.

Issues include:

- Spine road would not help existing traffic issues (including traffic from A12/A14 and issues surrounding Copdock Interchange)
- Existing traffic through High Street leads to vehicle damage, highway safety issues and loss of amenity for residents, particularly when traffic from A14 is diverted through village
- Traffic speeds on Loraine Way and existing volume of traffic
- Loss of green space and wildlife habitat for the village already subject to developments
- Lack of sustainable transport – bus service reduction, walking and cycling not safe
- Community feedback to Emerging Neighbourhood Plan indicated opposition to development of this site, due to loss of green fields, wildlife, traffic and road safety concerns.

- Parish has delivered at least 505 dwellings when community only identified need for 50-110 dwellings, large amount of district's housing need being delivered in Sproughton.
- Community do not want to see heritage assets impacted by development, or merging of village with Burstall
- Development of this site would not align with (emerging) Sproughton Neighbourhood Plan
- Cumulative impacts of all development cataclysmic including infrastructure, traffic, landscape, listed buildings and local environment
- Housing need survey carried out by parish showed need for 92 dwellings, already met by existing consents in parish.
- Air quality and noise from traffic on High Street and Lower Street
- No infrastructure such as doctors, dentists or other public services, residents rely on cars to reach these services
- Community is not being given time to adjust to huge increase in population, cumulative impact to roads, schools, local environment and public services
- Development would adversely affect setting of listed buildings, Special Landscape Area and view of countryside
- Sewerage system flooding problems at present
- Allotment extension not needed, current vacancies
- No public benefit to the village, does not meet requirement of para 196 of NPPF in terms of heritage impact of para 127 in terms of well-designed places.
- Applicants should promote agriculture given their Trust's objectives
- Sproughton Neighbourhood Plan does have site allocations

Sproughton Parish Council

Object

- Feedback received to first neighbourhood plan exhibition shows overwhelming objection to this proposal
- Other more suitable sites identified in neighbourhood plan call for sites
- Urbanisation and absorption of Sproughton into Ipswich
- Acknowledge applicants have sought to address concerns of parish council
- No evidence of local housing need, Sproughton has delivered significant development already
- Impact on heritage assets, including the Wild Man pub
- Traffic cumulative impact with other permitted development (including SnOasis) will worsen traffic situation on Burstall Lane and through historic village core, affecting historic buildings
- Air pollution from traffic leads to one of the most polluted junctions in district (Lower Street/B1113)
- Increased noise from traffic
- Do not accept traffic counts, as traffic at standstill at peak times reducing the count
- Cumulative impact of development permitted in Sproughton and along Gipping Valley/A14, no coordinated approach
- The site forms a wider area of landscape and historic importance which must be preserved, valley sides must be protected from development and Special Landscape Area must be improved.
- Proposals do not respect landscape character type, and destroys the historically recognised best quality farmland (Grade 2 and 3 agricultural land) and relationship with historic buildings around the site.
- Caravan site being moved should be further screened to minimise its impact
- Site currently forms dark sky background, development would introduce lighting leading to this disappearing
- Historic and traditional village boundary will be lost
- Landscape impact will not be a limited effect
- Coalescence with Bramford
- Impossible to introduce a housing estate on the edge of the village without adversely affecting the historic visual, heritage and landscape interactions that exist now.

- Not just impact on two nearby Grade II listed buildings, also other listed buildings on valley sides and surroundings
- Do not consider there to be public benefits
- Inadequate sewerage infrastructure, incidences of flooding in village and frequent odours near sewage pumping station on Church Lane.
- Outside settlement boundary
- Development will add to demands on infrastructure
- Development will not relate well to existing community, northern historic edge to village is clear
- Proposals are coming forward in advance of the Joint Local Plan
- Site will cut across existing wildlife corridors from River Gipping to wider valley, need to wildlife tunnels under B1113 to maintain connections
- Inadequate surveys and mitigation for bats, Dormice, Brown Hare and Stag Beetles
- Environmental Impact Assessment Screening Opinion inadequate
- Inadequate doctor's surgery capacities or school places at Sroughton Primary School
- Inadequate infrastructure for number of applications coming forward in area
- If the committee are minded to approved would like to transfer ownership of allotments to parish, and green space, village car park and community facilities.
- Request conditions to restrict growth to west of application site, to transfer ownership of above to parish, clear funding to build the village car park, further traffic surveys and foul water issues arising post development to be rectified by developer.

In summary parish request a plan led approach is taken to development to deal with cumulative impact on infrastructure. The parish is working on a neighbourhood plan with more sustainable development sites, and this application should not be determined until the neighbourhood plan is complete. Sroughton Parish Council strongly recommends that the committee refuse the application.

Burstall Parish Council

Object on the following grounds:

- landscape impact on Special Landscape Area;
- loss of agricultural land;
- development outside settlement boundary;
- noise and light pollution;
- impact on sewage infrastructure;
- traffic impacts in particular the cumulative impact with committed and planned development including Wolsey Grange, the proposed spine road will not sustain existing and new volumes of traffic and HGVs. No apparent consideration has been afforded to residential on street parking - reference should be made to the impact of traffic and pedestrian safety to residents of Jovian Way, Ipswich, a similar development as to this proposal;
- Adverse effect on character of village scene;
- Conflict with policy CS11 – impact on landscape and environmental impact on greenfield rural site will be immense, site outside settlement boundary, locally identified housing and employment needs met by development on Church Lane, Wolsey Grange and commercial development at former sugar beet site;
- Conflict with policy CS15 – proposal does not reflect historical local character as it is modern in design. Self-build units are in isolation and no cohesive with the development;
- Strategic Allocation Babergh Ipswich fringe CS7 meets development requirements;
- Loss of local identity and creeping coalescence;
- Suburbanising effect of development contravenes Government Planning Policy Statement 1;
- Conflict with CS14 – does not meet the protection needs of the rural setting and the existing animal corridors.

Chattisham and Hintlesham Parish Council

Objects on following grounds:

- Scale and layout;
- Lack of defined housing need;
- Lack of infrastructure, particularly with regards to roads and the lack of adequate traffic data provided. Highways England's concerns have not been addressed. Additional housing can only exacerbate acknowledge traffic problems in Sproughton.

Bramford Parish Council (to original proposals)

Concern raised in relation to settlement coalescence, cumulative impact on local infrastructure, services and amenities (including highway capacity and safety), Consider the application should be rejected in light of the council's five year housing land supply.

Elmsett Parish Council (to original proposals)

Recommend refusal of application, as its approval would lead to an unacceptable increase in traffic movements and delays at locations where excessive queuing already exists at peak times.

National Consultee

Anglian Water

No objection.

Historic England

Do not wish to offer any comment

Highways England

No objection.

Natural England

Further information is needed to determine significance of impacts on designated sites.

Officer comment: The council's ecologist is satisfied there is sufficient information and mitigation provided to ensure there are no adverse impact on designated sites from the proposed development, and a draft Appropriate Assessment has been sent to Natural England for review. An update will be given to the committee on further comment from Natural England.

NHS Ipswich and East Suffolk Clinical Commissioning Group

No objection subject to CIL funding to increase capacity by way of extension, refurbishment or reconfiguration of Deben Road Surgery and Hawthorn Drive Surgery.

Suffolk Wildlife Trust

Further to receipt of further surveys and assessment, the recommendations in the submitted documents should be conditioned on any planning consent if permission is granted.

Suffolk Preservation Society

Object – concerned that site remains considerably larger than site proposed for development in the emerging Joint Local Plan. Concerned excessive scale of built area on site will constitute a harmful intrusion into the countryside edge of Sproughton and the current Special Landscape Area, and would fundamentally change the character of this part of Sproughton.

County Council Responses

Suffolk County Council (SCC) Strategic Development

No objection subject to the following being secured through Community Infrastructure Levy (CIL) contributions:

CIL	Education	
	- Sproughton CofE Primary School expansion	£414,432
	- Secondary school expansion	£404,175
	- Sixth form expansion	£95,100
	-	
CIL	Libraries improvements and expansions	£22,680
CIL	Waste disposal improvements	£11,550
S106	Monitoring fee	£412/trigger in S106 agreement

SCC Highways

No objections subject to conditions and S106 obligations.

SC Public Rights of Way

No objections.

Suffolk Archaeology Service

No objection subject to conditions.

SCC Lead Local Flood Authority

No objections subject to conditions.

Suffolk Fire and Rescue

No objection subject to condition.

Suffolk Police (to original proposals)

Detailed comments on the proposed design provided, would want to see Secure by Design used by the developers.

Officer comment: A number of detailed comments were made on the design of the scheme by Suffolk Police, the indicative layout of which has been significantly amended since the comments were made. A number of the comments also relate to the design of dwellings which is not a matter detailed at this outline stage. The full comments from Suffolk Police are therefore not outlined in this report but are available in full on the application file.

Internal Consultee Responses

Mid Suffolk District Council (as a separate neighbouring sovereign authority)

No comment to make at officer level on application.

Place Services – Landscape

No objections subject to conditions.

Place Services – Ecology

No objections subject to conditions.

BMSDC Heritage

Whilst no harm to the significance of designated heritage assets from proposed outline application with access to be considered, the resulting reserved matters could result in a low to medium level of less than substantial harm to the Grindle Farmhouse, low level of less than substantial harm to heritage assets in the village centre (including the hall, its tithe barn, the mill and the village church) and no harm to the Wild Man public House.

Officer Comment: While the precise details of the final development will only be known from the reserved matters stage, the relevant details and parameters provided with the application – which can be controlled now in order to influence those matters – give satisfactory comfort that the overall assessment from the Council's heritage team can be secured i.e. that the significance of those heritage assets impacted by the proposal would be preserved and that there shall be no harm to heritage assets.

Even in the event that harm was found at the reserved matters stage (bearing in mind that careful design could minimise any impact), this could only realistically fall within the low to medium end of what the NPPF terms 'less than substantial'. For sake of prudence because the reserved matters stage is not the time to "re-strike" the planning balance, it is that worst-case scenario that has been adopted for the purposes of assessing this application and this is considered in greater detail within the heritage section of this report where, despite the considerable importance and weight attached to the principle of keeping designated heritage assets from harm and the presumption that permission should be refused in such circumstances, the compelling public benefits to flow from the application development outweigh that harm.

BMSDC Strategic Housing

No objection subject to securing affordable housing through S106 agreement.

BMSDC Economic Development

No objection to commercial elements of the application. The Council's recent Workspace Study (October 2019) highlighted the need for additional small-scale workspace across the district to meet the demands of local businesses. Welcome land for office or retail to support the need for additional smaller local facilities to support the sustainability of the village and provide job opportunities near to the traditional core of the village. Seek conditions to ensure construction of community and commercial uses, and public car parking, in a timely manner. And all new housing to be supplied with fibre cabling direct to the property to ensure the fastest broadband connections are made available to support home and flexible working.

BMSDC Environmental Health – Air Quality

No objections.

BMSDC Environmental Health – Noise, Air, Light Pollution

No objection subject to conditions.

BMSDC Environmental Health – Contamination

No objections subject to condition.

BMSDC Environmental Health – Sustainability

No objections subject to condition.

BMSDC Public Realm

No objections but seeks clarification as to whether paddocks and surface water attenuation basins are within the open space provision on site, and future connectivity to that open space should the relief road come forward.

Officer Comment: The applicant has confirmed that the paddocks are not included in the open space calculation but that the SUDS features within the eastern part of the site (adjacent to Lorraine Way) have

been designed as multi-functional green spaces in accordance with the Suffolk County Council SUDS Team's latest guidance. The SUDS basins are designed to have shallow slopes (1:4 max with a flat bottom) so that they do not need to be fenced. The basins will be planted with a Meadow Mixture for wetlands (or similar) so they are tolerant of water during peak rainfall events. However, outside of peak rainfall events they will be dry and will provide for informal recreation. The applicant has also confirmed that as part of any future relief road, new crossing points will be provided to enable cyclists and pedestrians to easily access the village wood and informal footpath connections.

BMSDC Communities Team (to original proposals)

The allotments gardens are listed as an Asset of Community Value, with the listing remaining in place for 5 years from its date of listing 22nd November 2016. Give reference to non-statutory advice for local planning authority to consider whether the listing of an ACV is a material consideration, and reference to Promoting healthy and safe communities under the NPPF.

B: Representations

A substantial number (300+) of comments have been received objecting to the development for a range of reasons, including:

- Air quality is already an issue and will only deteriorate if development goes ahead
- Application is lacking information
- Application (written) from Pigeon is not matched by the illustrations and plans shown to residents
- Affects Local Ecology/Wildlife
- Allotments are a part of village asset
- Allotments take time to grow and a lot of work goes into them
- Being built on grade 2 agricultural land in contravention of Babergh Local Plan alteration number 2 (2006) 143
- Boundary Issues
- Building Work
- Conflict with local plan
- Conflict with NPPF
- Current allotments provide a popular social aspect of the village and have been an important part of the village for over 40 years
- Current infrastructure would not be suitable for large vehicles during the construction phase
- Dangerous to have a spine road entering onto a 60mph road junction
- Development is outside the settlement boundary
- Design
- Development is being build on Grade 2 agricultural land in a contravention of Babergh Local Plan alteration no, 2 (2006) 143
- Development too high
- Development would not give anything to the local community (new businesses or opportunities)
- Development is within a special landscape area and designated countryside zone
- Dominating/ overbearing
- Drainage issues in the village already
- Dust
- Existing road networks cannot cope
- Fear of Crime
- General dislike of proposal
- Gipping Valley needs to be protected, not developed on
- Harm to listed buildings
- Health & Safety
- Impact on Property Value

- Impact on Quality of Life
- Inadequate Access
- Inadequate parking provision
- Inadequate public transport provisions
- In appropriate in a conservation area
- Inappropriate to allow caravans storage on land only accessible down a narrow lane passing through a residential area
- Increase in Anti-Social Behaviour
- Increase danger of flooding
- Increase in Pollution
- Increased Traffic/Highways Issues – already too much traffic, road not wide enough, hold ups on the A14/12 lead to traffic coming through the village, increase in accidents due to speeding and unsafe for children to walk to school, drivers already mount pavements as roads are not wide enough
- Lacks sustainability
- Lack of pedestrian routes across the site meaning vehicles would need to travel short distances
- Landscape Impact - the current 'Rolling valley farmland' description as included in the Suffolk Landscape character has been eroded in the Gipping Valley
- Level of housing is unsuitable for the village of Sproughton
- Light Pollution
- Local plan only indicates the site will be used for 30 houses
- Loss of agricultural land and special landscape area
- Loss of Open Space
- Loss of privacy
- Loss of local character and distinctiveness
- Loss of Outlook
- Loss of parking
- More open space needed on development
- No benefits for the existing local community
- No current demand within the village for more housing
- No proposed provisions for cyclists or pedestrians
- Noise
- Not enough affordable housing in the proposal
- Not possible to move existing trees and sheds from the allotments
- Out of Character with the Area
- Over development of site
- Overlooking neighbouring properties
- Overpopulation in the village
- Proposal would not contribute to local economy or social development
- Proposed 'cricket pitch' is on a slope and therefore an unsuitable site. There are also alternative cricket pitches nearby and therefore no need for more
- Proposed office space is not necessary in Sproughton
- Residential Amenity
- Scale of the development
- SHELAA (Strategic Housing and Economic Land Availability Assessment) sires have not gone through due process
- Smells
- Soil would be different if allotments were moved – proposed ground is not suitable
- Special Landscape Area and National Character Area which needs protection
- Strain on existing community facilities - school at full capacity, already a lack of amenities (post office, dentist, GP), public transport
- Sustainability

- The residential proposals should be distributed evenly around the village rather than concentrated in one area
- This development would be the first to start joining Sproughton and Bramford together which completely change the character of two individual villages and start turning them into part of Ipswich
- Threat to village heritage and Listed buildings - (Wild Man Public House, Grindle House, Thornbush Farm, Runcton House, Sproughton Manor and various other heritage assets) and a lot of heritage around the village – the development would have a negative impact on the historic character of Sproughton
- The removal and replanting of trees is unsustainable and the proposed new trees that are proposed to be planted will take some years before maturing – creating a visual impact
- The allocation of new housing in the village is disproportionate with other parishes
- There would be too much car ownership
- Unacceptable cumulative impact of traffic from this and other development including Wolsey Grange 1 & 2, Fitzgerald Road, Amazon Distribution Centre
- Urbanisation – other developments are already taking place in other parts of Sproughton
- Village already has green space and does not need more
- Would make it difficult to get into the allotments – no longer accessible by foot
- 55% of the housing supply is in one Parish

All consultee responses and representations received have been read, duly considered, and taken into account when preparing this report for Members.

PLANNING HISTORY

REF: DC/19/00567

Hybrid Application comprising Outline Planning Application (Access to be considered) for the erection of up to 92 homes and 13 self-build/custom build plots (including provision of up to 37 affordable homes); open space, including a village wood; land for community use/ local shops/ office space; land for a village car park; land for an extension to existing village allotments; land for paddocks; land for relocated and enhanced caravan storage provision; safeguarded land for potential future relief road; new public right of way and associated infrastructure provision. Full planning application for spine road between Loraine Way and Burstall Lane (including accesses onto Burstall Lane and Loraine Way); access for proposed caravan storage area; accesses for self-build plots from Burstall Lane; and associated drainage and highway works (including formation of passing bays on Burstall Lane).

DECISION: Pending consideration

PART THREE – ASSESSMENT OF APPLICATION

1. The Site and Surroundings

1.1 The site falls within the parish of Sproughton directly adjoining the existing Built-Up Area Boundary of Sproughton, designated as a Hinterland Village in the Babergh Core Strategy 2014. The site set out in the planning application comprises an area of approximately 10.4 hectares including Grade 3 agricultural land, allotments, and caravan storage. The site is located to the north of Burstall Lane and west of Lorraine Way (B1113).

1.2 The Wild Man Public House is located to the south east of the site, with the Sproughton allotments to the south of the site. There are intermittent residential dwellings near the site including to the south of Burstall Lane facing towards the site, the east side of Lorraine Way, to the west of Lorraine Way adjoining the site, along The Grindle to the north of the site and further to the west of the site along Burstall Lane.

1.3 The site is not within or adjacent to a Conservation Area. Nor is it within or adjacent to an Area of Outstanding Natural Beauty, Site of Special Scientific Interest, Air Quality Management Area, or any other land designated locally by the Authority, nationally, or internationally for its environmental quality.

1.4 However the site is within a Special Landscape Area forming the River Gipping Valley and the site is within close proximity (and Risk Impact Zone) to the European designated site the Stour and Orwell Estuaries Special Protection Area (SPA) and Ramsar site which are European sites and also notified at a national level as the Orwell Estuary Site of Special Scientific Interest (SSSI). The allotments within the site are also listed as an Asset of Community Value and are to be retained.

1.5 The site is wholly within Flood Zone 1, where there is a very low probability (less than 1 in 1000 annually) of fluvial - i.e. river - flooding. The majority of the site is considered to be at a low risk of pluvial – i.e. surface water – flooding, but there is an area of low risk of flooding to the south of the site and medium to high risk of flooding from surface water along the northern boundary of the site. The site is also within a Mineral Consultation Area, designated by Suffolk County Council.

1.6 There are no designated heritage assets within the site boundary, however a number of heritage assets are in proximity to the site. There are also other listed buildings but set further away from the site than those listed below. The heritage assets near the site include:

- The Wild Man public house (Grade II);
- The Grindle House (Grade II);
- Church of All Saints (Grade II*);
- Sproughton Mill (Grade II);
- Sproughton Mill House;
- Sproughton Hall and barns (Grade II); and
- Tithe Barn, Lower Street (Grade II).

1.7 Whilst there are also other listed buildings in the vicinity of the application site (including Nos 2 and 4, Walnut Cottage and Lower House and stores all Grade II listed buildings located on Lower Street, and the Grade II listed Runcton House on Lorraine Way) the significance of these heritage assets is not considered to be materially affected by the proposed development as set out further in the report below.

1.8 There is a Public Right of Way (PROW) that runs through the site north-to-south, and along the northern boundary east-west, forming footpath 9. There is also footpath 22 that runs along the River Gipping around 450m east of the site. The site is bounded by hedges and trees along the north and part of the east boundary, with other intermittent vegetation along the south boundary. To the west of the site are open agricultural fields. There are no trees on site subject to a Tree Preservation Order but there are

some significant trees within the site. The site topography rises from the east of the site (towards the River Gipping valley) to higher land at the west of the site.

1.9 The site borders the local authority boundaries between Babergh and Mid Suffolk District Councils, adjoining Bramford Parish along the north boundary of the site.

2. The Proposal

2.1 The application is a hybrid application, with both Full and Outline components to the proposal. Outline consent is sought, with all matters except for access reserved, for a total of 105 dwellings. These dwellings would be comprised of 55 open market dwellings, 13 self-build/custom build plots and 37 affordable dwellings. Also in the proposals are open space, including a village wood, land for community use/local shops/office space, land for a village car park to the south east of the site near the Wild Man Public House, land for an extension to the existing allotments, land for paddocks and land for relocated and enhanced caravan storage provision. Land is also proposed to be safeguarded for a potential future relief road to Sproughton, and a new public right of way is proposed to be provided.

2.2 Full planning permission is sought for a spine road between Loraine Way and Burstall Lane with accesses on to Loraine Way and Burstall Lane (to serve as the access to the development of the residential development including 4 of the self-build plots, land for community use/local shops/office space and land for a village car park). Also proposed is realignment of Burstall Lane to change priority and direct traffic through the new proposed spine road, whilst still retaining access along Burstall Lane and the junction with the B1113 (High Street). Also Full permission is sought for access for the proposed caravan storage area relocated to the north of the site from Loraine Way, accesses for self-build plots from Burstall Lane and associated drainage and highway works (including formation of passing bays on Burstall Lane).

2.3 The indicative mix of dwellings has been given as:

Open mark dwellings:

- 4 x 2 bed bungalows
- 18 x 2 bed houses
- 25 x 3 bed houses
- 8 x 4 bed houses

Affordable dwellings:

- 8 x 1 bed apartments (affordable rent)
- 4 x 2 bed apartments (affordable rent)
- 6 x 2 bed bungalows (shared ownership)
- 12 x 2 bed houses (of which 8 affordable rent, 4 shared ownership)
- 7 x 3 bed houses (of which 4 affordable rent, 3 shared ownership)

Self-build – 13 – bedroom size currently unknown

2.4 Further supporting indicative plans have been submitted to demonstrate the land use parameters, indicative affordable housing layout, illustrative parking plan and a landscape masterplan. The entire site covers 10.4ha, which include 1.1ha of public open space, 2.97ha community woodland and 0.4ha extension to the allotments. The area of land to be developed for new homes is 4.8ha, paddock land to the west of the spine road is 1.1ha, employment and community land is 0.41ha. In the event Members agree that planning permission should be granted, a requirement to substantially comply with those parameters would be imposed by condition.

2.5 The application has been amended since it was first submitted in 2019. Following responses from consultees and the community on the original proposals the proposals were amended to reflect these responses. The allotments are retained in their current location (extension to these still provided), Burstall Lane/High Street (B1113) junction will not be closed, a cricket pitch has been excluded from the proposals, the relocated caravan storage is closer to its current location, self-build plots no longer extend as far west along Burstall Lane, instead of land for an office/children's nursery instead land for an office/shop/community use is instead proposed, and instead of an extension to the Wild Man public house garden/car park a community car park is provided.

3. 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. Also key to this application are the benefits and harms as detailed in this report, which are key material considerations to be taken into account.

3.2 Paragraph 7 of the NPPF states that the purpose of the planning system is to contribute to the achievement of sustainable development. At paragraph 8, this is defined as meaning that there are three overarching objectives which are interdependent and need to be pursued in mutually supportive ways: economic, social, and environmental. The NPPF goes on to state, however, that they are not criteria against which every decision can or should be judged (para. 9).

3.3 Babergh benefits from a five plus year land supply position as required by paragraph 73 of the NPPF. However, paragraph 213 of the NPPF identifies that the weight attributed to policies should be according to their degree of consistency with the NPPF. The closer the aims of the policy are to the NPPF the greater the weight that can be attributed to them. Taken in the round, the most important policies for the determination of this application (namely CS2, CS11, CS15, CN06, CR04) are considered to be up to date, although as explained below policy CS2 is afforded less than full weight.

Policy CS2 Settlement Pattern Policy

3.4 Policy CS2 (Settlement Pattern Policy) designates Sproughton as a Hinterland Village. Policy CS2 requires that outside of the settlement boundary, development will only be permitted in exceptional circumstances subject to a proven justified need. The site is outside the settlement boundary and policy CS2 therefore applies.

3.5 Policy CS2 has previously been found to be consistent with national policy, forming part of the Core Strategy as a post-2012 NPPF development plan document. It provides a strategy for the distribution of development that is appropriate in recognising local circumstances and its overall strategy remains sound. However, in the absence of an allocations document and settlement boundaries review (which has been absent for several years but has in practice been overtaken by the preparation of the emerging Joint Local Plan) it should be afforded less than full weight. This is also the case because national policy continues to require that policies be tested for their consistency with the NPPF: the 'exceptional circumstances' threshold is not entirely consistent with the NPPF and this has been recognised repeatedly in appeal decisions, recently notably in the appeal decision APP/D3505/W/18/3214377 for 150 dwellings in Long Melford, following the most recent NPPF publication. The fact that the site is outside the settlement boundary is therefore not necessarily – in the circumstances of this particular application – a determinative factor upon which this decision turns.

3.6 The NPPF does contain a not dissimilar exceptional circumstances test, set out at paragraph 79, however it is only engaged where development is isolated. For the reasons set out in this report, the development is not isolated. Paragraph 79 of the NPPF is not engaged.

3.7 A momentum in favour of securing development that satisfies the objectives of sustainable development, and the need for a balanced approach to decision making, are key threads to Policy CS1, CS11 and CS15 of the Core Strategy. These policies are consistent with the NPPF, carry full statutory weight and provide the principal assessment framework as it applies to the subject application.

Policy CS1 Presumption in Favour of Sustainable Development

3.8 Policy CS1 takes a positive approach to new development that seeks to secure development that improves the economic, social and environmental conditions in the Babergh district. Consistent with the NPPF it also applies the *'presumption in favour of sustainable development'* which is an operation engaged as a consideration under certain circumstances.

Policy CS11 Strategy for Development in Core and Hinterland Villages

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

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

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

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

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

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

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

The landscape, environmental and heritage characteristics of the village

Impact on Landscape

3.14 The NPPF emphasises as a core principle the need to proactively drive and support sustainable development to deliver homes. It states that both the intrinsic character and beauty of the countryside should be recognised and that pursuing sustainable development involves widening the choice of high quality homes. The planning system should contribute to and enhance the natural and local environment by protecting and enhancing valued landscapes.

3.15 Furthermore, policies CS11 and CS15 of the Core Strategy require development proposals to protect the landscape of the district, and local plan policy CR04 seeks to maintain or enhance the special landscape qualities of the area and designed and be sited so as to harmonise with the landscape setting. The Planning Practice Guidance advises that *'The opportunity for high quality hard and soft landscaping design that helps to successfully integrate development into the wider environment should be carefully considered from the outset, to ensure it complements the architecture of the proposals and improves the overall quality of the townscape or landscape'*.

3.16 Policy CS11 envisages that there will be some development in the countryside and it is axiomatic that the development of a greenfield site will result in an element of adverse impact; the key question is whether the character impact of the development is reasonably contained or can be mitigated to an acceptable degree.

3.17 A Landscape Visual Impact Assessment has been submitted with the application. This identifies the site is within the landscape character area of Rolling Valley Farmland under the Suffolk Landscape Character Assessment (2011). The land management guidelines for this character area of relevance to this application include:

- Reinforce the historic pattern of sinuous field boundaries
- Recognise localised areas of late enclosure hedges when restoring and planting hedgerows.
- Maintain and increase the stock of hedgerow trees.
- Increase the area of woodland cover; siting should be based on information from the Historic Landscape Characterisation and in consultation with the Archaeological Service.
- Maintain and restore the stock of moats and ponds in this landscape.

3.18 The indicative layout and supporting parameter plans have been amended to respond more positively to landscape features. The development is now located towards the east of the site on the lower slopes of the valley side, reducing the visual impact. Allotments are also retained *in situ* and extended rather than being relocated as per the original proposals put forward, which is also positive considering the allotments status as an asset of community value. The retention of the more significant

trees on site has also been secured, along with a more active frontage providing footpaths with passive surveillance. The location of the spine road is fixed and full planning permission is sought for this road. Whilst the plans for the residential, allotment extension, employment/community uses, village car park, caravan storage and open space are applied for in outline form, and therefore indicative, the parameter plans submitted with the application would be fixed to ensure development came forward broadly in this form at the reserved matters stage.

3.19 The updated Landscape Visual Assessment (LVA) submitted with the revised layout in conjunction with the original Landscape Visual Impact Assessment (LVIA) submitted, identified that the landscape effects would be 'Moderate' to 'Slight Adverse Effect', and the visual effects would range from 'Moderate-Slight' to 'No Effect' reducing in the longer term to 'Slight Adverse' to 'No Effect'. This assessment has taken account of the cumulative impacts of surrounding development on both landscape and visual effects, as well as the impact on the Special Landscape Area.

3.20 The council's Landscape Consultant considers there would be some effect as the development would be visible from various locations, including Public Right of Way SP9 and Loraine Way. Therefore they do not agree with the 'No Effect' conclusion. Otherwise the Landscape Consultant agrees with the findings of these reports. Officers agree with this position, and note the visual effects would reduce in the longer term as planting matures with the planting as proposed on the illustrative landscape masterplan. The extent of these slight adverse impacts has been considered, and also noted that they occur in a limited area in the context of the wider landscape of the Gipping Valley. The context of the site and existing built form within the Special Landscape Area are also noted to lessen the landscape and visual impacts. Settlement coalescence with Burstall and Bramford has also been raised in letters of representation, but it is considered that sufficient visual and physical separation remains between Burstall and Sproughton, and Bramford and Sproughton that would not merit refusal of the scheme on this ground.

3.21 Significant landscaping is proposed by the applicants as part of the illustrative site layout, including planting of a community woodland and strengthening of the existing hedges and boundaries of the site. An appropriate landscaping scheme could be secured through condition to ensure a high standard of landscaping is provided, as required by local plan policy CR07, and it is not considered any hedges of amenity or landscape significance would be adversely affected by the small extent of removal proposed and suitable replacement planting more than mitigates the impact of the hedges removed. Policy CR08 is therefore considered to be complied with. It is noted that three trees, two groups of trees and sections of one hedge and a further group of trees are proposed to be removed. These trees are lower category C or unclassified trees, and with the extensive planting proposed on the site their loss is considered acceptable in this instance. Conditions are recommended including to secure advance planting before any works commence on site, a landscape management plan, further details of soft and hard landscaping details, adherence to the arboricultural method statement and tree protection plan. The balance of this very minor harm is considered further in the conclusion to this report.

3.22 The land within the application site comprises of Grade 3 agricultural land. The Best and Most Versatile (BMV) agricultural land is sought to be retained under paragraph 170 of the NPPF. It is not known whether the Grade 3 land is Grade 3a (Best and Most Versatile) or 3b which does not fall into BMV. The extent of loss of 10.4ha (including land currently used for caravan storage, land that is proposed for a paddock and the allotments extension) is noted and is a harm of the scheme, but given the small scale of this loss, even if the site comprised all Best and Most Versatile land and when taken cumulatively with other consented schemes in the locality, would be minimal to the wider agricultural land available and so would not be sufficient to merit a reason for refusal for this development. This matter is balanced further in the conclusion.

3.23 In conclusion, as a worst-case the application development is likely to pose a 'Moderate' to 'Slight-Adverse' effect to the landscape, but such effect is likely to be limited and relatively localised to the site and its immediate surroundings, and mitigated as the proposed landscaping establishes and matures across the site.

3.24 As a matter of judgement the application is therefore considered to accord with policies CS11 and CS15. This is because officers are satisfied that the local landscape characteristics and locational context in relation to the village and its setting have been dealt with appropriately; such characteristics have been respected.

3.25 Consideration has also been given in relation to policy CR04 because the site falls within a Special Landscape Area. For the avoidance of doubt, policy CR04 states:

'Development proposals in Special Landscape Areas will only be permitted where they:

- *maintain or enhance the special landscape qualities of the area, identified in the relevant landscape appraisal; and*
- *are designed and sited so as to harmonise with the landscape setting.'*

3.26 Officers are likewise satisfied that the criteria within that policy have been met. Even if it were considered that because of the scale of the development (and the nature of its impact) it would not be possible to at least maintain the special landscape qualities of the area, the effects are nevertheless limited such that the significance of any policy breach would be particularly low.

Impact on Heritage Assets

3.27 Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 ("the listed buildings Act") states: "in considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority ... shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses" i.e. having special regard to the desirability of keeping designated assets from harm. Members are now well-versed in understanding that such a principle is a matter of considerable importance and weight, and that where harm is identified there is an inherent presumption that planning permission should be refused.

3.28 Further to this local plan policy CN06, which is consistent with the statutory duty above, requires proposals for development within the setting of a listed building amongst other matters respect those features which contribute positively to the setting of a listed building, including space, views from and to the building and historic layout.

3.29 There are a number of listed buildings in the vicinity of the application site as noted above, but the heritage assets materially impacted by these proposals are the Wild Man Public House (Grade II), The Grindle House (Grade II), Sproughton Mill and Mill House (both Grade II), Church of All Saints (Grade II*) Sproughton Hall and barns (Grade II) and the Tithe Barn (Grade II). The latter assets having a particular group value which elevates their significance beyond the individual.

3.30 In the Heritage officer's consultation responses it is ultimately concluded that the outline application proposal poses no harm to any heritage assets. However the detailed aspect of the application could result in a low to medium level of less than substantial harm to the significance of the Grindle House and a low level of less than substantial harm to the significance of the group of historic buildings in the village core identified above. In relation to the Wild Man public house it is considered with the submitted

parameter plans the development could be designed to have no harm to the significance of this listed building.

3.31 While the precise details of the final development will only be known from the reserved matters stage, the relevant details and parameters provided with the application – which can be controlled now in order to influence those matters – give satisfactory comfort that the overall assessment from the Council's heritage team can be secured i.e. that the significance of those heritage assets impacted by the proposal would be preserved where careful design can mitigate the risk of adverse impact.

3.32 Even in the event that harm was found at the reserved matters stage, this could only realistically fall within the low to medium end of what the NPPF terms 'less than substantial'. For sake of prudence because the reserved matters stage is not the time to "re-strike" the planning balance, it is that worst-case scenario that has been adopted for the purposes of assessing this application.

3.33 Should the detailed design at the reserved matters stage lead to this level of harm this would warrant the attachment of considerable importance in line with the statutory duty referred to above, and must be balanced against the public benefits of the scheme, as required under paragraph 196 of the NPPF. This is considered further in the Conclusion to this report. Within that balance great weight must be attached to the asset's conservation (and naturally considerable importance attached to any harm identified) in accordance with paragraph 193 of the NPPF, which is consistent with the aforementioned statutory duty. It is therefore said that where harm is identified there is an inherent presumption against planning permission being granted. It is possible to approve a development that is harmful to heritage assets but the benefits must be suitably compelling; this is a matter of judgement and in this case the benefits of the scheme are significant.

3.34 Policy CN06 does not explicitly import a balance for resolving heritage conflicts in the manner of NPPF paragraph 196. To that extent it might be said to be inconsistent with national planning policy and should be afforded less than full weight as a result (noting NPPF para. 213). Officers disagree. Firstly, it is entirely consistent with NPPF paras. 193 and 194. Secondly, and in that respect, it is consistent with the duties laid out within the listed buildings Act which has the force of statute: the Council cannot choose to afford such duties limited weight, as a matter of law they must be followed. Thirdly, it is considered inherent within the policy that there must be a means to resolve heritage conflicts as otherwise it would not be possible to find development acceptable in circumstances where harm was unavoidable; as ever, a planning balance is required though noting the considerable importance to be attached to the finding of any heritage harm identified.

3.35 Regardless, in light of the clear and methodical bundle of policies set out within the NPPF, Members are directed to work through them. This is because, if properly applied, Members can be satisfied that they will have adhered to national planning policy, satisfied their statutory duties, and thus will have also complied with the policies of the development plan (which embrace those duties). For that reason, officers too have followed the policies of the NPPF. Naturally, if those policies were not consistent with the NPPF then they should be afforded less weight; again, it is the heritage policies of the NPPF that ought to be followed.

3.36 The operation of the NPPF 196 balance is contained at the conclusion to this report.

3.37 Officers are satisfied that the applicant has taken an approach to minimise/reduce the risk of harm and respect heritage assets. Whilst officers are satisfied, following the advice of the Council's Heritage Officer, the level of harm is considered to be low to medium less than substantial as a worst case scenario even though the final configuration of the development is capable of minimising harm.

3.38 The site lies in an area of archaeological potential and the County Archaeologist requests an archaeological investigation condition should planning permission be granted. An archaeological evaluation including trial trenching has already been undertaken. The investigations have found significant prehistoric activity and Iron Age activity, including a ring-ditch with a substantial ditch on both sides. There is considered to be high potential for below-ground heritage assets of archaeological importance. However there are no grounds to consider refusal in order to achieve preservation *in-situ* of any important heritage assets. A condition is therefore recommended to record and advance understanding of the significance of any heritage assets before it is potentially damaged or destroyed, to be in accordance with paragraph 189 and 199 of the NPPF. This again would ensure that no harm is caused to archaeological assets.

3.39 This element of the policy CS11 criterion is satisfied.

The locational context of the village and the proposed development

3.40 Paragraph 10 of the SPD states proposals should be well related to the existing settlement and that the starting point for assessing this is whether or not the site adjoins the village settlement boundary. The SPD states a judgement will need to be made and issues to be taken account include:

- Whether the proposal would constitute ribbon development on the edge of the village
- How the site is connected to the existing settlement, jobs, facilities and services including location of site access and availability of sustainable transport links
- The scale, character and density of the proposal in relation to the existing adjoining development.
- Whether the proposal constitutes a logical extension of the built-up area of the village. Whether the proposal is self-contained and has logical, natural boundaries.

3.41 The site is well related to the Sproughton settlement boundary, in part directly adjoining it. It is noted that there is some separation through the existing allotments and the proposed community car park that would set the proposed development back from the existing line of development, which is unavoidable with the existing allotments but also needed to address the setting of the public house as a heritage asset. The proposal would not constitute ribbon development given the proposed layout and depth of the site. The site is well connected to the village in a visual sense, with residential development to the south and east of the site. The proposed scale and layout of development is not at odds with the form of neighbouring development along Burstall Lane and Loraine Way.

3.42 The site is in proximity to local village amenities including a community shop, primary school, public house and community facilities at the Tithe Barn. The proposed pedestrian accesses provide connectivity to bus stops and the wider footway network. It is accepted that trips beyond the village will be required for employment opportunities and supermarket shopping, to nearby locations such as Ipswich. Whilst it is accepted that the village is not well supported in terms of regular bus links, the village is in close proximity to Ipswich enabling people to cycle between Sproughton and Ipswich.

3.43 On balance it is concluded that the site has a close functional relationship with the village and is in a sustainable location in respect of its access to local services and facilities.

Site location and sequential approach to site selection

3.44 The acceptability of the principle of development does not turn on whether or not the site is within the settlement boundary. There are no sites within the Sproughton settlement boundary which would enable a development of a scale or nature commensurate with that proposed. There is a large amount of brownfield land in Sproughton at the former Sugar Beet site, but this is allocated for employment uses

and has recently been the subject of various planning permissions pursuant to that allocation and which remain extant or have already been implemented. There are no other brownfield sites being promoted for development within or around Sproughton of this scale. Case law, namely *R (on the application of East Bergholt PC) v Babergh DC* [2016] EWHC 3400 (Admin), has clarified that in relation to sequential assessment, there is no requirement to consider alternative sites adjoining the settlement boundary, as sequentially they are within the same tier. As a site abutting the settlement boundary, and bearing in mind its functional relationship with it, this criterion is satisfied. Another site adjacent to the settlement boundary for the village that is being promoted by Hopkins Homes is for a lesser number of dwellings and has already been formally tested on its merits and was refused planning permission principally because of the heritage sensitivity associated with the site itself.

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

3.45 The meaning of “locally identified need” for housing, as a criterion of policy CS11, has been considered by the High Court (the “Bergholt judgment”)¹: locally identified housing need is considered to encompass the needs of a village and its functional cluster, and perhaps in areas immediately adjoining it. However, the judgment was given in the context of a proposed development in a Core Village, which has differently worded criteria to that applicable to Hinterland Villages (and noting the policy text of policy CS2 which states that Hinterland Villages ‘will accommodate some development to help meet the needs within them’ [*emphasis added*]).

3.46 For Hinterland villages Policy CS11 sets out two requirements in relation to housing need:

‘iv) locally identified need - housing and employment, and specific local needs such as affordable housing; and

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

3.47 In relation to Hinterland Villages the CS11 SPD states:

‘Because Hinterland Villages are generally smaller and have fewer services and facilities it is expected that proposals for consideration under this policy will be small-scale. However as with Core Villages, Hinterland Villages vary considerably in their size, scale and nature. Proposals for hinterland villages will need to be proportionate to the size of the existing settlement and take into account the type and number of facilities in the village, local opportunities and needs. Some hinterland villages may be able to accommodate higher levels of development than others’.

3.48 As an application for housing in a Hinterland village, it is incumbent upon an applicant to provide evidence to meet that test. Policy CS11 does not explain how local need should be demonstrated. However, the requirement is explained further within the CS11 SPD:

¹ *R (on the application of East Bergholt PC) v Babergh DC* [2016] EWHC 3400 (Admin).

'... Developers should therefore set out how the proposal meets these locally identified needs. This should include an analysis of the number and types of dwelling in the village, an assessment the need for housing in the village and the identification of any gaps in provision. Proposals should provide affordable housing in accordance with Policy CS19. Proposals should therefore be accompanied by a statement that analyses the local housing, employment and community needs of the village and how they have been taken into account in the proposal. It is anticipated that such statements should be prepared in consultation with the Council using evidence from a number of sources.'

3.49 The application is supported by a local housing needs assessment ("LHNA") prepared by planning consultancy Turley to address the matter of locally identified/proven local need. Within its Executive Summary, the LHNA states:

'It has been confirmed through the High Court that this should account for need in both 'the village and its cluster', with this judgement having also been very recently cited by the Secretary of State in allowing a recovered appeal elsewhere in the district. The report therefore adopts a comparable approach and reasonably considers needs within the "Ipswich" functional cluster that contains Sproughton and seven adjacent parishes, albeit without disregarding a wider need for housing that exists in adjoining areas.'

3.50 Officers disagree with that approach for the reason set out above: the village of Sproughton is classed as a Hinterland village and the primary assessment of local need must focus on the need, if any, arising within the village itself. The LHNA itself provides no assessment at the village or parish-only level. On that basis, noting the SPD it cannot be said there has been a satisfactory assessment of: an *'analysis of the number and types of dwellings'*; an *'assessment of the need for housing in the village'*; or *'identification of any gaps in provision'*.

3.51 The LHNA also points out that: *'Sproughton is proposed to be elevated in the settlement hierarchy, and forms part of a strategically connected area – the so-called Ipswich Fringe – that is identified by the Council as being capable of sustainably meeting a wider need for housing than may be generated purely therein'*. However, it is important for Members to recognise that the starting point for decision-taking remains with the development plan; the JLP is not considered to be a determinative consideration for the purposes of this application bearing in mind that it remains at such a relatively early stage in the plan-making process. At a District-level the Council's current 5+ year land supply points to a less pressing need for the release of new dwellings at this present moment, albeit the wider growth context should still be held in mind and as a consideration of itself the benefits to derive from the housing proposed by this application is considered at the end of this report.

3.52 Finally, the LHNA does not assess the projected, deliverable supply of dwellings for the village/cluster that should naturally be framed against the "need" identified; if such need is already capable of being satisfied by committed developments within the assessment area, then such need can reasonably be said to remain.

3.53 Having regard to the wording of policies CS2 and CS11, and the SPD which provides supporting guidance, the LHNA has not fully satisfactorily addressed local housing need as an issue relevant to the determination of this application and the onus is squarely on the Applicant to prove that there is a local need for the housing proposed. The application can be distinguished clearly from the Long Melford case highlighted by the Applicant and the author of the LHNA. The relevant criteria of policy CS11 has not been fully satisfied and it has not been demonstrated there is a proven need for the development when considering the local context, albeit the general imperative to boost housing supply is noted. There may be a local need within the village but this application does not provide a clear answer to that question.

3.54 The relevant criteria of CS11 is not been fully satisfied but the significance of this policy tension is addressed within the final planning balance.

3.55 It must be noted however that the scheme does provide for 35% affordable housing in line with the requirements of policy CS19, and the indicative mix of tenures is supported by the council's Strategic Housing Officer. The S106 agreement can secure an appropriate mix, whilst recognising that the proposals are at an outline stage. The location and appearance of the affordable dwellings would be determined at the reserved matters stage, but indicative plans have been submitted with the application to demonstrate that the dwellings could be well integrated into the wider proposed development.

3.56 The mix, type and size of private housing has been indicatively shown, and in line with policy CS18 would be expected to reflect established needs in the Babergh District. This demonstrates a larger proportion of 2 and 3 bedroom dwellings being provided which reflect evidence of needs in the wider district. The council's self-build/custom build register also identifies the need for self-build plots across the council's area. The current number on the register is 301, with 53 added in 2019-20 alone.

3.57 The Council's Suffolk wide Housing Needs Survey showed there was a need for small homes across all tenures, both for younger people who may be newly formed households but also for older people who are already own property but may wish to downsize. The indicative market housing mix contains a significant number of 2 and 3 bedroom dwellings along with up to 10 bungalows. The final mix, type and size is proposed to be secured by a condition.

3.58 Sproughton Parish Council have submitted a Housing Survey Report for Sproughton. The report produced by Community Action Suffolk aimed to understand the existing and future housing needs for Sproughton (parish, not just village) residents, including family members and other members of households (not necessarily living in Sproughton). A survey was sent to residents of Sproughton parish, and the key findings were that respondents favoured homes for older people, small family homes and homes for couples. In total, a response from 38 households identified a potential accommodation need for 87 people in the Sproughton parish. If there is a need arising within the village then it is likely to be limited.

Locally Identified Community Needs

3.60 The SPD states that proposals should be accompanied by a statement that assesses the community needs of the village and how they have been considered in the proposal. Whilst the application is not supported by a specific community needs assessment, the proposals include a community woodland, extension to the existing allotments, village car park, land for community uses/local

shops/employment, all of which have been provided by the applicant following discussion and community engagement with the Parish Council and local community.

3.61 Further, the development will also generate contributions towards community infrastructure, to be spent on local services and infrastructure. The proposal would deliver benefits through CIL that are considered to satisfy this element of Policy CS11.

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

3.62 There is no evidence before officers to suggest the scheme will result in an unacceptable cumulative impact on the area in the context of social, physical or environmental impacts. Matters such as highway impact are considered further in the report below. Suffolk County Council have confirmed no objection in relation to school infrastructure subject to CIL contributions. The NHS Clinical Commissioning Group have confirmed that whilst there are no GP surgeries within 2km of the site, there are two within 4km of the site. CIL monies would be sought to increase capacity of these surgeries by extension, refurbishment or reconfiguration. There are no objections raised by infrastructure providers and therefore the scheme does not result in an adverse cumulative impact on the area.

3.63 Any additional infrastructure requirements are a consequence of the development, they are not adverse social, physical or environmental impacts. Subject to mitigation where required, there are no grounds to reject the proposal because of any unacceptable adverse impact on local services and infrastructure. The proposal complies with this element of Policy CS11.

Development scale, layout and character

3.64 Local plan policies CN01 on design and CN04 on designing out crime are also key considerations albeit the application effectively remains in outline form save for the spine road element (and associated drainage). The character and layout of the proposed development is indicatively shown in plans supporting the application. The proposed development seeks to provide spacious and attractive street scenes with sufficient space for street trees and pedestrian and cycle routes. The resulting indicative layout shows development set back from Loraine Way, with lower density self-build to the south of the site along Burstall Lane. The proposals seek to address the setting of the heritage assets to the north west and south east of the site, the Wild Man Public House, and The Grindle Farmhouse respectively. Open space and public rights of way have been provided and enhanced through the parameter plan provided with the application. The development seeks to provide a mix of dwellings of one and two storeys, and seeks to ensure affordable housing could be well integrated into the development. Detailed matters of design would be considered at the reserved matters stage, but sufficient information has been provided in the indicative site layout and parameter plans to ensure the proposals can lead to a high quality development and compliant with policies CN01 and CN04.

3.65 The open space proposed on site would provide a sufficient level of open space as required by local plan policy HS31 Public Open Space and a play area, which would be secured through a Section 106 agreement. The applicant has confirmed that 1.1ha would be public open space and 2.97ha a community woodland, which more than meets the requirement of 10% of the gross site area (1.04ha) to be open space. A further 0.4ha will be provided as an extension to the village allotments. The comments of the councils' Public Realm officer are noted in relation to the future potential relief road and the impact of future resident's ability to access that open space. Should the relief road come forward then a detailed planning application would be required, which ensure there were appropriate and safe crossing points for pedestrians. It is considered that this matter could be adequately addressed at this stage.

Settlement context

3.66 As noted above, the site is well related to the village in visual and physical terms, consistent with this criterion.

Meets local need identified in neighbourhood plan

3.67 An area has been designated for Sproughton Neighbourhood Plan but this has not reached the stage of a draft neighbourhood plan at present. The implications in relation to local housing need are dealt with above.

Supports local services and/or creates employment opportunities

3.68 The development of 105 dwellings would create short term employment opportunities. The future residents of these dwellings would also support local services in the village (and naturally, consistent with the NPPF and the Functional Cluster model within the Core Strategy, support services and facilitates within settlements nearby). The proposals also include floorspace for community use/local shops/office space which would create employment opportunities, and retain the existing caravan storage use on site.

3.69 The comments from the council's Economic Development team on ensuring the delivery of the employment uses are noted, but the acceptability of the scheme does not hinge on the delivery of this employment. Whilst the benefit of employment floorspace is noted, weight attached to this benefit does need to be tempered to reflect the uncertainty over its delivery. It is not considered reasonable to require the employment to be delivered in a phased manner with the residential, as it is not essential to the acceptability of the proposed development. However, it is proposed that land for community uses/ local shops/ employment use will be secured through a Section 106 Agreement which does provide some level of certainty in terms of its delivery subject to there being a demand for such provision.

Delivery of permitted schemes

3.70 There is no evidence before the Council that the proposal would compromise the delivery of other permitted schemes in the village.

Policy CS15 Sustainable Development

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

3.72 Policy CS15 seeks to address climate change through design, adaptation, mitigation and by incorporating or producing sources of renewable or low-carbon energy. A Sustainability Report has been submitted with this application which identifies the sustainability of the location with good access to local services and employment, the potential for homeworking through Superfast Broadband provision and good accessibility to green infrastructure (such as the community woodland and open space provided with the development). Whilst this application is in outline form it seeks to secure the following features to be secured through condition, which would be fully designed and set out at the reserved matters stage:

- fabric first approach to reduce energy consumption
- renewable energy through solar panels or air-source heat pumps
- recognises the site is served by a gas connection but electric heating will be considered
- use of Smart Meters to reduce gas and electricity use, low energy light bulbs for internal lighting
- meeting lower water usage than current Building Regulations of 110 litres/person/day
- electric vehicle charging points provided on site
- minimum energy rating for appliances of A+ where provided in dwellings
- a site waste management plan to detail recycling or re-use of construction waste.

3.73 The provision of Superfast Broadband would enable good connectivity for general electronic communication but also home working. Paragraph 112 of the NPPF supports the provision of advanced, high quality and reliable communications infrastructure. This however is a service provided by a private company and so cannot in itself be secured through planning consent. A condition can be applied to ensure there is sufficient space for the required cabling to each dwelling within the development and is recommended as such.

3.74 Sustainable design and construction standards with renewable/low carbon energy sources are identified under policies CS12 and CS13 of the core strategy. However, the Written Ministerial Statement on Housing Standards (reference HCWS488) made in 25th March 2015 is clear that requirements should not be set over revised Building Regulations Part L1A and Part G that came into force in 2015. Meeting revised Building Regulations is considered to provide a good standard of construction, carbon dioxide emissions rate, energy performance of buildings and reduced water usage of 125 litre of water per person per day. With the required compliance with Building Regulations the proposed development is considered to meet the requirements of paragraph 150 of the NPPF which seeks to reduce greenhouse gas emissions. The Council's Environmental Health officer notes the submission of this report and has no objection to the application. Conditions are recommended for a Sustainability and Energy Statement to detail the measures to be taken and for ducting for Broadband infrastructure.

3.75 CS15 also seeks to minimise the need to travel by car using alternative means and improving air quality. The site is well connected in highway connectivity terms. As acknowledged above, the proposal will generate vehicle trips for travel to employment and other services such as food shopping not provided in the village. This said, as noted above, the village has many of the day to day services expected in a hinterland village of this size. Employment opportunities are available in nearby Ipswich.

3.76 Policy CS15 sets out criteria relating to economic benefits, supporting local services, sustainable design, and creation of green spaces, minimising waste and surface water run-off and promotion of healthy living, along with Policy CS14 on green infrastructure. Further to this paragraph 78 of the NPPF identifies that to promote sustainable development in rural areas, housing should be located where it will enhance or maintain the vitality of rural communities, and paragraph 79 seeks to avoid the development of isolated homes in the countryside. The proposals respond favourably to these matters.

3.77 A Phase 1 Desktop Contamination Report supports the application. This recommends additional works to be undertaken and that intrusive-based investigations are undertaken. Environmental Health raise no objection to the proposed development from the perspective of land contamination subject to a condition to ensure these works are undertaken. The proposal complies with criterion vii of Policy CS15 insofar as it relates to land contamination.

3.78 Having regard to policy CS15 as a whole, it is satisfied.

Principle of development – non-residential uses

3.79 The application also includes non-residential uses, comprising a village car park, relocated caravan storage area, extension to the allotments and land for community uses/ local shops/ employment uses in the south-eastern part of the site. The non-residential uses proposed in the south-eastern part of the site are community use, local shops or office space.

3.80 The relocation of the caravan storage is acceptable in that there would be no loss of employment so as to not contravene policy EM24 of the local plan. The provision of a village car park is acceptable and in a good location to relate well to the village. The extension to the allotments, registered as an Asset of Community Value, is also welcomed and supported by CS14 in the provision of green infrastructure.

3.81 The proposed community use as part of the wider development proposed is considered to meet the criteria as set out above for policies CS11 and CS15. Para 88 of the NPPF identifies that the sequential approach should not be applied to applications for small scale rural offices or other small scale rural development. Whilst the wider proposals are not small scale, the office/retail element is a relatively small part of the proposed development. In any case, the sequential approach assessing the office/retail (main town centre uses) is replicated in CS11, the report above has considered there are no other sites available in Sproughton that could accommodate this development and, given the limited scale of the proposals, it is not considered that town centre proposals would be adversely affected. Further to this the employment uses are supported by policy CS17. The principle of these uses in this location are therefore considered to be acceptable.

3.82 It should be noted that in the absence of any restrictive planning condition the local shop or office space could move between different uses within Class E without needing to apply for planning permission. This could result in uses such as a restaurant, financial/professional services, indoor sports, medical and nursery uses and any other services which it is appropriate to provide in a commercial, business or service locality. Also the community use could also change to other uses within Class F2 including a swimming pool. The removal of permitted development rights has been considered, but given the relatively small extent of floorspace likely, conditions to ensure plant and hours of use do not lead to issues with noise levels and the location next to the village centre, it is not considered necessary to restrict these uses.

4. Site Access, Parking And Highway Safety Considerations

4.1. Paragraph 109 of the NPPF states that development may be prevented or refused on highway grounds where there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe. The proposed development has been considered in terms of impact on the wider road network through the Transport Assessment submitted with the application. The site access via Loraine Way and impact on the wider road network have been considered to road capacity and highway safety. Paragraph 111 of the NPPF also seeks Travel Plans for development that generate significant amounts of movements.

Impact on wider network

4.2 The Transport Assessment submitted with the planning application assessed the likely impact of vehicular traffic associated with the proposed development. The existing AM peak weekday two-way flow of traffic on Loraine Way is 828 vehicles. Traffic modelling was undertaken to consider the impact of this development and trip generation on key local junctions using recent traffic survey data. The proposed development would add an additional 130 vehicle trips in the AM peak hour, which equates to approximately 2 additional vehicle movements every minute. Both the individual and cumulative impacts of this development with other surrounding planning applications has been considered. These applications included the following applications and sites:

- 18/00233 land east of Loraine Way, Bramford (195 dwellings and pre-school)
- 18/02010 land to the east of Loraine Way, Sproughton (49 dwellings – refused, currently being appealed)
- B/15/00993 at land north and south of Poplar Lane, Sproughton (620 dwellings, employment and commercial uses and other associated infrastructure)
- 19/01401 - land south of Fitzgerald Road, Bramford (115 dwellings)

4.3 The Highway Authority carried out analysis of the applications Transport Assessments/Statements for the above planning applications. This identified the potential for cumulative highway impacts from all potential development sites coming forward, in particular there are significant/potentially severe delays at

key junctions of Loraine Way/Lower Street/Burstall Road in Sproughton. Subsequent discussions were held with the developers of the above sites to consider how the identified cumulative highway impacts could be mitigated.

4.4 A series of improvements have been identified by the Highway Authority for all of the above schemes to contribute proportionally to, to address the cumulative highway impacts. These will be secured via Section 106 contributions from each developer. These include:

- A1071/B1113 Beagle Roundabout – junction improvements to widen approach lanes to roundabout
- New zebra crossing on B1113 to the north of Wild Man Public House
- B1113/Burstall Lane – reduce kerb radii and install uncontrolled pedestrian crossing
- New cycle link between Sproughton and Bramford – cycle link on Loraine Way/footway improvements

4.5 The above improvements require all developments to come forward to enable the full cost of the works to be secured. It has been considered what would happen if one scheme were to stall or to not come forward. In this instance some improvements could still be carried out for example on the Beagle Roundabout. In this instance the roundabout widening could be delivered by the first development, and signals/widening delivered by later sites. If insufficient funds were secured to deliver the zebra crossing or uncontrolled pedestrian crossing on the B1113, the funds that have been collected from commenced developments would be put towards delivering the new cycle link between Sproughton and Bramford. It should be noted that the applicants have indicated they would cover the cost of providing the zebra crossing if other schemes, such as the refused application for 49 dwellings, do not come forward. This is considered to adequately mitigate the highway impact for this proposed scheme.

4.6 Members may also wish to note within the vicinity of this application site the following improvements would be secured if the following planning applications were allowed at appeal and constructed. Planning application 18/02010 at land to the east of Loraine Way would provide a new priority junction with right hand turning lane on the B1113 at the proposed access to site if it were approved. This would be required to mitigate the direct impacts of the development of that application, and so it is not reasonable or necessary to require this application currently being considered by Members to contribute to the priority junction should they be allowed at appeal. This application proposes a suitable access and right turn lane into the application site.

4.7 Through the work to consider the cumulative impact of proposed development in the vicinity of this application site, two application sites in Barham and Claydon were also considered. These were 18/00861 for 73 dwellings on land at Ely Road in Barham and Claydon, and land east of Norwich Road in Barham for 269 dwellings. These were considered but there was not considered to be a cumulative impact with this application site currently being considered by Members as they are too geographically detached, most notably by the A14, for traffic from those developments to impact roads and junctions around this application site. It should be noted that traffic flows from committed development such as SnOasis will have been factored into account by the highway authority when reviewing the Transport Assessment and reaching their overall view on residual cumulative impacts.

4.8 Whilst the applicant identifies their scheme would only have a minimal impact, they do have an impact in conjunction with existing road capacity and proposed developments in the area. It is therefore considered reasonable to secure the above mitigation measures. With these two junctions and the identified mitigation measures the highway impact would only be approaching capacity and not a severe adverse highway impact, as is the test under paragraph 109 of the NPPF. For these reasons, any highway impacts can be satisfactorily mitigated and the proposals are therefore acceptable in highway terms.

4.9 Highways England have been consulted and raise no objection in terms of the impact on the trunk road A14 and its junctions in the vicinity of the application site.

On site access and other highways matters

4.10 The application seeks detailed consent for the access point on Loraine Way and Burstall Lane. The proposed junctions and spine road have been designed to an acceptable level with appropriate visibility splays which are to be secured through planning condition. Accident data has been reviewed and there are no patterns and no sections of highway where the layout or design has resulted in collisions in the last five years. The proposed spine road also diverts traffic away from the B1113/Lower Road staggered junction which is considered by the Highway Authority to reduce conflict for pedestrians and cyclists using this junction. The above proposed measures and footway link to the existing footway network, together with installation of a highway gateway sign, and promotion of a traffic regulation order to extend the existing 30mph speed limit further north and relocation of the vehicle weight limit on Loraine Way to the proposed spine road, provision of a new bus shelter on the western side of Loraine Way, improved access and highway safety to the village and public right of way for cyclists and pedestrians will enhance the local highway network and improve connectivity for pedestrians and cyclists.

4.11 Saved Policy TP15 of the Local Plan seeks to ensure parking provision for new development complies with the Suffolk Parking Standards. This development plan policy is given full weight as it is considered to align with paragraphs 105 and 106 of the NPPF in providing minimum parking space standards unless compelling reasons justify otherwise. The site layout plan shows parking and garage spaces can be provided for each dwelling. The number of parking spaces within the development, meets the minimum requirements. There is sufficient space on site for visitor parking that could be determined at a reserved matters stage. The Highway Authority have raised no objection to the parking proposed, subject to a condition to secure parking (including electric vehicle charging points). The development complies with local plan policy TP15.

4.12 The nearest bus stop to the site is located approximately 100 metres to the south of the site, located on a loop road between Loraine Way and Lower Street. The site is in close proximity to Ipswich which could enable future residents from the site to cycle as an alternative to using a private car. It is noted however there is no off-carriageway cycle path, but the close proximity to Ipswich remains. There are pedestrian footpaths connecting the site directly to the main village centre where there are a number of services including Sproughton Community Shop, Sproughton Primary School and Wild Man public house (which whilst closed for renovation still remains a local service in planning use terms).

4.13 The proposals provide a new public right of way (PRoW) connecting the application site to the existing footpath 9 that runs north-south through the site. Approximately 450m to the west of the site footpath 22 can be accessed from Lower Street which then runs along the River Gipping. SCC Public Rights of Way welcome the proposals to accommodate footpath 9 through the proposed open green space on site. The Highway Authority consider that as the result of the development there will be increased use of the PRoW network in the vicinity of the site and seek improvements to footpath 9 to connect it to Restricted Byway 39 onto Grindle Lane. A contribution is sought through the S106 agreement to deliver these works which is considered to fully mitigate the scheme's impact.

4.14 A travel plan is required which can be secured through planning condition and S106 contribution if implementation of the travel plan by SCC is required. This will promote sustainable transport options to new residents and provide opportunities to use methods of transport other than private car and will ensure that Policy TP16 is complied with.

4.15 Sufficient cycle parking for two cycles per dwelling plus visitor cycle parking could be provided within garages of houses/bungalows or through covered and secure storage units in rear gardens of flats. Also refuse bins could be stored in rear gardens, with refuse storage and collection areas being agreed through condition.

4.16 The Highway Authority have raised no objections subject to the mitigation measures and details to be secured through the S106 and proposed conditions below or further to more detail at the reserved matters stage. With the proposed mitigation through S106 agreement and conditions, the development is considered to meet the requirements of both paragraphs 109 and 111 of the NPPF and policy TP15 of the local plan ensuring there is not a severe impact on the road network, provision of safe access and egress from the site, the safe and free flow of traffic and pedestrian safety, suitable capacity in the road network, adequate parking and turning for cars and service vehicles and pedestrian and cycle links.

4.17 In addition to the spine road that will provide a link between Burstall Lane and Loraine Way, thereby helping to divert traffic from the Burstall Lane/High Street staggered junction, the current proposed parameter plan identifies a corridor for a future potential relief road for Sproughton. The applicants have identified land to be safeguarded for such a relief road to be delivered if the landowners to the south of the site were also minded to make their land available. There is no certainty or indication that this road would come forward at present, and as such it cannot be identified as a significant benefit to the scheme. It is however welcomed that land is safeguarded from development in case there is an opportunity in the future.

5. Ecology, Biodiversity And Protected Species

5.1 Policy CS15 of the Core Strategy seeks to protect and enhance biodiversity. These requirements are considered to be supported by the relevant paragraphs in the NPPF, including 170 on minimising impacts on and providing net gains for biodiversity, 175 which seeks to avoid, mitigate, or compensate for adverse impacts or lastly refusing harmful development, and looking for opportunities to incorporate biodiversity improvements in and around developments should be encouraged, especially where this can secure measurable net gains for biodiversity. Therefore the above development policies are considered to carry full weight. Also Regulation 9(3) of the *Conservation of Habitats and Species Regulations 2017* requires all 'competent authorities' (public bodies) to have regard to the requirements of the Directive. For a Local Planning Authority to comply with regulation 9(3) it must engage with the provisions of the Habitats Directive.

5.2 A Preliminary Ecological Appraisal, Breeding Bird Surveys, Bat Scoping and Activity Survey, Reptile Survey, Badger Survey, Ecological Mitigation and Enhancement Strategy and Habitats Regulations Assessment have been submitted with the application. The reports have been reviewed by Council's Ecology Consultant who agreed with the report's findings to enable consideration of the likely impacts on designated sites, protected species and Priority species and habitats. With the identified mitigation measures identified that are recommended to be secured by condition the development is considered to be acceptable to secure measurable net gains for biodiversity, including native planting in landscaping schemes including strengthening boundary vegetation, log piles for invertebrates and reptiles, nest boxes, bat boxes/bat bricks, public open space and new allotments to link to existing wildlife corridors by meadow planting/hedgerows and gaps at bases of fencing to provide connectivity for hedgehogs. Skylark habitat mitigation will be secured via Section 106 agreement on land within the applicant's control.

5.3 A Habitats Regulations Assessment – Appropriate Assessment has been produced by the Council to be agreed with Natural England. The requirements of the Conservation of Habitats and Species Regulations 2017 are therefore considered able to be met. A proportionate financial contribution to enable the delivery of mitigation measures prior to occupation of any dwelling, and a long-term management plan to promote recreational routes around the site to direct recreational pressure away from the Stour and Orwell Estuaries Special Protection Area and Ramsar will be secured via Section 106 agreement and planning condition respectively.

6. Flooding and Surface Water

6.1 Criteria xi and xii of saved Policy CS15 requires development to minimise the exposure of people and property to all sources of flooding and to minimise surface water run-off and incorporate sustainable drainage systems (SUDS), where appropriate. Paragraph 150 of the NPPF seeks to avoid increasing vulnerability to impacts of climate change, with development needing to demonstrate it does not increase flood risk elsewhere. Paragraph 170 of the NPPF also seeks to ensure new development does not contribute to water pollution, and as this site is over a Principal Aquifer and in a Nitrate Vulnerable Zone so the water quality of surface water run-off is a key issue.

6.2 The application is accompanied by a flood risk assessment (FRA). The site is in Flood Zone 1, with the River Gipping 250m to the east of the site and a tributary to this river running along the north of the site adjacent to The Grindle. With regard to surface water, disposal via infiltration is considered feasible, with the site capable of managing storm water in the 1-in-100 year flood event (with 40% climate change allowance) and appropriate pollution control mechanisms provided. Two attenuation basins will be provided to the north and south of the access to the site from Loraine Way. The basin to the south is applied for in Full as this attenuates water from the spine road which is also applied for under a Full application. The surface water strategy also entail the use of attenuation systems, permeable paving, soakaways, swales, filter drains and infiltration basins where runoff will be collected and treated prior to being infiltrated into the ground. The Lead Local Flood Authority have confirmed they have no objection subject to conditions

6.3 Anglian Water have indicated they have capacity for wastewater treatment at the Sproughton-Church Lane Water Recycling Centre and there is capacity in the sewerage system. No conditions are requested.

6.4 The application is therefore considered to be acceptable in relation to matters of flooding and drainage.

7. Impact On Residential Amenity

7.1 Paragraph 127 of the NPPF sets out a number of core planning principles as to underpin decision-taking, including, seeking to secure a high standard of amenity for all existing and future occupants of land and buildings.

7.2 The amenity of existing residents is considered to be acceptable given the distance between the proposed new development and existing dwellings along Burstall Lane and Loraine Way. The amenity of future residents on the site would mostly be impacted by the layout of the proposed development which would be considered at a reserved matters stage. However the indicative layout is considered to demonstrate that there is sufficient space for the quantum of development to ensure there is sufficient space between dwellings and appropriate orientation of dwellings to ensure an adequate level of amenity in relation to outlook, privacy, daylight and sunlight will be achieved for future residents. There is space for each dwelling has access to private amenity space and a large area of public amenity space.

7.3 The impact of noise from any air conditioning units or plant and hours of use of commercial/community uses under Class E or Class F2 of the Use Classes Order (1987) (as amended) has been considered in relation to the amenity of existing and future residents of the development. Through the use of conditions to consider these further the Environmental Health Officer raises no objection. The amenity for existing and future residents is therefore considered to be acceptable and in line with paragraph 127 of the NPPF.

7.4 Concerns have also been raised over air quality for residents from the additional traffic associated with this development. Environmental Health have considered the application but do not raise an objection based on air quality. The Environmental Health Officer has considered guidance from DEFRA and the Institute of Air Quality Management (IAQM), as well as DEFRA background concentrations of pollutants and air quality monitoring that is undertaken near to the application

development site. The background concentrations of Nitrogen dioxide in the area of Sproughton are low and are not indicative of a wider air quality issue and therefore it is considered the air quality in Sproughton as being generally good. To validate this assumption, the Council has in the last year commenced monitoring at Lower Street and the B1113 (the Wild Man junction) and the findings indicate that concentrations of Nitrogen dioxide were significantly below the government objective and the existing air quality in Sproughton is good. The future proposed development has been considered against these existing air quality conditions but it is not considered that the level of traffic movements would necessitate further air quality assessments. A condition to ensure electric vehicle charging points are installed in the new dwellings has been recommended. The development is considered to meet the requirements of paragraph 181 of the NPPF.

8. Delivery

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

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

8.3 The NPPF defines deliverable:

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

and:

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

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

8.5 The applicants have agreed to a reduced time limit for the residential component of the application, which would help bring the dwellings forwards in a shorter timescale which would be of benefit to housing delivery for the council. It is considered the site is suitable, available and achievable to be developed for the proposals under this application and there is no evidence before officers to the contrary.

9. Other matters

9.1 As required by various policies listed in the above report and policy CS21 of the core strategy, the application, if approved, would require the completion of a S106 agreement to secure the required number of affordable dwellings, along with mix and tenure, the provision of open space, community

woodland, extension to allotments, village car park, the RAMs contribution, land for skylark mitigation, marketing of self-build plots to households registered on the councils Self-Build/Custom-Build Register in the first instance, travel plan implementation (if required), works to footpath 9 in Sproughton and highway mitigation measures identified earlier in the report.

9.2 CIL contributions would be sought for primary school expansion for £414,432, secondary school expansion for £404,175, Sixth Form expansion for £95,100, and £22,680 for libraries and £11,550 for waste infrastructure based on a scheme of 105 dwellings through reserved matters.

9.3 The site partly lies within the mineral consultation area under Suffolk County Council's Mineral Core Strategy 2008. Policy 5 of this document requires that any proposed development on unallocated sites over one hectare will be safeguarded from development unless it can be shown that sand and gravel present are no of economic value or that mineral will be worked prior to development taking place. This is considered to align with paragraphs 203 and 204 of the NPPF, and so can be given full weight.

9.4 The Mineral Planning Authority have not been consulted on this application but have requested an assessment of minerals resource via condition on other applications in this consultation area. If materials are found a strategy is recommended to be formed on how the resource is to be used. If material is economically viable prior extraction or use on site should be considered. With this condition the proposed development would therefore be in accordance with paragraph 203 and 204 of the NPPF.

9.5 Section 143 of the Localism Act 2011 on local financial considerations requires consideration to be given to the financial benefits a development would bring to the council through grant income, such as New Homes Bonus, Community Infrastructure Levy, Council Tax and Business Rates. Whilst such considerations are positive they should be afforded little weight; the PPG is clear that it is not appropriate to make a decision based on the potential for the development to raise money for a local authority or other government body. Officers do not consider that such benefits are determinative in reaching the recommendation at the end of this report.

9.6 Fire hydrants would be conditioned to any approval issued.

9.7 The proposals have been screened as to whether an Environmental Impact Assessment (EIA) was required. It is not considered that the proposed development would likely result in significant effects on the environment, whether in isolation or in combination with any other developments in the locality. An EIA under the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 was not considered to be required to assess the environmental impacts of the scheme and in any event Members have before them sufficient environmental information to understand the likely impacts and resultant effects of the development if approved, subject to the mitigation measures set out (which are neither novel, nor complex).

10. Emerging Joint Local Plan

Emerging Joint Local Plan

10.1 The Joint Local Plan (JLP) Preferred Options Regulation 18 was published in July 2019. In this document this site was identified for allocation under reference LA012. This set out the following requirements for this policy:

Approximately 75 dwellings (and associated infrastructure) Site Size - 3.3ha

The development shall be expected to comply with the following:

- I. The relevant policies set out in the Joint Local Plan;*
- II. Landscaping to reflect the sensitivity of the landscape the area;*
- III. Design, layout and landscaping is sympathetic to the close setting of heritage assets;*

- IV. *An alternative provision of equal or greater quality, accessibility and quantity of allotments space is provided as part of the scheme;*
- V. *Contributions to the satisfaction of the LPA, towards pre-school and primary school and secondary school provision;*
- VI. *Contributions to the satisfaction of the LPA, towards healthcare provision;*
- VII. *Contributions to the satisfaction of the LPA, towards additional Household Waste Recycling provision;*
- VIII. *Contributions to the satisfaction of the LPA, for improving local pedestrian links;*
- IX. *Contributions to the satisfaction of the LPA, towards junction improvements on the A1071; and*
- X. *A full assessment of increased discharge on the watercourse, and relevant mitigation measures.*

10.2 This JLP is at present at an early stage in the plan making process, and so limited weight can be given to this document in terms of deciding this planning application. This does however give an indication of the direction of travel as to how the authority will meet its identified housing needs over the next plan period with planned infrastructure to support this growth, and that Sproughton is proposed to be elevated from a Hinterland Village to a Core Village.

10.3 To arrive at the suggested allocations in this document a comprehensive review has been undertaken of all the sites put forward by landowners to formulate this draft joint local plan. This assessment has considered the sustainability of the sites overall to determine which provide a more sustainable form of development for growth in the district as a whole. This site has been identified by the Council as a preferred location for development on this basis. Members must have caution in placing significant weight on this consideration of the emerging allocation, but this does indicate how the Council will meet its housing needs in the most sustainable way and illustrates the Council's current opinion that the site is a sustainable site for the uses proposed as part of this application.

11. Sproughton Parish Council comments

11.1 Sproughton Parish Council have responded to the most recent proposals and object to the application. The parish and applicants have actively engaged with each other throughout the course of this application, with the parish noting in their most recent response that Pigeon have listened to their concerns, improving the scheme by leaving the allotments in their present location and reducing the number of homes. There are aspects of the scheme that the parish welcome, such as the parish car park and community woodland, but it should be noted that the parish still remain opposed to this scheme and raise concern over the urbanisation and absorption of Sproughton into Ipswich.

11.2 The majority of matters raised in their letter of objection are covered by the above report, but also to note is the more recent feedback Sproughton Parish Council have received from the community to their emerging neighbourhood plan. The feedback has included that residents do not consider this application site the most suitable site for development in the village. Unfortunately this plan is at such an early stage no weight can be given in planning terms to this at present. The parish also raise concern over affordability of housing in relation to average earnings and the loss of the dark sky backdrop to the Wild Man PH and to surrounding villages. These in themselves are not matters that can be reasons for refusal, although the landscape impacts are considered above in the report.

11.3 The parish identified that should the planning committee be minded to approve the application they would like discussion with the applicants regarding the planning conditions to minimise the impact of the development. The parish would like the allotments, proposed community woodland and village car park to be transferred to the parish from the applicants. The existing allotments are not part of this application and so it would not be possible to secure transfer of ownership through this application, but the community

woodland, land for community use and village car park are, and an option for the parish to take ownership of these can be incorporated into the S106 agreement. The parish have identified conditions such as no further development to the west of the application site, further traffic surveys during construction and post development, and rectifying any foul water issues that may arise post-development. It would unfortunately not be reasonable to secure these conditions in the absence of any further requirement for mitigation and future monitoring from SCC Highways or Anglian Water respectively. It is also not possible to condition no further development on land to the west of the application site, as this is not required to make the development acceptable and so not considered reasonable. Any further proposals would be assessed on their own merits.

PART FOUR – CONCLUSION

12. Planning Balance and Conclusion

12.1 The Council benefits from a five-year housing land supply. The tilted balance at paragraph 11(d) of the NPPF is not engaged in that respect.

12.2 The site is outside the settlement boundary and therefore conflicts with Policy CS2. As a policy of vital importance underpinning the spatial strategy of the Council, where the circumstances of this application are not exceptional and in the absence of a proven justifiable need, the development is considered to conflict with the development plan as a whole (notwithstanding additional tension with policy CS11 in relation to local housing need, and tension noted in respect of policy CR04). It is then important to consider whether other material considerations indicate that a decision other than in accordance with the development plan should be made.

12.3 Policy CS2 carries reduced statutory weight because of the age of the settlement boundaries and its inconsistency with the NPPF, although the overall settlement pattern strategy remains sound. Bearing in mind the relationship between the site and the settlement of Sproughton as a Hinterland Village, the underlying aims of policy CS2 are broadly met. Policies CS1, CS11 and CS15 are attached full statutory weight given their strong alignment with the NPPF in terms of this proposal. Therefore for the purposes of paragraph 11(d) the policies most important for determining the application as a whole are considered to be up-to-date. Whilst CS2 carries some reduced statutory weight, as a complement of policies they are not considered to be out-of-date and paragraph 11(d) is not engaged in that respect either.

12.4 Although the site is located outside the main part of Sproughton, it is on the edge of the village, close to other development. Policy CS11 contemplates development at such edge-of-village locations albeit subject to satisfying local needs among other things. The land is in a sustainable location, with pedestrian connectivity. The proposal would not be physically, visually or functionally isolated. The site's sustainable location is a scheme positive.

12.5 There are a notable number of benefits from the proposed development, many of which the applicant has provided following engagement with Sproughton Parish Council and local residents. These are:

- contribution of up to 68 market dwellings to housing supply (excluding the proposed self-build/custom build plots)
- provision of 13 self-build/custom-build plots where there identified demand from the council's self-build/custom build register
- provision of up to 37 affordable dwellings
- extension to existing allotments
- land for employment and community uses, although weight must be tempered on the basis of no end occupiers being identified at present for these uses

- new route for vehicular traffic to/from Burstall Lane to provide alternative junction of Loraine Way/Burstall Lane
- the provision of passing bays on Burstall Lane
- the provision of a bus shelter on Loraine Way
- traffic calming measures along Burstall Lane and improvements to the Burstall Lane/High Street junction
- provision of village gateway features and the promotion of a Traffic Regulation Order for the change in speed limit and weight limit extension
- new public open space, new public right of way between Loraine Way and the existing footpath SP9 with footpath and cycle path links through the site
- a community woodland
- village car park
- net gain for biodiversity
- highway mitigation measures of;
 - o B1113 - New zebra crossing north of Wild Man PH access
 - o B1113/Burstall Lane/Lower Street Junction – Reduce kerb radii and install uncontrolled crossing points
 - o A1071/B1113 Beagle Roundabout – Widening of approach lanes to roundabout
 - o Footway between Sproughton and Bramford – Cycle link on Loraine Way

12.6 The delivery of this quantum of housing, including self-build and a policy compliant level of affordable housing, the significant public open space including allotment extension, community woodland and creation of new public right of way are all considered to be significant benefits to this scheme. While officers cannot be satisfied that there is a need within the village for the amount of units proposed, the role that the village can play within its wider cluster and the district has been considered. Therefore, while the Council can presently demonstrate a five-year HLS, the provision of 105 new dwellings is still a weighty consideration. That the site itself has been identified as playing a role in the future needs of the district within the emerging Plan is of limited weight but still positive.

12.7 Those other matters which weigh against the application must also be considered. These include:

- Potential loss of Best and Most Versatile Agricultural land, although Grade 3 land
- Moderate to slight adverse landscape and visual effects, although reducing over time as landscaping matures
- Low to medium less than substantial harm (as a worst case scenario)

12.8 The proposal has the potential to result in a low to medium level of less than substantial harm to the setting of the neighbouring Grade II listed building the Grindle House and a low level of less than substantial harm to the listed buildings in the historic village core as set out above. This potential harm to the significance of a designated heritage asset is a disbenefit of the scheme which needs to be treated with the utmost importance in light of the statutory duties imposed by the listed buildings Act.

12.9 Full consideration has been given to the comments received from the Heritage Team. The level of harm to the above Grade II listed heritage assets is noted to be a low to medium level of less than substantial harm.

12.10 Paragraph 192 of the NPPF states that in determining planning applications, local planning authorities should take account of:

- the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;
- the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and

- the desirability of new development making a positive contribution to local character and distinctiveness.

12.11 Further to this paragraph 193 of the NPPF identifies “when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset’s conservation.” It continues to identify that “This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.”

12.12 Paragraph 196 of the NPPF states that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal. In consideration of the contribution towards the Council’s housing targets, provision of affordable housing, employment uses/community space, village car park, open spaces including a community woodland, extension to allotments, creation of an additional public right of way, highway improvements and biodiversity net gain, it is considered that these material considerations would nonetheless outweigh the low to medium level of less than substantial harm to the significance of the heritage assets, even where a considerable importance and great weight is applied to the desire to keep the affected assets from harm and whether weighed individually by asset, or cumulatively. Even where the 196 test is satisfied, if a low to medium level of harm was identified it is still important and must still be weighed in the final balance.

12.13 The starting point for decision-taking purposes remains the development plan with the National Planning Policy Framework a material consideration in this decision. The policies of the Core Strategy generally conform with the aims of the Framework to promote sustainable transport through walking, cycling and public transport by actively managing patterns of growth in support of this, whereby significant development should be focused on locations which are or can be made sustainable, through limiting the need to travel and offering a genuine choice of transport modes.

12.14 However, the Framework objectives for sustainable development include delivering a sufficient supply of homes. The council can demonstrate at least the five-year housing land supply required by paragraph 73 of the Framework. Therefore, there are not the grounds on which to find policies as out of date in respect of housing supply and so it is not necessary to apply the ‘tilted balance’ of Framework paragraph 11 in that respect.

12.15 Nevertheless, meeting the requirements of paragraph 73 is not intended as a ceiling on further housing, where the Framework continues to support Government’s objective to significantly boost the supply of homes under paragraph 59 of the NPPF. The location is considered to be a sustainable location with some services provided within the village and good connections to Ipswich reducing the need to travel by private car. While the Applicant has not fully evidenced a local need for the development in accordance with policies CS2 and CS11, the benefits to flow from the delivery of 105 new dwellings are still weighty.

12.16 Although there would be some degree of harm through this proposal running contrary to the adopted settlement strategy of the Core Strategy, this would be off-set by the national policy considerations set out above.

12.17 As identified above in the report, the development would result in an impact on the landscape character and to visual receptors to the site. However, the landscape harms identified would reduce to slight adverse effect with mitigatory planting in the longer term. The extent of these harms must also be noted, and that they do not occur over a significantly large area within the wider landscape. There would not be significant harm to the Special Landscape Area either. The site is physically very well related to the body of the village. Whilst the proposal will have an urbanising effect, the development will not appear isolated in a landscape sense (and paragraph 79 of the NPPF is not engaged). The development scale

will not overwhelm the village given its size and sufficient provision can be made for required infrastructure.

12.18 The proposal would result in the development of 105 new dwellings, which would add to the local housing stock and offer meaningful support for the local services in the village, both during construction and following occupation of the development. Consequently, the proposal would have social and economic benefits that, given the scale of development proposed, which would be significant. These benefits are afforded more than moderate weight given the level of contribution towards the aim of achieving sustainable development. They weigh clearly in favour of the scheme.

12.19 Having regard to the comments of the highway authority, it is concluded that the proposal would not be detrimental to highway safety. Residential amenity of neighbours is safeguarded to an acceptable level and a high standard of amenity will be provided for future occupants of the development. Finally the development would enable a net gain for biodiversity compared to the existing value of the site for protected species. These are scheme positives.

12.20 Therefore, it is considered the above merits of the scheme and compliance with policy CS15, including the accessible location of the housing and its contribution to boost housing supply, when balanced against the identified heritage harm, limited harm to the wider landscape and loss of agricultural land, would represent sustainable development and when considered as a whole would meet the requirements of policy CS15 and all other relevant local plan policies outlined above. The conflict with policy CS2 (and CS11 in so far as a lack of a fully evidenced local need) on the location of this development is noted and has been weighed accordingly. Matters relating to landscape and heritage harm and local housing need have been considered, but for the reasons identified in the above report these matters are considered not to be fatal to the application, and the proposal is considered to comply with the majority of criteria under policy CS11. Furthermore the benefits are considered to be significant and compelling in the overall planning balance.

12.21 The comments of Sproughton Parish Council and the significant number of objections to the scheme are noted. However the scheme must be assessed against the development plan and relevant material considerations, as it has done in the above report. The proposal is considered to represent a sustainably located site for new residential development and would provide the opportunity to deliver well designed, sustainable development with tangible benefits in relation to a community woodland and public open space, furthering the overarching thrust of policies CS1 and CS15 of the Core Strategy and providing for net gains to the three objectives of sustainability in accordance with the NPFF (which notwithstanding the development plan is a compelling material consideration). The application is therefore recommended for approval because, although not in full compliance with the development plan as a whole, other material considerations indicate that permission should be granted despite the limited harms identified and this is considered to be the appropriate outcome.

RECOMMENDATION

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

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

- Affordable housing – no less than 35% of total scheme
 - Properties shall be built to current Housing Standards Technical requirements March 2015 Level 1. All ground floor 1 bed flats to be fitted with level access showers, not baths.

- The council is granted 100% nomination rights to all the affordable units on initial lets and 75% on subsequent lets
- All affordable units to be transferred freehold to one of the Councils preferred Registered providers.
- Adequate parking provision is made for the affordable housing units including cycle storage for all units.
- Commuted sum option available to be paid instead of on site provision should the LPA agree to such request.
- Marketing of self-build plots to households on the council's Self-Build/Custom Build Register
- On site open space and play space and include management of the space to be agreed and requirement for public access at all times.
- Community woodland
- Extension to allotments
- Village car park
- Skylark mitigation area
- RAMS contribution (£121.89 per dwelling)
- Highway improvement works contributions to include:
 - Traffic regulation orders – to extend 30mph limit and moving of weight limit
 - B1113 - New zebra crossing north of Wild Man PH access
 - B1113/Burstall Lane/Lower Street Junction – Reduce kerb radii and install uncontrolled crossing points
 - A1071/B1113 Beagle Roundabout – Widening of approach lanes to roundabout
 - Footway between Sproughton and Bramford – Cycle link on Loraine Way
- Contribution to facilitate extension of 30mph speed limit and move weight limit
- Travel Plan monitoring fee
- Works to Footpath 9

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

- Reduced time limit for new homes, standard time limit for non-residential uses
- Approved Plans (Plans submitted that form this application) including broad compliance with indicative parameters plan
- Approval of reserved matters
- Phasing Condition (To allow phasing of the development and allows spreading of payments under CIL)
- Landscape; Advance planting, landscape management plan, soft and hard landscaping plan
- Ecology: Mitigation and enhancement measures, , biodiversity enhancement strategy, landscape and ecological management plan, wildlife sensitive lighting.
- Tree method statement and protection plan
- Highways; details of spine road and highway mitigation at Burstall Lane, details of highway mitigation at B1113/Lower Street junction, village gateway signs, visibility splays, estate road construction, car parking/electrical vehicle charging/cycle storage details, refuse/recycling bins, construction management plan.
- Fire hydrants

- Surface water drainage
- Mineral safeguarding
- Archaeology
- Land contamination – further investigation and unknown contamination
- Market housing mix prior to or concurrent with reserved matters to be agreed
- Up to two storey development only
- Sustainability and energy strategy
- Level access to enable wheelchair access for all dwellings/buildings.
- Broadband service ducting
- Construction method statement, no burning of waste, restriction on hours of use and deliveries for class E and D2 uses
- Noise from any plant, equipment or machinery on non-residential uses
- Travel Plan

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

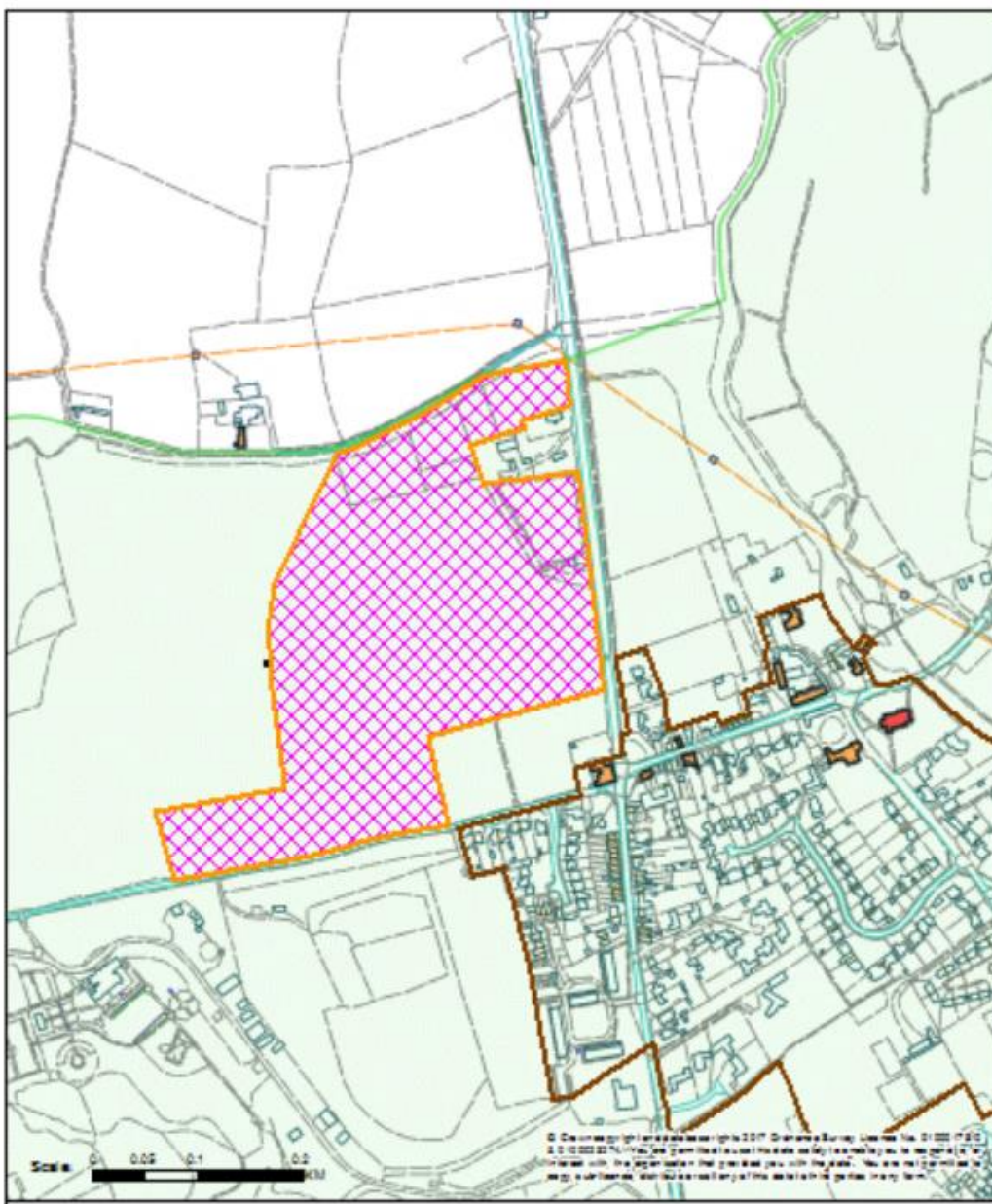
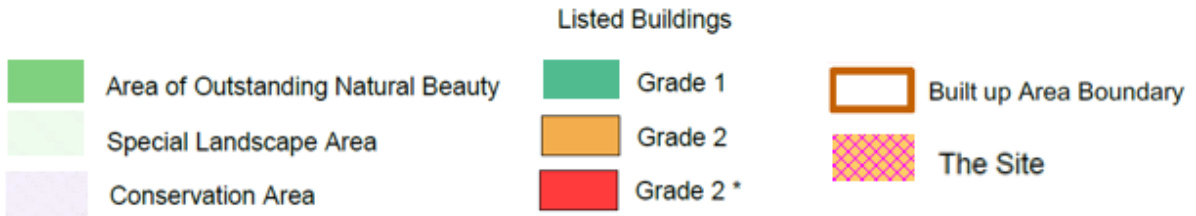
- Proactive working statement
- SCC Highways notes
- Anglian Water notes
- Lead Local Flood Authority notes

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

Application No: DC/19/00567

Parish: Sproughton

Location: Land North of Burstall Lane



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Dear Members,

As it is not possible to undertake a committee site visit at this time we have compiled a 'virtual' site visit for you, with a mixture of aerial views, photographs and video footage of the sites and surroundings.

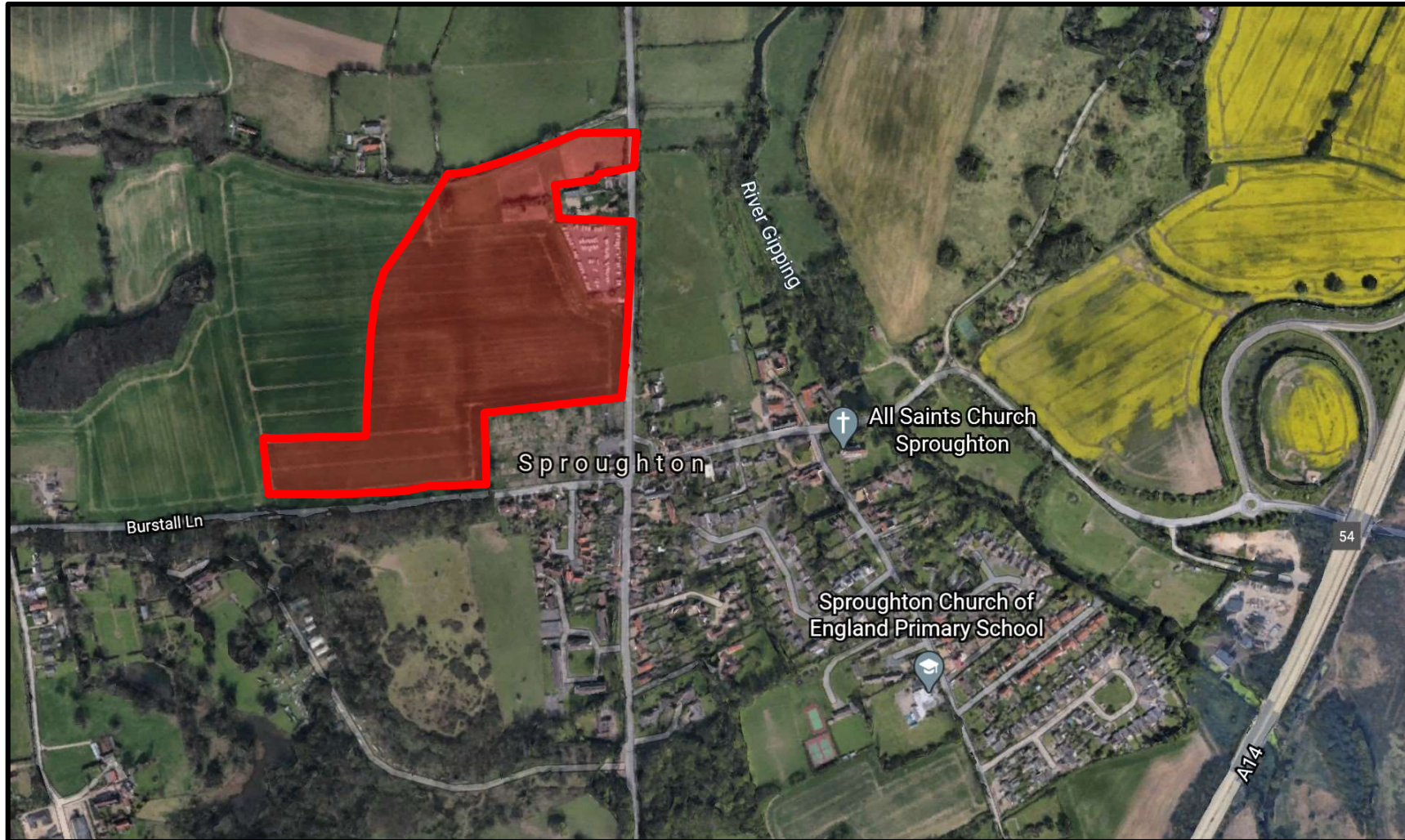


Virtual Committee Site Visit

Application Ref: DC/19/00567

Site: Land north of Burstall Lane,
Sproughton

Link to Youtube Video:<https://www.youtube.com/watch?v=A5bIOw0FcNI&feature=youtu.be>



Click to show site of application 19/00567 outlined in red



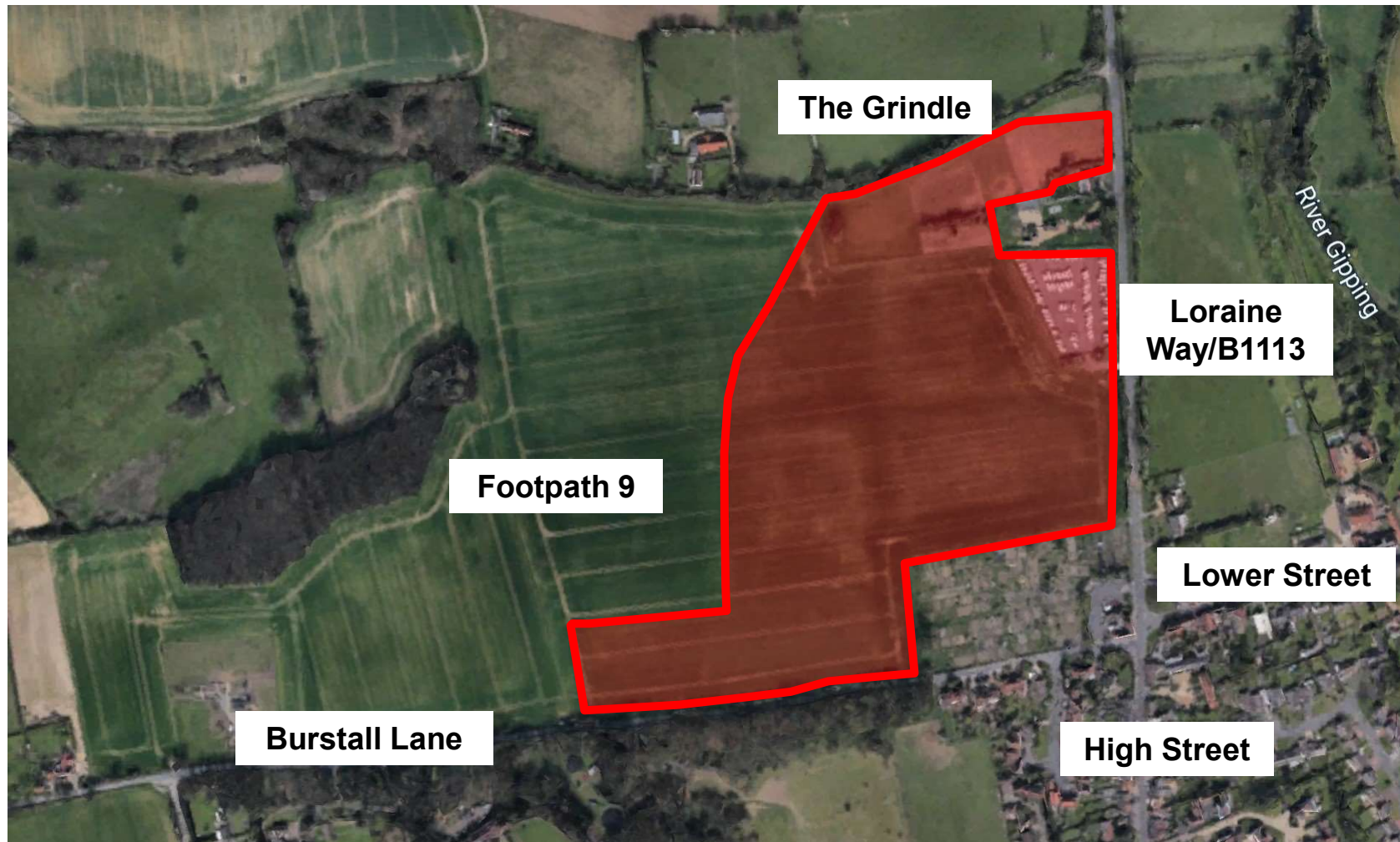
Aerial Flyover

Slide 4

Please watch video 1 for an aerial view of the site. The site is to the north east of the current built form in Sproughton, as shown outlined in red on the previous slide.

Roads and public rights of way

This slide shows the key roads and public right of way around/through the site



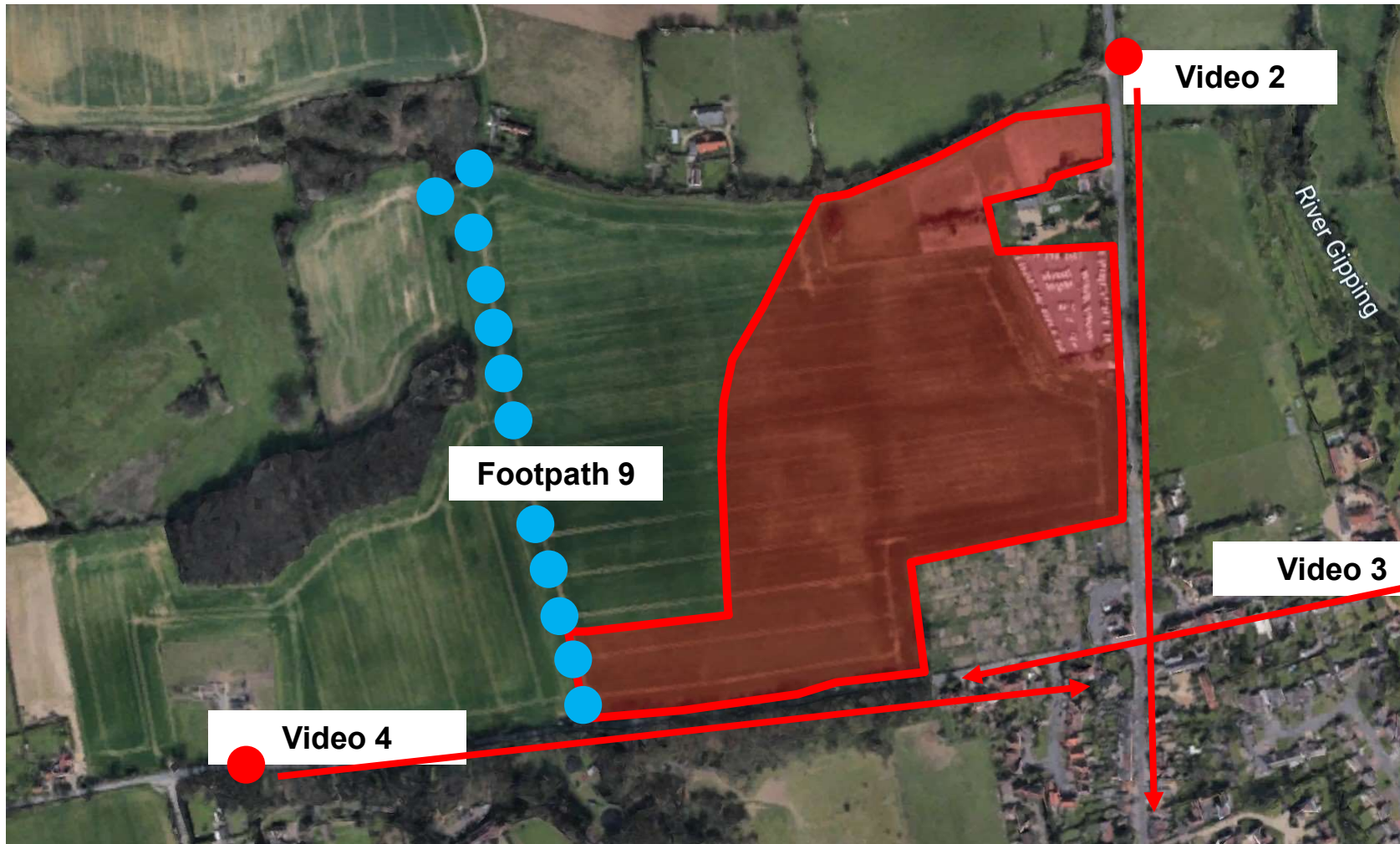


The next slide gives the locations of videos 2, 3 and 4. Please see the next slide for the routes of the videos and then refer to the corresponding video.

Also shown is the route of footpath 9 near the site, videos from this footpath are shown later in this presentation under viewpoints 3, 5 and 6.

Roads ● Starting point of video

Public rights of way ● Route of footpath



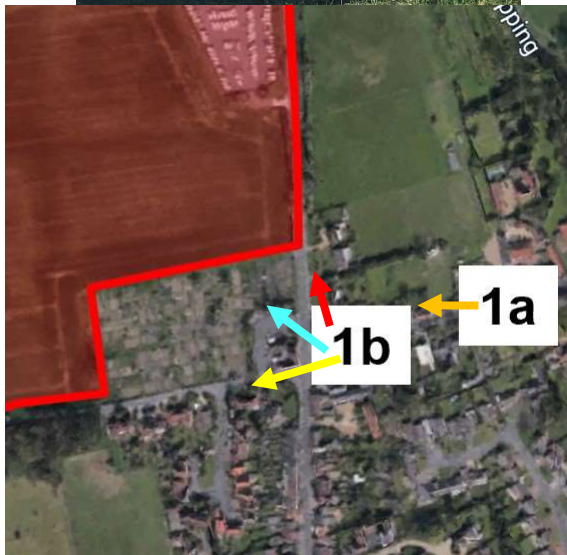
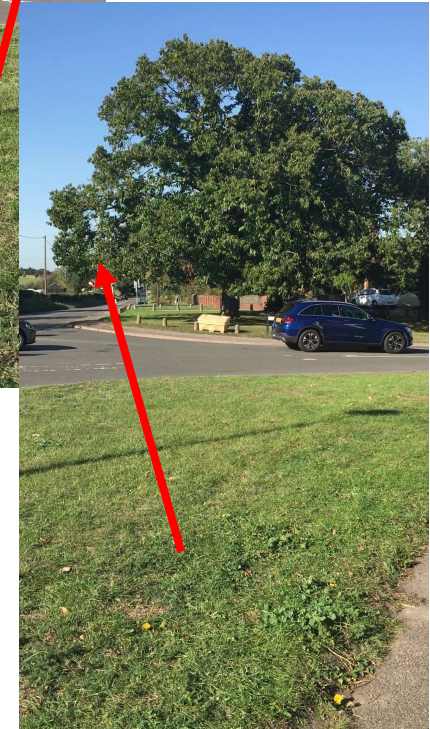
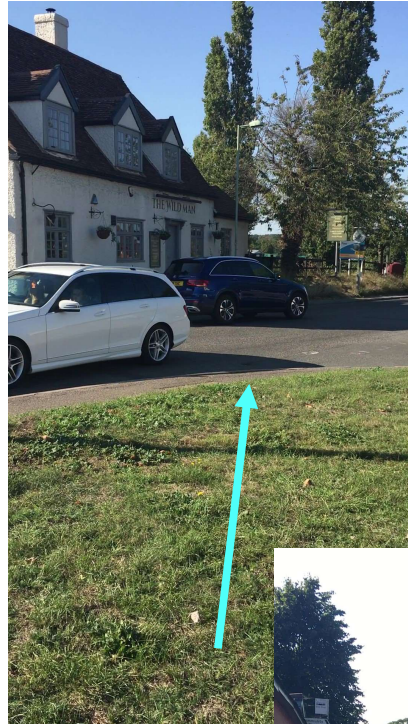
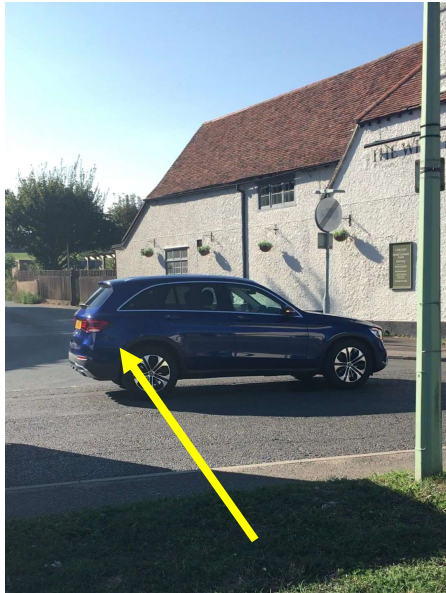
The slides will now show 10 viewpoints, the location of which are shown below.



The following slides show the following for each of these viewpoints:

- An aerial view and with numbered viewpoint
- A set of photos and photo locations
- The numbered video footage taken from the viewpoint which can be viewed via YouTube.







Viewpoint 1 videos

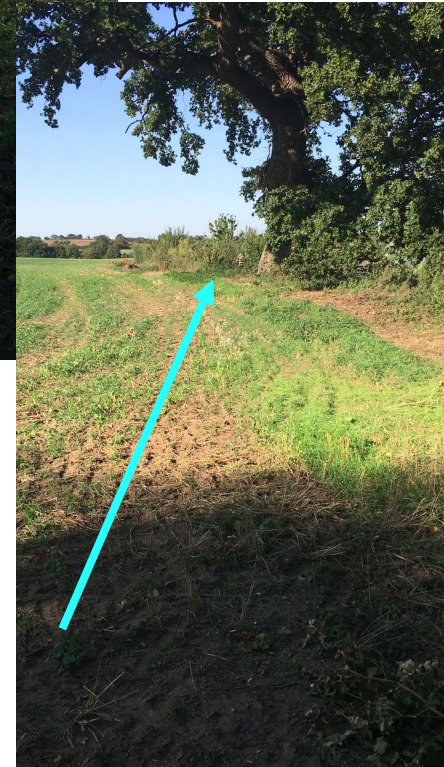
Slide 12

Please watch video 5 for footage of
viewpoint 1a and video 6 for viewpoint 1b



Viewpoint 2

Slide 14





Viewpoint 2 video

Slide 15

Please watch video 7 for footage from
viewpoint 2



Viewpoint 3

Slide 17





Viewpoint 3 video

Slide 18

Please watch video 8 for footage from
viewpoint 3





Viewpoint 4

Slide 20



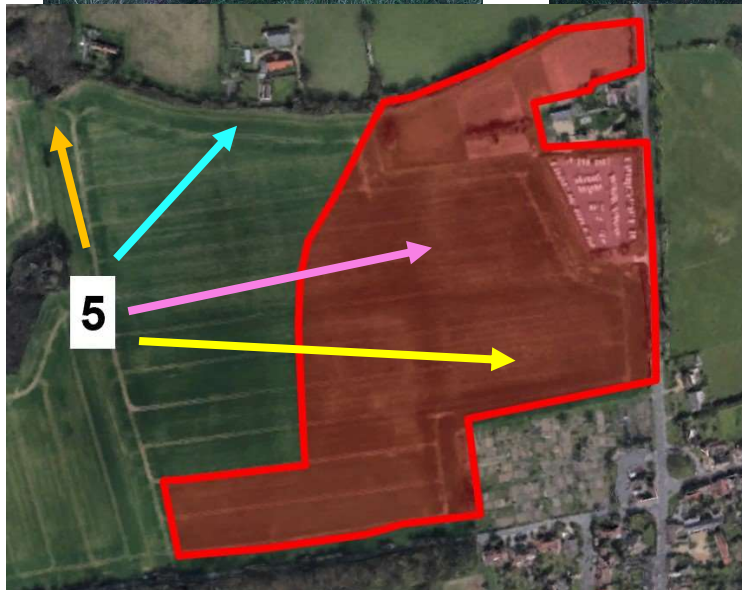
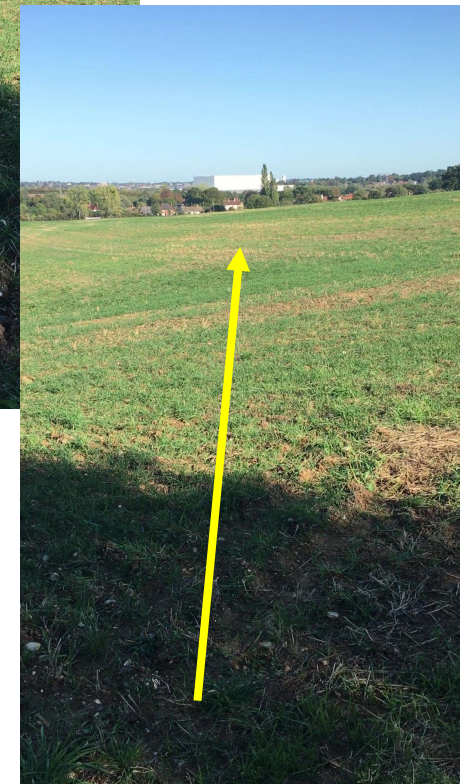
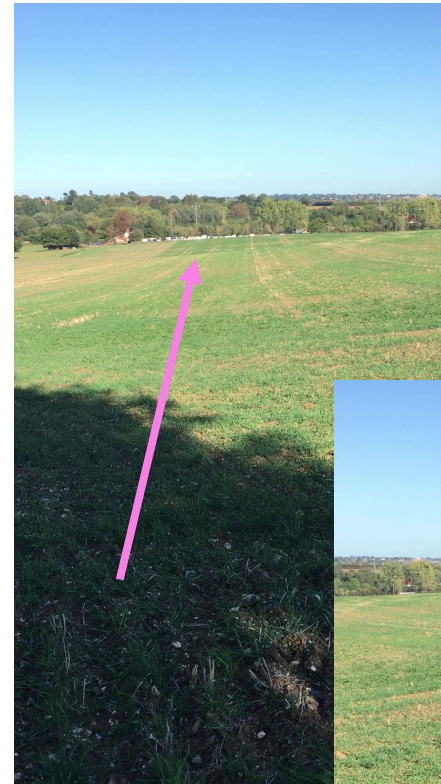


Viewpoint 4 video

Slide 21

Please watch video 9 for footage from
viewpoint 4







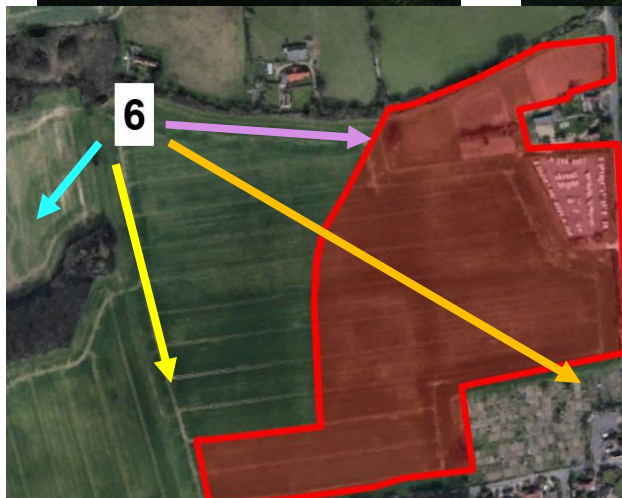
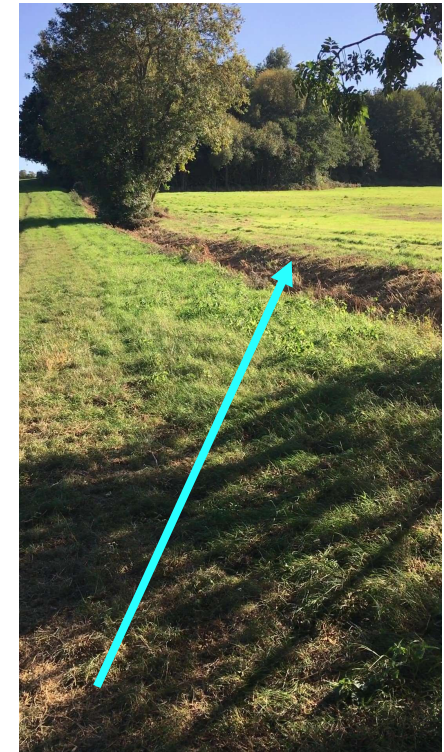
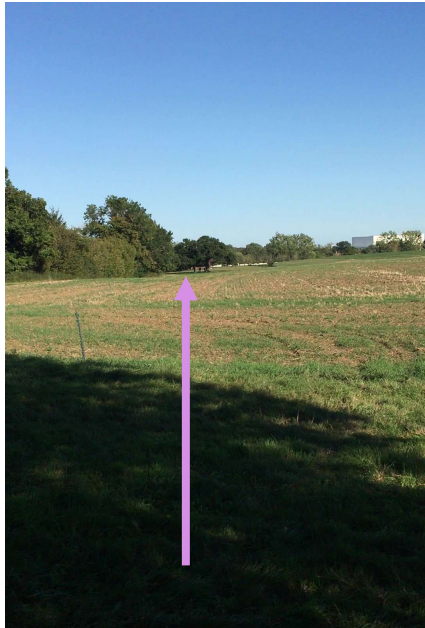


Viewpoint 5 video

Slide 25

Please watch video 10 for footage from
viewpoint 5





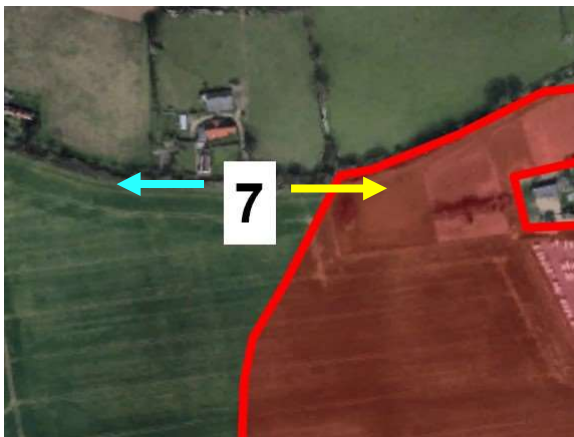
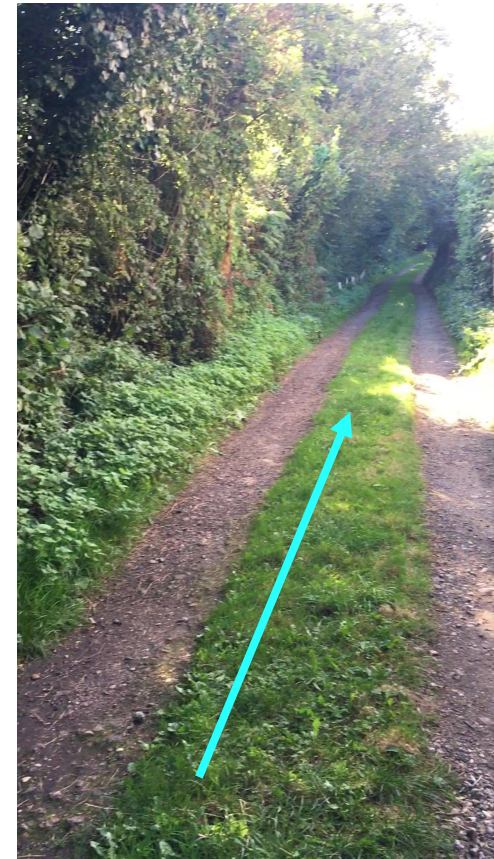


Viewpoint 6 video

Slide 28

Please watch video 11 for footage of
viewpoint 6







Viewpoint 7 video

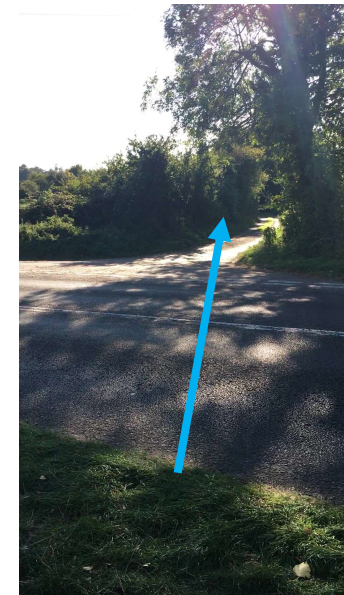
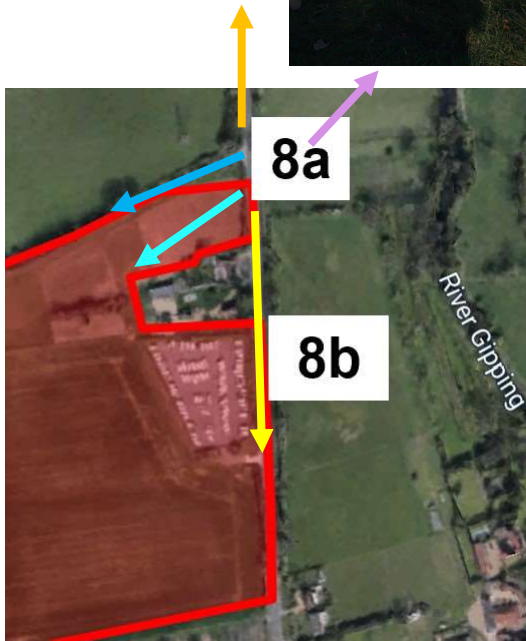
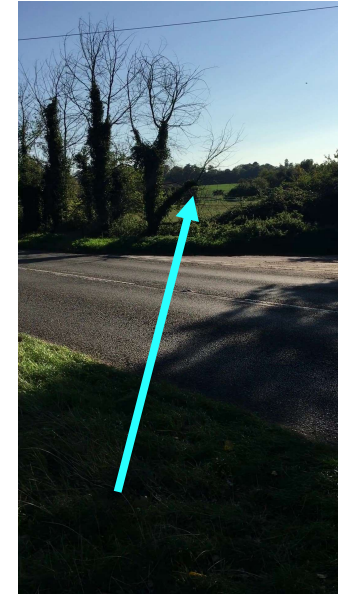
Slide 31

Please watch video 12 for footage of
viewpoint 7



Viewpoint 8a

Slide 33







Viewpoint 8 videos

Slide 35

Please watch video 13 for footage of
viewpoint 8a and video 14 for viewpoint 8b







Viewpoint 9 videos

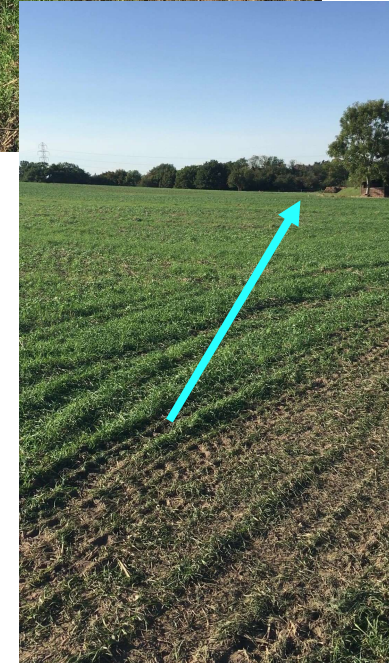
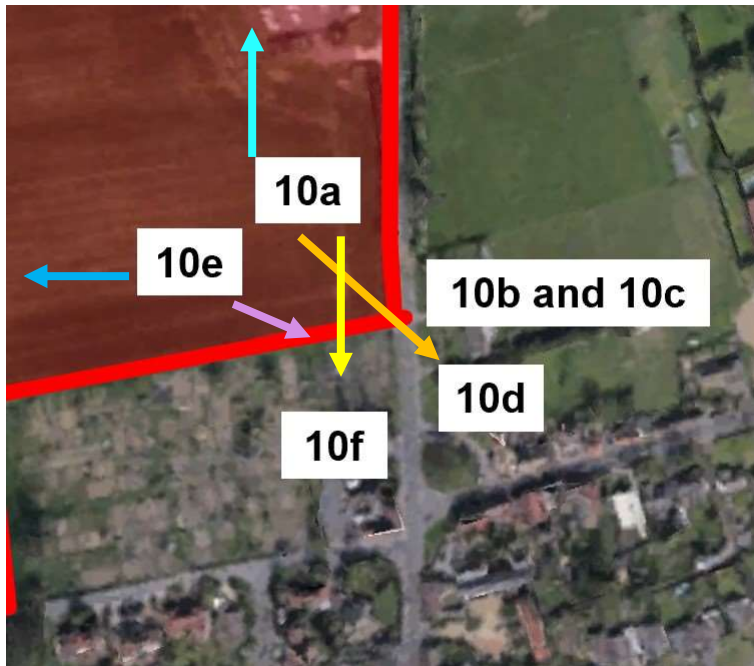
Slide 38

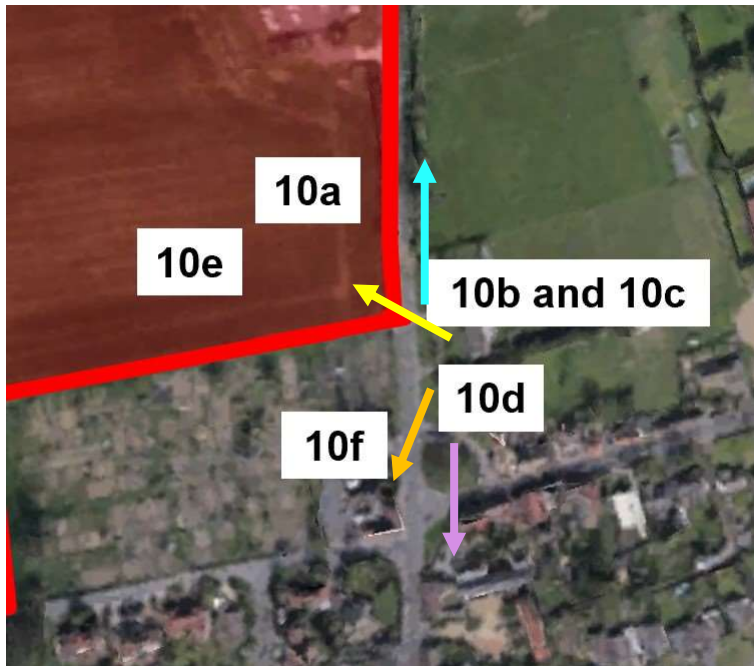
Please watch video 15 for footage of
viewpoint 9a and video 16 for viewpoint 9b

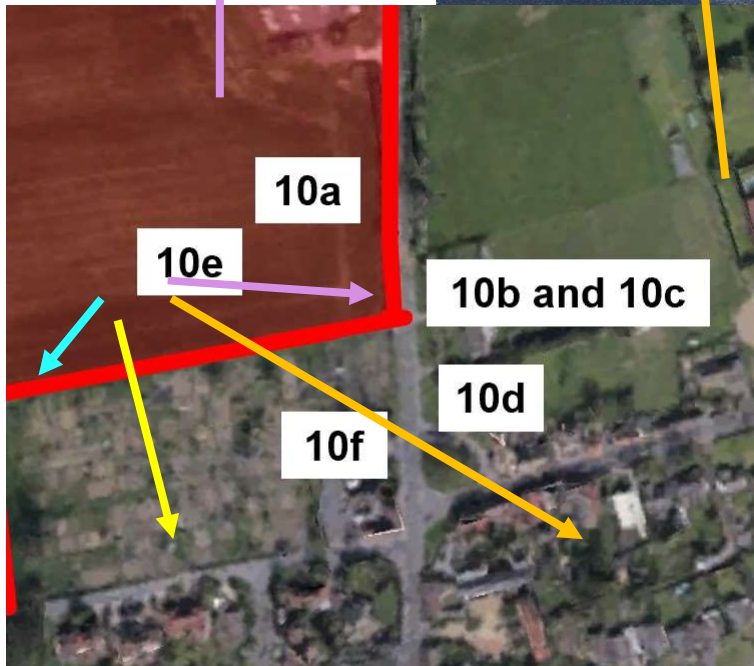


Viewpoint 10a and 10e

Slide 40









Viewpoint 10 videos

Slide 43

Please watch the following videos for footage of the viewpoints as follows:

Video 17 for viewpoint 10a

Video 18 for viewpoint 10b

Video 19 for viewpoint 10c

Video 20 for viewpoint 10d

Video 21 for viewpoint 10e

Video 22 for viewpoint 10f

Appendix 2 – Tabled Papers presented at committee meeting on 7th October 2020

Agenda Item 6a

Tabled Papers

DC/19/00567- Land to east of Loraine Way (Bramford Road), Sproughton

Hybrid Application comprising:

Outline Planning Application (Access to be considered) for the erection of up to 92 homes and 13 self-build/custom build plots (including provision of up to 37 affordable homes); open space, including a village wood; land for community use/ local shops/ office space; land for a village car park; land for an extension to existing village allotments; land for paddocks; land for relocated and enhanced caravan storage provision; safeguarded land for potential future relief road; new public right of way and associated infrastructure provision.

Full planning application for spine road between Loraine Way and Burstall Lane (including accesses onto Burstall Lane and Loraine Way); access for proposed caravan storage area; accesses for self-build plots from Burstall Lane; and associated drainage and highway works (including formation of passing bays on Burstall Lane).

Updates to committee report

Heritage: Further discussion with the Council's Heritage Officer has noted there is potential to reduce the level of heritage harm to both the Grindle House and the listed buildings within the historic core of the village, subject to further details being provided. The harm to the significance of the Grindle House could reduce from a medium level of less than substantial harm if the planting of the community woodland provides a sufficient mature tree belt. Also the harm to the significance of the setting of the heritage assets in the historic core could reduce further to no harm with detailed plans of building heights which can only be secured at the reserved matters stage. Members are advised to note the worse case scenario in their planning balance in relation to heritage harm, but officers would like to note the potential for this harm to be reduced.

Comments made in representations

For the interests of clarity, light pollution and loss of dark skies have been raised as issues in letters of representation. The scale and predominantly residential nature of the development will not lead to light pollution to an unacceptable level. A condition to restrict light pollution through a wildlife sensitive lighting scheme is included in the conditions in the committee report. Loss of property value has also been raised. However this is not a material planning consideration in itself. Other matters that may lead to a perceived loss of value such as residential amenity (outlook, privacy) have already been addressed in this report.

Delivery Statement

Members will have received a Members Briefing Note from the applicants, which includes a Delivery Statement. The contents of this Delivery Statement are considered by officers to support the conclusions in section 8 of the committee report (page 42 of agenda).

As an update to the number of representations received, over 330 representations have now been received but all issues raised are covered in the committee report.

Amendment to Recommendation:

Officers are awaiting a response from Natural England to the draft Habitats Regulations Assessment - Appropriate Assessment issued by officers to Natural England. This

assessment considers the impact of the proposed development on protected sites such as the Stour and Orwell Estuaries Special Protection Area and Ramsar. The council's Ecologist has raised no objection to the proposed development in relation to its impact on protected sites, due to the identification of mitigation measures including provision of recreational/walking routes around the application site and a Recreational Access Disturbance Avoidance and Mitigation Strategy contribution (RAMS) to be secured through S106 agreement. It is therefore considered unlikely Natural England will maintain any further objection, but officers seek to amend the recommendation to approve planning permission once confirmation is received from Natural England. If any further issues are raised by Natural England that cannot be resolved the application would be brought back before Members, however this is considered unlikely.

The amended recommendation therefore reads:

RECOMMENDATION

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

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

- Affordable housing
 - no less than 35% of total scheme
 - Properties shall be built to current Housing Standards Technical requirements March 2015 Level 1. All ground floor 1 bed flats to be fitted with level access showers, not baths.
 - The council is granted 100% nomination rights to all the affordable units on initial lets and 75% on subsequent lets
 - All affordable units to be transferred freehold to one of the Councils preferred Registered Providers.
 - Adequate parking provision is made for the affordable housing units including cycle storage for all units.
 - Commuted sum option available to be paid instead of on site provision should the LPA agree to such request.
 - No more than 15 dwellings in any cluster of affordable dwellings
- Marketing of self-build plots to households on the council's Self-Build/Custom Build Register
- On site open space and play space and include management of the space to be agreed and requirement for public access at all times.
- Community woodland
- Extension to allotments
- Village car park
- Skylark mitigation area
- RAMS contribution (£121.89 per dwelling)
- Highway improvement works contributions to include:
 - Traffic regulation orders – to extend 30mph limit and moving of weight limit
 - B1113 - New zebra crossing north of Wild Man PH access
 - B1113/Burstall Lane/Lower Street Junction – Reduce kerb radii and install uncontrolled crossing points
 - A1071/B1113 Beagle Roundabout – Widening of approach lanes to roundabout
 - Footway between Sproughton and Bramford – Cycle link on Loraine Way
- Contribution to facilitate extension of 30mph speed limit and move weight limit
- Travel Plan monitoring fee
- Works to Footpath 9

(2) That the Chief Planning Officer be authorised to APPROVE Planning Permission upon confirmation from Natural England they have no objection to the application and completion of the legal agreement subject to conditions as summarised below and those as may be deemed necessary by the Chief Planning Officer:

- Reduced time limit for new homes, standard time limit for non-residential uses
- Approved Plans (Plans submitted that form this application) including broad compliance with indicative parameters plan
- Approval of reserved matters
- Phasing Condition (To allow phasing of the development and allows spreading of payments under CIL)
- Landscape; Advance planting, landscape management plan, soft and hard landscaping plan
- Ecology: Mitigation and enhancement measures, , biodiversity enhancement strategy, landscape and ecological management plan, wildlife sensitive lighting.
- Tree method statement and protection plan
- Highways; details of spine road and highway mitigation at Burstall Lane, details of highway mitigation at B1113/Lower Street junction, village gateway signs, visibility splays, estate road construction, car parking/electrical vehicle charging/cycle storage details, refuse/recycling bins, construction management plan.
- Fire hydrants
- Surface water drainage
- Mineral safeguarding
- Archaeology
- Land contamination – further investigation and unknown contamination
- Market housing mix prior to or concurrent with reserved matters to be agreed
- Up to two storey development only, with ridge heights to be agreed
- Sustainability and energy strategy
- Level access to enable wheelchair access for all dwellings/buildings.
- Broadband service ducting
- Construction method statement, no burning of waste, restriction on hours of use and deliveries for non-residential (future class E and D2) uses
- Noise from any plant, equipment or machinery on non-residential uses
- Travel Plan

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

- Proactive working statement
- SCC Highways notes
- Anglian Water notes
- Lead Local Flood Authority notes

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

Appendix 3 – Minutes to Babergh Planning Committee meeting 7th October 2020

BABERGH DISTRICT COUNCIL

Minutes of the meeting of the **PLANNING COMMITTEE** held in the Virtual Teams Video Meeting on Wednesday, 7 October 2020 -09:30

PRESENT:

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

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

Ward Member(s):

Councillors: Zac Norman
Clive Arthey
Margaret Maybury

In attendance:

Officers: Planning Lawyer (IDP)
Acting Area Planning Manager (MR)
Principal Planning Officer (JH/SS)
Governance Officer (RC)

1 SUBSTITUTES AND APOLOGIES

None received.

2 DECLARATION OF INTERESTS

None declared.

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

The Governance Officer reported that one petition had been received regarding application DC/19/00567 (Item 6A) with 240 valid signatures supporting the following statement.

We wish to voice a number of strong objections that we have with regard to the proposed development of additional properties on open space to the side of Burstall Lane and Lorraine Way (Hope Farm) . Policies that are from the Babergh Local Plan

2011-2031 Core Strategy and policies (Part 1 of New Local Plan), saved policies, NPPF, regional planning guidance for east Anglia, The Suffolk structure plan 2001 all combine to support the protection of our countryside and greenbelt areas.

4 PL/20/1 TO CONFIRM THE MINUTES OF THE MEETING HELD ON 23 SEPTEMBER 2020

It was Resolved that the Minutes of the meeting held on 23 September 2020 were confirmed as a true record subject to the amendment below:

- That the attendance of Officers and Ward Members be added to the minutes.

The Minutes would be signed at the next practicable opportunity.

5 SITE INSPECTIONS

None requested.

6 PL/20/2 PLANNING APPLICATIONS FOR DETERMINATION BY THE COMMITTEE

In accordance with the Council's arrangements for Public Speaking at Planning Committee, representations were made as detailed below relating to the items in Paper PL/20/2 and the speakers responded to questions put to them as provided for under those arrangements.

Application Number	Representations From
DC/19/00567	Helen Davies (Parish Council Representative) Rhona Jermyn (Objector) Martyn Levett (Objector) Rob Snowling (Applicant) Cllr Christopher Hudson (Suffolk County Council Division Member) Cllr Zac Norman (Ward Member)
DC/19/04755	Cllr Margaret Maybury (Ward Member) Cllr Clive Arthey (Ward Member)

It was RESOLVED

That subject to the imposition of conditions or reasons for refusal (whether additional or otherwise) in accordance with delegated powers under Council Minute No. 48(a) (dated 19 October 2004) decisions on the items referred to in Paper PL/20/2 be made as follows:-

7 DC/19/00567 LAND NORTH OF BURSTALL LANE, SPROUGHTON, IPSWICH, SUFFOLK, IP8 3DE

7.1 Item A

Application Proposal	DC/19/00567 Hybrid Application comprising: Outline Planning Application (Access to be considered) for the erection of up to 92 homes and 13 self-build/custom build plots (including provision of up to 37 affordable homes); open space, including a village wood; land for community use/ local shops/ office space; land for a village car park; land for an extension to existing village allotments; land for paddocks; land for relocated and enhanced caravan storage provision; safeguarded land for potential future relief road; new public right of way and associated infrastructure provision. Full planning application for spine road between Loraine Way and Burstall Lane (including accesses onto Burstall Lane and Loraine Way); access for proposed caravan storage area; accesses for self-build plots from Burstall Lane; and associated drainage and highway works (including formation of passing bays on Burstall Lane).
Site Location	SPROUGHTON- Land North of, Burstall Lane, Sproughton, Ipswich, Suffolk, IP8 3DE
Applicant	Pigeon Land 2 Ltd And The Felix Thornley Cobold Agricultural Trust

7.2 The Case Officer presented the application to the Committee outlining the proposal before Members, the layout of the site, the contents of the tabled papers and the updated officer recommendation of approval as detailed in the tabled papers.

7.3 The Case Officer responded to Members' questions on issues including: the indicative plan and parameters plan associated with the application, the spine road through the site, the affordable housing provision and that this would be confirmed at a reserved matters stage, and the proposed self-build plots on the site.

7.4 The Case Officer responded to further questions from Members on issues including: the consultation with Mid Suffolk District Council and why Ipswich Borough Council had not been consulted, the conditions within the officer recommendation, the current highways situation in the village and the response from Suffolk County Council (Highway Authority), the air quality in the village, and the Local Housing Needs Assessment.

7.5 A short comfort break was taken between 11:10-11:15

7.6 Members considered the representation from Helen Davies of Sproughton Parish Council who spoke against the application.

7.7 The Parish Council representative responded to Members questions on issues including: whether any development would be supported on the site, how often the applicant had consulted with the Parish Council, and the current position of

the Neighbourhood Plan.

- 7.8 Members considered the representations from Rhona Jermyn and Martyn Levett who spoke as Objectors.
- 7.9 Members considered the representation from Rob Snowling who spoke as the Applicant.
- 7.10 The Applicant responded to Members' questions on issues including: the percentage of bungalows that could be accommodated, the proposed spine road, the deliverability of the site, the proposed community area that would be secured in the Section 106 Agreement, that the applicant could not commit to building the community building and that the detailed house design would be included in a reserved matters application.
- 7.11 Members considered the representation from Cllr Christopher Hudson who spoke as the County Council Division Member.
- 7.12 The County Councillor responded to Members' questions on issues including: the current state of the Highways in Sproughton and the surrounding area, cycle paths in the area, air pollution concerns in the area, and the sustainability of the proposal.
- 7.13 Members considered the representation from the Ward Member, Councillor Zac Norman who spoke against the proposal.
- 7.14 The Ward Member responded to Members questions on issues including: the current Planning Appeal that was taking place on a site to the east of the proposed development.
- 7.15 Before the debate the Acting Area Planning Manager advised Members that the Highway Authority did not object to the proposal and that the Neighbourhood Plan was at a very early stage.
- 7.16 Members debated the application on the issues including: whether a provision of Bungalows could be secured on the site, the points raised by the Parish Council representative, the separation between Sproughton and the surrounding villages of Bramford and Burstall, and the material weight of the appeal that was currently underway to the east of the site.
- 7.17 Members continued to debate the application on the issues including: the effect of other major developments in the area, the conflict with policy CS11, the status of the Councils 5 Year Housing land supply as updated in the AMR, the harms and benefits associated with the proposal, the Community Infrastructure Levy which would be generated from the site and the contributions which would be captured in the Section 106 Agreement.
- 7.18 Councillor Melanie Barrett proposed that the application be approved as detailed in the officer recommendation with the additional condition as follows:

- Delegation to officers a means to secure 2/3 bedroom dwellings and minimum of ten bungalows across the site (either by condition or by S.106).

7.19 Councillor Sue Ayres seconded the motion.

7.20 By 6 votes to 5

7.21 **RESOLVED**

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

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

- **Affordable housing:**
 - **no less than 35% of total scheme**
 - **Properties shall be built to current Housing Standards Technical requirements March 2015 Level 1. All ground floor 1 bed flats to be fitted with level access showers, not baths.**
 - **The council is granted 100% nomination rights to all the affordable units on initial lets and 75% on subsequent lets**
 - **All affordable units to be transferred freehold to one of the Councils preferred Registered Providers.**
 - **Adequate parking provision is made for the affordable housing units including cycle storage for all units.**
 - **Commuted sum option available to be paid instead of on site provision should the LPA agree to such request.**
 - **No more than 15 dwellings in any cluster of affordable dwellings**
- **Marketing of self-build plots to households on the council's Self-Build/Custom Build Register**
- **On site open space and play space and include management of the space to be agreed and requirement for public access at all times.**
- **Community woodland o Extension to allotments o Village car park o Skylark mitigation area o RAMS contribution (£121.89 per dwelling)**
- **Highway improvement works contributions to include:**
 - **Traffic regulation orders – to extend 30mph limit and moving of weight limit**
 - **B1113 - New zebra crossing north of Wild Man PH access**
 - **B1113/Burstall Lane/Lower Street Junction – Reduce kerb radii and install uncontrolled crossing points**
 - **A1071/B1113 Beagle Roundabout – Widening of approach lanes to roundabout - Footway between Sproughton and Bramford – Cycle link on Loraine Way**
- **Contribution to facilitate extension of 30mph speed limit and move weight**

limit

- Travel Plan monitoring fee
- Works to Footpath 9

(2) That the Chief Planning Officer be authorised to APPROVE Planning Permission upon confirmation from Natural England they have no objection to the application and completion of the legal agreement subject to conditions as summarised below and those as may be deemed necessary by the Chief Planning Officer:

- Reduced time limit for new homes, standard time limit for non-residential uses
- Approved Plans (Plans submitted that form this application) including broad compliance with indicative parameters plan
- Approval of reserved matters
- Phasing Condition (To allow phasing of the development and allows spreading of payments under CIL)
- Landscape; Advance planting, landscape management plan, soft and hard landscaping plan
- Ecology: Mitigation and enhancement measures, , biodiversity enhancement strategy, landscape and ecological management plan, wildlife sensitive lighting.
- Tree method statement and protection plan
- Highways; details of spine road and highway mitigation at Burstall Lane, details of highway mitigation at B1113/Lower Street junction, village gateway signs, visibility splays, estate road construction, car parking/electrical vehicle charging/cycle storage details, refuse/recycling bins, construction management plan.
- Fire hydrants
- Surface water drainage
- Mineral safeguarding
- Archaeology
- Land contamination – further investigation and unknown contamination
- Market housing mix prior to or concurrent with reserved matters to be agreed
- Up to two storey development only, with ridge heights to be agreed
- Sustainability and energy strategy
- Level access to enable wheelchair access for all dwellings/buildings.
- Broadband service ducting
- Construction method statement, no burning of waste, restriction on hours of use and deliveries for non-residential (future class E and D2) uses
- Noise from any plant, equipment or machinery on non-residential uses
- Travel Plan

- (3) And the following informative notes as summarised and those as may be deemed necessary:
- Proactive working statement
 - SCC Highways notes
 - Anglian Water notes
 - Lead Local Flood Authority notes

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

Additional Condition:

- **Delegation to officers a means to secure 2/3 bedroom dwellings and minimum of ten bungalows across the site (either by condition or by S.106).**

8 DC/19/04755 LAND TO THE REAR OF PLOUGH AND FLEECE INN, GREAT GREEN, COCKFIELD, BURY ST EDMUNDS, SUFFOLK, IP30 0HJ

8.1 Item B

Application Proposal	DC/19/04755 Outline Planning Application (Access to be considered all other matters reserved) – Erection of up to 28no. dwellings (Plots 5,6 and 7 of Reserved Matters Permission DC/19/02020 to be repositioned / amended)
Site Location	Land to the Rear of Plough and Fleece Inn, Great Green, Cockfield, Bury St Edmunds, Suffolk, IP30 0HJ
Applicant	The Sudbury Group Ltd

8.2 The Case Officer presented the application to the Committee outlining the proposal before Members, the layout of the site, the reason for the applications return to the Committee, the contents of the tabled papers, and the officer recommendation of approval.

8.3 Members considered the representation from the Ward Member, Councillor Margaret Maybury who spoke in support of the application.

8.4 Members considered the representation from the Ward Member, Councillor Clive Arthey who spoke in support of the application.

8.5 Councillor Stephen Plumb proposed that the application be approved as detailed in the officer recommendation. Councillor Melanie Barrett seconded the motion.

8.6 By a unanimous vote

8.7 RESOLVED

That the affordable housing provision be amended from 12 to 11 units (according to a tenure mix to be agreed by the Strategic Housing Team).

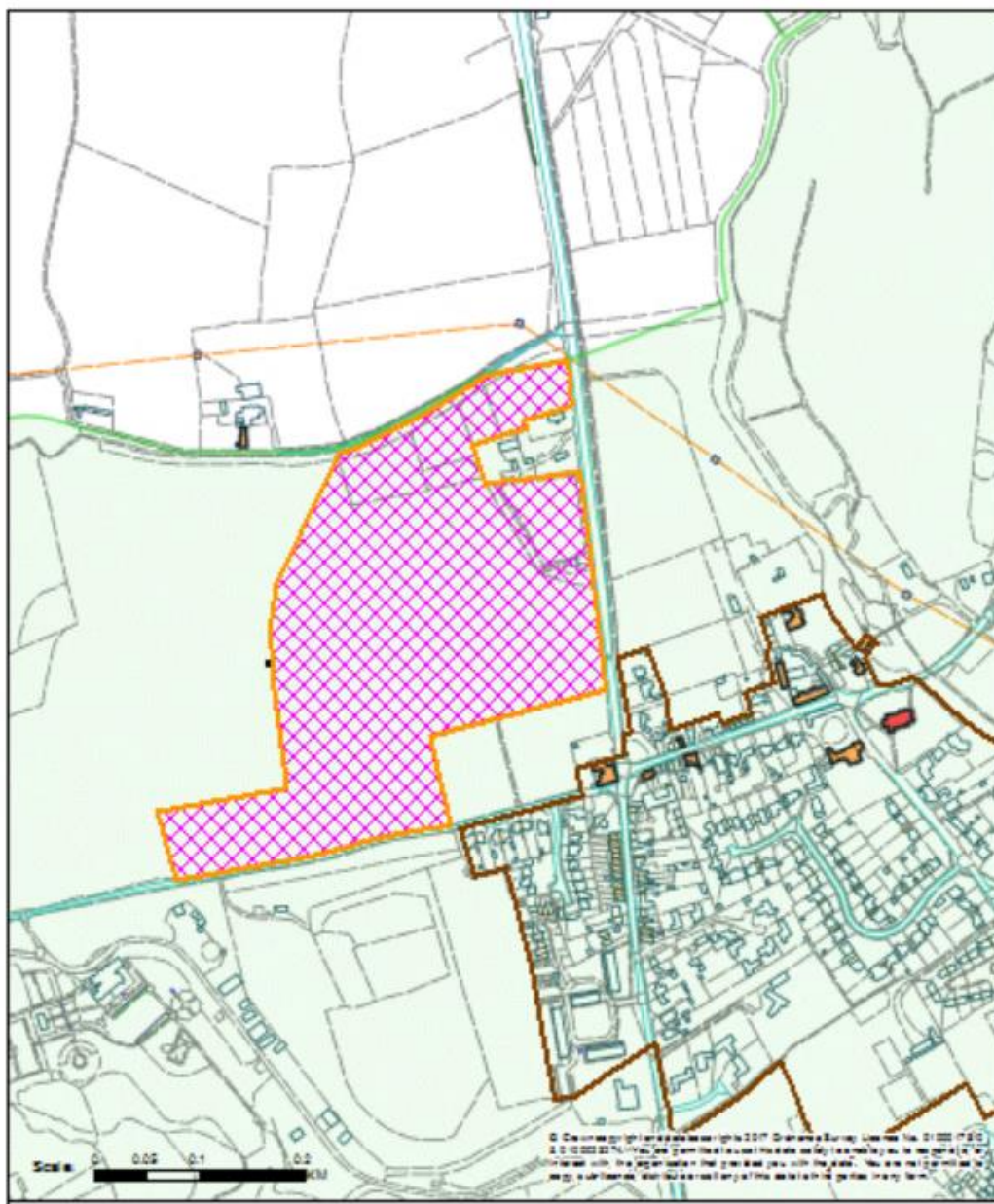
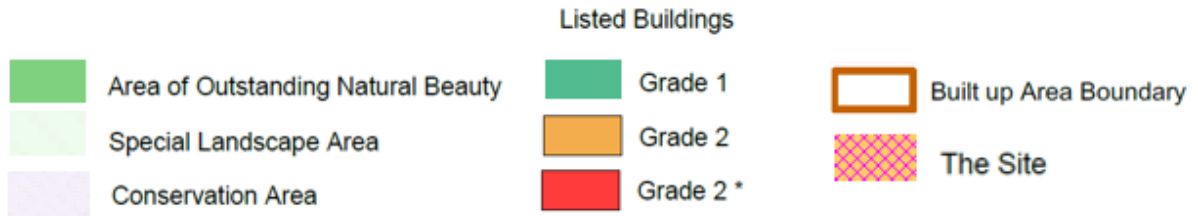
The business of the meeting was concluded at 1.27 pm.

.....
Chair

Application No: DC/19/00567

Parish: Sproughton

Location: Land North of Burstall Lane



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Agenda Item 6b

Committee Report

Item No: 6B

Reference: DC/20/05137

Case Officer: Jamie Martin-Edwards

Ward: Hadleigh South.

Ward Member/s: Cllr Kathryn Grandon. Cllr Mick Fraser.

RECOMMENDATION – REFUSE PLANNING PERMISSION

Description of Development

Outline Planning Application. (Access and Landscaping to be considered) Employment land for use as Class E Business buildings up to 1900m2 and Classes B2 and B8 buildings up to 4200m2

Note:

Whilst the applicant has described the total level of floorspace being proposed as 6,100sq.m. Members are advised that if they are minded to grant planning permission and they have considered the merits of the proposed development based on a ceiling of 6,100sq.m. then the floorspace ceiling should be conditioned. This will ensure that there is no confusion later and that the implications of additional floorspace and the principle can be properly addressed via a new application.

Location

Land At Cobbolds Farm, Ipswich Road, Hadleigh, Ipswich Suffolk IP7 6BG

Expiry Date: 31/08/2021

Application Type: OUT - Outline Planning Application

Development Type: Major Large Scale - Manu/Ind/Storg/Wareh

Applicant: Mr Philip Munson

Agent: Mr L Short

Parish: Hadleigh

Site Area: 2.33 hectares

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

Has the application been subject to Pre-Application Advice: Yes DC/20/03006

PART ONE – REASON FOR REFERENCE TO COMMITTEE, PREVIOUS COMMITTEE AND APPLICATION HISTORY

The application is referred to committee for the following reason:

The application is contrary to policy.

Background

DC/20/05137 was initially presented at committee on the on 16th of June 2021. The application was deferred in order for the Chief Planning Officer to arrange a Member site visit. A Member site visit was subsequently carried out on Wednesday 4th August 2021 and the application brought back to Committee on 11th August 2021.

The application was initially linked to a land swap Planning application (DC/20/04615) which was seeking housing on an employment site at Lady Lane, Hadleigh.

Application DC/20/04615 was refused at the Planning Committee of 11th August 2021. No appeal is shown as being lodged against this refusal. Therefore, any argument regarding “replacing lost employment land” is null and void.

The official minutes of the meeting of 11th August 2021 with regard to DC/20/05137 (this application) record: ‘That the application be DEFERRED. That Members are minded to grant Planning Permission subject to Officers reviewing and advising on policy CS2 issues and any risk issues arising together with any conditions and reasons that may be recommended’.

The below report has an updated Principle of Development section dealing with the planning policy context in greater detail and incorporating a section relating to risk.

It is explained that the proposal is against policy, that there is no compelling case to approve it against policy and that the risk of granting approval would be to undermine the Development Plan. There is also a danger of inconsistency in the context of a recently refused application with many similarities.

The recommendation, therefore, remains one of refusal.

PART TWO – POLICIES AND CONSULTATION SUMMARY

Summary of Policies

Relevant to the assessment of this application the adopted Development Plan for Babergh District Council comprises the Babergh Local Plan (Alteration no. 2) 2006 and the Babergh Core Strategy 2014.

Note, Hadleigh has had a Neighbourhood Development Plan in progress since 2015. This is given no weight.

The following are considered the most relevant to the determination of this proposal:

Babergh Local Plan (Alteration No.2) 2006:

CN01 - Design Standards
CN04 - Design & Crime Prevention
EN22 - Light Pollution - Outdoor Lighting
CR07 - Landscaping Schemes
CR08 - Hedgerows
TP15 - Parking Standards - New Development

EM01 - General Employment
EM02 - General Employment Areas
EM08 - Warehousing, Storage and Distribution
EM20 - Expansion/Extension of Existing Employment Uses
EM24 - Retention of Existing Employment Sites

Babergh Core Strategy 2014

CS1 - Applying the presumption in Favour of Sustainable Development in Babergh
CS2 - Settlement Pattern Policy
CS3 - Strategy for Growth and Development
CS15 - Implementing Sustainable Development
CS16 - Town, Village and Local Centres
CS17 – The Rural Economy
CS21 – Infrastructure Provision

Draft Joint Local Plan Submission Document. 2021 [Reg 22]

The examination of the JLP has progressed, with an Exploratory Meeting with the Planning Inspectorate on 16th December 2021 considering progressing with the plan in two parts. Part 1 would set the housing requirement for the districts and provide an up-to-date development plan, but specific sites would be allocated in Part 2. For the avoidance of doubt Members are advised to place no determinative weight on the JLP, particularly given the consideration of site allocations now in Part 2 of the plan.

Therefore, The starting point for the determination of the application remains the current development plan, in accordance with the S38(6) duty under the Planning and Compulsory Purchase Act 2006, and material planning considerations including the National Planning Policy Framework (NPPF)

The NPPF contains the Government's planning policies for England and sets out how these are expected to be applied.

Particularly relevant chapters of the NPPF include:

Chapter 2: Achieving Sustainable Development

Chapter 4: Decision Making

Chapter 6: Building a Strong, Competitive Economy

Chapter 12: Achieving Well-Designed Places

Chapter 15: Conserving and Enhancing the Natural Environment

The Planning Practice Guidance (PPG)

The national Planning Practice Guidance (PPG) provides guidance and advice on procedure rather than explicit policy; however, it has been taken into account in reaching the recommendation made on this application.

Neighbourhood Plan Status

This application site is within a Neighbourhood Plan Area.

The Neighbourhood Plan for Hadleigh is currently at Stage 1: Designated neighbourhood area.

Accordingly, the Neighbourhood Plan has no weight as no draft policies or plan have been released publicly.

Other Considerations

BMSDC 'Open for Business' Economic Strategy 2018

Suffolk County Council- Suffolk's Guidance for Parking (2014 updated 2019)

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

Town/Parish Council

Hadleigh Town Council

Concerns with; drainage, lighting, ribbon development in countryside, poor transport links, visually intrusive. Contrary to CS15. Support the comments of Hadleigh Society.

Chattisham and Hintlesham Parish Council

Chattisham & Hintlesham Parish Council Object to this planning application on the following grounds:- - Increased traffic levels on an already busy road A1071 - Environmental impact - noise & light pollution - Industrialisation of a rural setting - Increase in class to B2 from B1 and Class E retail.

Aldham Parish Council

Concerns with light pollution and ribbon development in countryside along the A1071. Opposite Wolves Wood RSPB reserve.

National Consultee

Natural England

Potential significant effects on Hintlesham Woods Site of Special Scientific Interest. Further information required in order to determine the significance of these impacts and the scope for mitigation. This includes:

- Initial screening for air quality impacts prior to determination, the conclusion of which may require further surveys.
- Wildlife Sensitive Lighting Design Scheme
- A construction Sensitive Management Plan (CEMP)

Natural England – updated as of 22/04/2022

No objection, subject to appropriate mitigation being secure

We consider that without appropriate mitigation the application would damage or destroy the interest features for which Hintlesham Woods Site of Special Scientific Interest has been notified. In order to mitigate these adverse effects and make the development acceptable, the following mitigation measures are required:

- A Wildlife Sensitive Lighting Design Scheme
- A Construction Environmental Management Plan (CEMP)
- A condition which limits the hours, volume and nature of noise following construction

RSPB

Subject to securing the recommend mitigation and compensation measure within the submitted Ecology report there will be 'no measurable ecological impact'. Support for the proposed biodiversity enhancements to achieve net gains. All mitigation, compensation, and enhancements to be conditioned. Additional suggestions include:

- Suitable nesting and feeding habitat for Turtle Dove
- Native hedgerow planning to include a high proportion of thorny species and mixture of clematis and honeysuckle at regular intervals.
- Where possible hedgerows should grow and maintained to 3m tall and 4m wide.

Suffolk Wildlife Trust

Request that the recommendations made within the ecology report are implemented in full, via a condition of planning consent, should permission be granted. We also note that the Ecology Report states that a Biodiversity Enhancement Strategy and Wildlife Sensitive Lighting Scheme are required for this development. We recommend that these are secured as a condition of planning consent, should permission be granted

Water Management Alliance

No comments to make.

County Council Responses

SCC Archaeology

In our opinion there would be no significant impact on known archaeological sites or areas with archaeological potential. No objection to the development and do not believe any archaeological mitigation is required.

SCC Travel Plan

Comments included within Suffolk highways response.

SCC Public Rights of Way

The proposed site does contain a public right of way (PROW): FP25 Hadleigh. We object to this proposal on the basis that, while FP25 is shown on the Applicant's Structural Landscaping Masterplan, unfortunately it is not depicted on the legally definitive route.

SCC Police

As the proposed development area comprises open land, historically it is a low crime area. However, a number of criminal offences have been recorded around the surrounding area, (see para 10). It is noted that an established right of way will go through the main site, so it would be preferred to know more about how that will integrate with the site from a security point of view? It is good to see that the perimeter between the two sites will comprise defensive vegetation, which is always recommended by police to deter the risk of unauthorised intrusion. It would be preferred if the whole perimeter could comprise defensive vegetation, backed up with good quality fencing.

Highways

It is unclear from the information provided, what the applicant's plans are for Public Rights of Way Footpath 25 which is within the site.

The Travel Plan (dated October 2020) that was submitted as part of the planning application does identify some suitable measures to encourage sustainable and active travel to the site, like the provision of showers, lockers and changing facilities to encourage walking and cycling, and a minibus to transport staff from Hadleigh to the site. However, due to the location of the development encouraging travel by

sustainable modes of transport through a Travel Plan will be difficult for the occupier, as there are currently no surfaced walking and cycling links linking Hadleigh to the site and the times and frequencies of the existing bus services may not be suitable for all employees.

There have been 3 injury accidents in the past 5 years on A1071 in the immediate area of the site. The accident data supplied within the Transport Assessment confirms that there are no significant highway safety concerns. Taking all the above into account, it is our opinion that this development achieve would not necessarily provide safe and suitable access to the site for all users (NPPF Para 108). However, it would not have a severe impact on the road network (NPPF para 109) therefore we do not object to the proposal. Subject to conditions.

SCC Flood and Water Management

The reason why we are recommending a holding objection is because whilst the applicant has evaluated the predicted flood risk and has presented a viable strategy for the disposal of surface water, the LLFA need assurance that the applicant has the right of has acquired the rights to discharge surface water in perpetuity.

SCC Flood and Water Management

In providing detail that the applicant owns the land which the water will discharge into, no objection, subject to conditions.

Suffolk Fire and Rescue Service

Recommends sprinkler system. Fire Hydrant conditions required.

Internal Consultee Responses

Economic Development

Supports new business units. Whilst recognising that this is an outline application only, it may be helpful if further clarity on the proposed use, occupancy and anticipated employment levels could be provided, addressing any concerns regarding surety of delivery and clarifying the level of speculative development included in this application.

The Hadleigh Society

The proposal is contrary to policy CS15 as it demonstrates ;-

1. That the scale of built development proposed represents an overdevelopment of the site resulting in detriment to the local landscape and countryside character.
2. It creates a cramped unpleasant built environment not conducive to promoting healthy living and working conditions.
3. It fails to minimise the need to travel by car thus adversely affecting sustainability, the local air quality and is not accessible to people of all abilities including those with mobility impairments.
4. There is a lack of detailed information demonstrating satisfactory and safe disposal of surface and foul water.

Overall the proposed scheme completely fails to make a positive contribution to the local character of the area, and although the applicant pleads exceptional reasons for approval the scheme as submitted fails to

demonstrate provision of a quality development deserving for an exceptional approval in this rural area of Hadleigh.

Public Realm

No comments as there is only landscaping associated with this business park and no publicly accessible open space.

Place Services – Ecology

No objection subject to securing ecological mitigation and enhancement measures.

Environmental Health – Sustainability

No Objection subject to conditions.

Environmental Health Land Contamination

No objection.

Environmental Health Air Quality

No objection

Environmental Health Noise Odour/Light Smoke.

Unknown harm to residential dwelling adjacent to site. Conditions relating to construction hours, lighting, Construction management plan and no burning on site.

Heritage Team

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

B: Representations

At the time of writing this report no letters/emails/online comments have been received. A verbal update shall be provided as necessary.

PLANNING HISTORY

REF: DC/20/03712

Screening Opinion - Proposed development for the use of 2.33ha of developable land for a business park comprising uses within class B1, B2 and B8 of the Use Classes Order 1987 (as amended), (Class E for the B1 elements after September 1 2020)

DECISION: EAN
23.09.2020

It is worth noting the relevant planning history of the adjacent site to the west, currently occupied by Beeston's.

<p>Ref: B/04/01260</p>	<p>Change of use of agricultural land to coach depot. Erection of associated workshop and offices with vehicle parking areas. Construction of new vehicular access and internal access road. Retention of dwelling approved under planning permission S/69/440/H without compliance with Condition 04 (agricultural occupancy) to permit its occupation by staff employed at the coach depot.</p>	<p>Decision: GTD 11.01.2005</p> <p>NB: The workshop and offices have not been erected.</p> <p>Conditions restricting use to Coach Depot only imposed, no B2 or B8 use.</p>
<p>Ref: B/11/00428</p>	<p>Erection of double garage with adjoining workshop. As amended by Drawing No. SK01A, received on 5th September 2011, and Drawing No. 4510 10A,</p>	<p>Decision: GTD 16.08.2011</p> <p>NB: The workshop and offices were not erected.</p> <p>Conditions restricting use to Coach Depot only imposed, no B2 or B8 use.</p>
<p>Ref: B/12/01492</p>	<p>Change of use of agricultural land for extension of existing coach park (inc. spaces for staff and overnight parking for lorries) (Retention of)</p>	<p>Decision: GTD 30.04.2014</p> <p>NB: Conditions restricting use to Coach Depot with <u>overnight parking for lorries</u>, no B2 or B8 use.</p>
<p>Ref: B/15/00981</p>	<p>Erection of extension to existing Coach Depot building; and erection of Coach wash enclosure (following removal of an existing building).</p>	<p>Decision: GTD 14.10.2015</p> <p>NB: part implemented. Extension for coach building not implemented, coach was put in its place.</p>

PART THREE – ASSESSMENT OF APPLICATION

1.0 The Site and Surroundings

- 1.1. The application site consists of a parcel of agricultural land situated approximately 1.9 miles from the centre of Hadleigh and less than a mile from the urban edge of the town. It is in the Countryside for planning purposes and is far removed from the settlement proper, unrelated to the town.
- 1.2. The site is accessed off the A1071, which lies to the north. To the west lies the Beeston's Coaches depot which includes an area for overnight lorry parking, which Kersey Freight currently utilises. The land occupied by Beeston's and Kersey Freight is conditioned for a coach depot only with overnight lorry park and no B2 or B8 use. There is no Class E use on the adjacent site.
- 1.3. The surrounding area is predominantly rural countryside with a large woodland known as Wolves Wood to the north and north east on the opposite side of the A1071.
- 1.4. The site is not the subject of any landscape designations and is not within the setting of listed buildings or a Conservation Area and is relatively unconstrained; however, there is a Public Footpath that runs along the northern boundary of the site.

2.0 The Proposal

- 2.1 Outline planning permission is sought, with all matters reserved - save for access and structural landscaping, for the change of use of land to employment use Class B2, B8 and Class E business. Note the structural landscaping, bunds, have been developed and therefore are retrospective in this proposal.
- 2.2 It is believed to be a speculative application, as the applicant did not initially identify any possible occupiers and has not associated the proposal with adjacent haulage activity. The applicant has subsequently provided email correspondence from two prospective tenants. The first is an MOT business and the second an events company looking for storage space. Both enquiries are dated from the Spring of 2021 and do not contain much in the way of detail. 2.3 The proposal seeks to provide up to 1,900 square metres of Class E (formerly B1) business space and up to 4,200 square metres of Class B2 and B8 buildings (a total of 6,100 square metres).
- 2.4 This leaves layout, scale, appearance and detailed landscaping for resolution at Reserved Matters stage should Outline planning permission be granted. Illustrative plans have been provided to indicate how the development might be brought forward/uses apportioned.
- 2.5 The existing access off the A1071 would be used and would be the singular vehicle access to the site.

2.6 Land Swap Proposal: This committee report discards the proposal for a land swap presented at previous committees at the site at Lady Lane. This was an application (DC/20/04615) for residential use on allocated employment land which was refused at Planning Committee for the following reasons:

“That the application is REFUSED planning permission for the following reasons:-

1. The application site is currently allocated employment land in both the Adopted Development Plan and the Emerging Draft Joint Local Plan and has therefore been given strategic employment importance. Whilst the proposal is located in the BUAB and therefore housing could be acceptable in principle there is at present time no overriding need to allow residential dwellings here in order to make up any shortfall in numbers given that Babergh District Council can currently easily demonstrate that it has a 5-year housing land supply.

The applicant has not provided sufficient evidence to indicate that this site is no longer viable as employment land within an existing employment allocation. It is noted that the majority of Lady Lane Industrial Estate is still in active employment use.

As such the proposal is considered contrary to Local Plan Policy EM02, EM24 and paragraphs 81 and 182 of the NPPF.

2. Whilst the application is outline only given the close proximity of the proposed site to the existing industrial estate and the issue of agent of change, the proposal would bring residential use much closer to the existing industrial estate and would potentially cause conflict between the residents and the businesses as a result of what may be seen by new residents as nuisance, disturbance and pollution coming from the existing commercial use on the neighbouring industrial estate. As such the proposal is also considered to be contrary to paragraph 127 of the NPPF”

2.7 Therefore, the proposal to replace the employment land at Lady Lane with the land at Cobbold Farm is no longer an option for justification.

2.8 Notwithstanding this, the report below sets out the material considerations for the Cobbold Farm application, assessed on its own merits, as new employment land.

3.0 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 Adopted Development Plan unless material considerations indicate otherwise.

3.2 Relevant to the assessment of this application the Council’s adopted Development Plan comprises the Babergh Core Strategy (2014) and Babergh Local Plan Alteration No.2 (June 2006).

3.3 Despite the planning application describing the site’s existing use as ‘horse grazing’, no equestrian use on the site has been granted. Therefore, the site is currently considered agricultural land.

- 3.4 The site has not been allocated for development purposes for employment use within the current Development Plan (nor the emerging Joint Local Plan). As such, the site is not considered to be appropriate or necessary for development purposes in the context of the planned allocations.
- 3.5 As required by paragraph 219 of the NPPF, the weight attributed to development plan policies should be according to their degree of consistency with the NPPF. According to their degree of consistency with the NPPF, the greater the weight that can be attributed to them.
- 3.6 *Wavendon Properties Ltd v SSHCLG* [2019] EWHC 1524 (Admin) has made it clear that the most important policies should be viewed together and an overall judgement made whether the policies as a whole are out of date.
- 3.7 Taken as a whole, the most important policies in determining this application are CS1, CS2, CS15, CS16, CS17 and CS21 of the Core Strategy and Policies CN01, EM02, EM08 and EM20 of the Local Plan.
- 3.8 The following paragraphs will therefore look at relevant Development Plan policies as its starting point, their consistency with the NPPF and then move on to the Joint Local Plan which currently has limited weight as a material planning consideration.
- 3.9 Policy CS1 'Applying the Presumption in favour of Sustainable Development in Babergh' is in-step with paragraph 11 of the NPPF, even though the policy's wording was based on the earlier 2012 NPPF. This policy is therefore afforded full weight.
- 3.10 Policy CS1 states that the Council shall take a positive approach for applications that are sustainable and accord with the policies within the Local Plan.
- 3.11 Policy CS2 requires that outside of the settlement boundary, development will only be permitted in exceptional circumstances subject to a proven justified need.
- 3.12 The proposed site falls outside the Built-Up Area Boundary for Hadleigh and is therefore considered a countryside location under Policy CS2. In that case, the policy states that development will only be permitted in exceptional circumstances subject to a proven justifiable need.
- 3.13 The site adjacent contains the Beeston's coach depot site that was granted permission in 2004 under reference B/04/01260. Here, it is recognised that the development exists adjacent to the application site but that development was permitted under a different policy context that pre-dated the current Development Plan. Furthermore, and crucially, the reasons to grant permission are understood to have been an exception at the time.
- 3.14 The unique circumstances in that instance were that the use of Cobbolds Farm as employment land was contrary to policy and was unsustainable, but the proposal would provide an alternative site for Beeston's, who had failed to find a suitable alternative site as a result of permission being granted for residential use at their original site at Long Bessels. The Council took the view at that time that there was a justifiable need to provide an alternative site "thereby safeguarding jobs and an important public transport service should override land and planning use considerations" (B/04/01260).
- 3.15 Clearly, such circumstances do not pertain to the current proposal.

- 3.16 The proposal before us was initially offered as a replacement of allocated employment land at Lady Lane, Hadleigh, in the event that application DC/20/04615 be approved. However, this justification is redundant because DC/20/04615 was refused at Planning Committee on the 11/08/21. Even in the scenario that DC/20/04615 was approved, it is unlikely that an exceptional circumstance and justifiable need can be evidenced for this site because Lady Lane site is vacant and as such there are no existing jobs that would be lost, but rather the loss of future jobs because of the loss of allocated employment land.
- 3.17 A sequential test is a requirement of paragraph 87 of the NPPF when main town uses (Class E, including office) are proposed outside of town centres or edge of centre locations. No specific sequential test has been offered as part of the application submission. That said, the undeveloped land that is an allocated site within the current and emerging Local Plan, at Lady Lane, is within the settlement boundary of Hadleigh and is in a far more sustainable location for accessibility and thus provides evidence that there are other more desirable sites for employment use in Hadleigh. Paragraph 91 of the NPPF is absolutely clear that where an application fails to comply with the sequential test it should be refused.
- 3.18 Policy CS2 has previously been found to be consistent with national policy, forming part of the Core Strategy as a post-2012 NPPF development plan document. It provides a strategy for the distribution of development that is appropriate in recognising local circumstances and its overall strategy remains sound. However, in the absence of an up to date allocations document and settlement boundaries review (which has been absent for several years but has in practice been overtaken by the preparation of the emerging Joint Local Plan) it should be afforded less than full, but still significant weight. That said, the overall strategy of CS2 is appropriate in taking a responsible approach to spatial distribution, requiring the scale and location of new development to take into account local circumstances and infrastructure capacity, generally directing new development to sustainable locations. These elements are considered to be consistent with the NPPF and therefore the policy should be given significant weight. Such a consideration is reinforced in this case because the application site is poorly related to the town of Hadleigh and is effectively detached from it.
- 3.19 Paragraphs 84 and 85 of the NPPF look to support a prosperous rural economy. The NPPF does not define 'rural economy'. In the broadest of terms, it shall be considered to mean any business within a rural area. As the application site is outside of (and in effect far removed from) the Hadleigh settlement boundary, the site is considered as countryside. Therefore, as the site is for employment land in the countryside, we can be satisfied that paragraph 84 and 85 of the NPPF do apply.
- 3.20 These paragraphs do not hold the same 'exceptional circumstances' test that CS2 does. They do however offer a list of scenarios in which decision should enable rural economies.
- 3.21 Paragraph 84 states that:
- Planning policies and decisions should enable:
- a) the sustainable growth and expansion of all types of business in rural areas, both through conversion of existing buildings and well-designed new buildings;
 - b) the development and diversification of agricultural and other land-based rural businesses

c) sustainable rural tourism and leisure developments which respect the character of the countryside; and

d) the retention and development of accessible local services and community facilities, such as local shops, meeting places, sports venues, open space, cultural buildings, public houses and places of worship.

- 3.22 It is noted here that between 2017 and 2019 a stable and equestrian arena was developed, between the site and the A1071. Additionally, Google Maps shows that 'Knowles Equestrian Collection' selling an array of equestrian paraphernalia online, is located within the blue line of the wider site. Again, no planning permission has been granted for this use.
- 3.23 The agent claimed that there is potential interest in the sites proposed B2 and B8 use from Kersey Freight if the scheme were to gain planning permission. There is some evidence of interest in the site from an MOT company and a small events business looking for storage space, both were over a year ago with no evidence of renewed or new enquiries. Such interest does not justify the countryside location proposed in this case.
- 3.24 Kersey Freight currently utilises a conditioned use on the adjacent Beeston's site for overnight lorry parking. There is no permission in place for daytime lorry parking, B2 or B8 use of the site or any other haulage type use. Furthermore, Kersey Freight has an established site on an existing Lady Lane industrial estate in Hadleigh Town. No detail has been submitted to suggest that the Lady Lane site is inadequate or that it cannot be regenerated for growth or expansion for Kersey Freight.
- 3.25 Moreover, Kersey Freight is not the applicant and if, in the scenario that the application was approved, there is no way guaranteeing that Kersey Freight would be the occupiers of the site given the varied nature of uses applied for here.
- 3.26 The proposal is not for the expansion or growth of Beeston's Coach depot or any other business currently using the Beeston's site that may or may not have planning permission. It is a submission by the landowner for a speculative development and therefore the outline application is not for the sustainable growth or expansion of an existing rural business.
- 3.27 Therefore, the Local Planning Authority is satisfied that the proposal does not meet criteria point 84.a) of the NPPF because the proposal does not offer the expansion or growth of a rural business.
- 3.28 Members are reminded of application DC/20/03116 at Cockfield, which was before them on 27th April 2022. Whilst each application should be treated on its own merits, this had similarities with the case here. It was in a countryside location, did not seek to "expand" an existing business, but rather was seen as a new development for employment in an unsuitable location. In that instance, the proposed user was known and the application was full.
- 3.29 Members are reminded that the scenario before them now is in outline only and the end-user is not confirmed. This gives no surety and could take some time to occur given the outline nature of the case. It would, therefore, appear inconsistent to approve the proposal at hand in the context of the Cockfield decision.
- 3.30 The application does not seek to develop or diversify agricultural or a land-based business. Nor does it offer rural tourism nor is it the retention and development of **accessible** local services and

community facilities, such as local shops, meeting places, sports venues, open space, cultural buildings, public houses and places of worship. Therefore, the proposal is contrary to paragraph 84 b), c), and d).

3.31 The site offers none of these and is **not** accessible by any means of transport other than a private car. (The site's accessibility is further assessed in the section 4 below (Sustainability)).

3.32 Paragraph 85 goes on to state that:

'Planning policies and decisions should recognise that sites to meet local business and community needs in rural areas may have to be found adjacent to or beyond existing settlements, and in locations that are not well served by public transport. In these circumstances it will be important to ensure that development is sensitive to its surroundings, does not have an unacceptable impact on local roads and exploits any opportunities to make a location more sustainable (for example by improving the scope for access on foot, by cycling or by public transport). The use of previously developed land, and sites that are physically well-related to existing settlements, should be encouraged where suitable opportunities exist'.

3.31 The site is not on previously developed land; it is considered greenfield. The proposal does not seek to meet any robustly identified business or community need. However, even if the proposal did seek to meet the need of a rural business or community, the proposal lacks opportunities for improving the scope for sustainable modes of transport. This is detailed further in the Sustainability section below.

3.32 Therefore, and returning to policy CS2, whilst the NPPF does not offer an exceptional circumstances test for development in the countryside, it does clearly offer criteria for supporting rural business growth and expansion in areas that are either accessible or offer improved accessibility and meet a local business or community need. The proposal does not meet any of these tests and as such is contrary to paragraphs 84 and 85 of the NPPF. This reaffirms that CS2 should be given substantial weight as taking a responsible approach to spatial distribution and requiring the scale and location of new development to take into account local circumstances and infrastructure capacity are traits that is consistent with the NPPF.

3.33 When taking the Development Plan as a whole, these requirements are found more broadly in policies, CS15, CS16, CS17 and CS21 of the Core Strategy and EM02, EM08 and EM20 of the Local Plan and thus consistent with the NPPF and can be afforded full weighting.

3.34 CS11 is not included in this 'basket of policies' as the site is in the countryside and is not for either a Core or Hinterland village.

3.35 Core Strategy Policy CS15 sets out implementing sustainable development, amongst other things, requirements include:

- *respect the landscape, landscape features, streetscape / townscape, heritage assets, important spaces and historic views;*
- *creating jobs and sites to strengthen or diversify the local economy particularly through the potential for new employment in higher skilled occupations to help to reduce the level of out-commuting, and raise workforce skills and incomes.*

- ensure an appropriate level of services, facilities and infrastructure are available or provided to serve the proposed development; and
- seek to minimise the need to travel by car using the following hierarchy: walking, cycling, public transport, commercial vehicles and cars) thus improving air quality.

- 3.36 Whilst the proposal would potentially create jobs, there is no guarantee the application, if approved, would be implemented and inadequate justification has been provided for the countryside location proposed. It appears to be a purely speculative proposal.
- 3.37 Furthermore, whilst the Council's Economic Development team are in support of new employment land due to a district need for additional workspace, they also recognise that the speculative nature of the application, with no guarantee of occupancy and anticipated employment levels, would undermine permission for other deliverable sites.
- 3.38 The proposal does not seek to prioritise the use of brownfield land and as such does not make a positive contribution to the local character or existing landscape by way of development of a parcel of agricultural land. The proposal is in the countryside and not well connected as it lacks infrastructure to support active means of travel (cycling and walking). lacks cycles or pedestrian infrastructure.
- 3.39 The application fails to meet important criteria set out under policy CS15 for implementing sustainable development.
- 3.40 Similarly, policy CS16 states that retail, leisure, tourism, cultural and office development, uses captured under Class E, will continue to be focused in Sudbury and Hadleigh. The site is physically disconnected from Hadleigh and is therefore contrary to CS16, and again would undermine the towns vitality contrary to EM02. This would apply even if the application were conditioned to limit the Class E use to office only and it would be completely unacceptable to allow any other town centre use, such as retail, in this location.
- 3.41 Additionally, policy CS17 sets out measures in encouraging and supporting the rural economy. As previously stated, the proposal is for new employment land in the countryside and therefore does not support existing businesses. Furthermore, the proposal does not offer farm diversification, the re-use of redundant buildings, sustainable tourism or leisure-based business, business in renewable energy, community business hub that shares facilities and other innovative rural enterprise, or farm shops. Therefore, the proposal is contrary to policy CS17.
- 3.42 Within the adopted Development Plan, Policy EM02 states:
- “On the sites identified as General Employment Areas and new employment allocations, [...] planning permission will be granted for employment related development in principle. This will include the relocation of existing businesses from residential areas where these would be better located alongside other employment generating activities. Exceptions to this policy will include proposals likely to have an adverse impact on town (or village) centre vitality and viability. Proposals able to demonstrate a positive effect on town (or village) centre vitality and viability will be permitted.”*

- 3.43 The application site does not fall within a defined general employment area as set out within policy EM02 therefore the application cannot benefit from any support from this policy and is assessed in the context of other policies.
- 3.44 It is also important to recognise here that putting Class E use on the proposed site would take a use that is synonymous with town centres (i.e. office use, were the permission to be so conditioned), out of Hadleigh. This would have an adverse impact on the town centre vitality and viability contrary to EM02.
- 3.45 Local Plan Policy EM08 states:
- “Proposals for warehousing, storage and distribution will be permitted at General Employment Areas and new employment allocations, subject to the acceptability of the location and characteristics of these sites. Proposals that take up an excessive amount of land, or are more appropriately located elsewhere, for example at ports or closer to trunk roads, will be refused.”*
- 3.46 Local Plan Policy EM20 states:
- “Proposals for the expansion/extension of an existing employment use, site or premises will be permitted, provided there is no material conflict with residential and environmental amenity or highway safety”.*
- 3.47 These is the same tests required by paragraph of 84a) of the NPPF and as stated above, this is not for the expansion of growth of a specific business but rather new employment land speculatively in the countryside.
- 3.48 Policies EM02, EM08 and EM20 are specific around supporting employment uses within designated employment areas or extension of existing employment uses. As assessed the proposal is neither, as it is new development land in the countryside.
- 3.49 Therefore, taking the Development Plan as whole, Officers consider that the “basket of policies” to determine this application are up to date and consistent with the NPPF and that the tilted balance outlined in paragraph 11(d) of the NPPF, it is not engaged.
- 3.50 Other material considerations within the NPPF relating to the principle of development are as follows.
- 3.51 Paragraph 81 of the NPPF states that:
- “Planning policies and decisions should help create the conditions in which businesses can invest, expand and adapt. 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.”*
- 3.52 This application is in outline form, would appear to be speculative and was originally intended to assist with the facilitation of a new residential use elsewhere within Hadleigh which was recently refused by Members, on a site which currently benefits from existing employment use rights. Any

rationale for approving this proposal, contrary to land use policy appears, thin in terms of paragraph 81.

3.53 It is also noted that within the existing Local Plan, Core Strategy and the emerging Joint Local Plan there are several designated employment land areas, some of which are already coming forward for development along the eastern edge of Hadleigh. Therefore, there is no justifiable need for this proposal.

3.54 Paragraph 82 of the NPPF states:

“Planning policies should:

- a) set out a clear economic vision and strategy which positively and proactively encourages sustainable economic growth, having regard to Local Industrial Strategies and other local policies for economic development and regeneration;*
- b) set criteria, or identify strategic sites, for local and inward investment to match the strategy and to meet anticipated needs over the plan period;*
- c) seek to address potential barriers to investment, such as inadequate infrastructure, services or housing, or a poor environment; and*
- d) be flexible enough to accommodate needs not anticipated in the plan, allow for new and flexible working practices (such as live-work accommodation), and to enable a rapid response to changes in economic circumstances.”*

3.55 As the application site is unallocated land, the proposal conflicts with subsections (a) and (b) above in so far as the proposal undermines the economic strategy of the Council. In addition, there is no evidence to suggest that the proposal would facilitate employment opportunities of a type envisaged by subsection (d) above. With regards to subsection (c), the application does not seek to address any potential barriers to investment. The proposal is submitted as a speculative application with little to no details as to deliverability in terms of the demand for these premises in this location.

3.56 It is evident that there is no justification for this site to come forward as a departure from the adopted Development Plan

3.57 The proposal is considered contrary to the Council's employment policies and the unjustified departure from Local Plan policy required to permit it is likely to undermine the overall effectiveness of the Council's stated Employment Strategy, which is to safeguard existing employment land and to direct employment to allocated sites/sustainable locations, of which there are a number in Hadleigh and elsewhere in the wider locality. The proposal is unacceptable and represents unnecessary and undesirable development in the countryside, the principle of which is harmful to the character of the countryside around Hadleigh.

3.58 The proposal fails against relevant Development Plan Policies and the NPPF. In Officers' opinion there are no material considerations that would indicate that there should be a departure from the development plan.

4.0 Assessment of Risk

4.1 Officers are aware of Members' debate at the committee on the 11/08/21 whereby it was held that the increase of jobs and 'taking lorries out of Hadleigh' could be seen as benefits.

- 4.2 However, Officers would point out the following:
- 4.3 It is unclear how the scheme would “take lorries out of Hadleigh” given that the initial offer was based on a land swap. That option is no longer available. The development would simply be bringing lorries and traffic *in* to Cobbolds Farm
- 4.4 There is no indication of how many jobs this proposal would create as it is speculative. Our Economic Development and Policy teams are undertaking a review of employment land and it is not at all clear that simply providing new employment land is a significant benefit that would justify such an obvious departure from the Development Plan, especially in a location that is so unsustainable and remote from the town.
- 4.5 There is no indication that the proposed B2 and B8 uses would be occupied by an existing haulage company, or any other business that uses lorries, which are located in Hadleigh. Therefore, there is no way of predicting or safeguarding that this proposal would reduce the number of lorry movements in Hadleigh.
- 4.6 Whilst CS2 may hold significant (as opposed to full) weight, approval of this application would undermine the other policies within the Development Plan that hold full weight, as well as the Council’s overall growth and employment strategies.
- 4.7 In this case, the development is for land far removed from that boundary, in a location so detached from the town that, notwithstanding the “exceptional circumstances” test, the application is inimical to the spatial strategy of the Plan. A strategy that has been found to be sound repeatedly in major planning appeals, including the Secretary of State-recovered Long Melford appeal.
- 4.8 Members are also reminded of the potential for being viewed as inconsistent in light of the recent refusal at Cockfield where very similar policy issues were at play.
- 4.9 In conclusion to this section, an approval of this application does carry severe risk as described above.

5.0 Sustainability

- 5.1 The site is located outside of the Built-Up Area Boundary (BUAB) for Hadleigh, approximately 1.9 miles away from the town centre. There are no footpaths to the town centre from the site, and the A1071 is within the national speed limit (60mph).
- 5.2 The nearest bus stop is described within the submitted Travel Plan as being within 1.25km of the site. However, the route would be along the A1071 with no street lighting or safe pedestrian footway to access this. The site is not considered to be well connected to the services and facilities offered, particularly for pedestrians or cyclists.
- 5.3 The travel plan submitted suggests that 14% of the work force will walk to work based on the fact that 2011 census found that 14% of people walked to work in the Hadleigh ward. However, this percentage cannot be transferable to this site, as the vast majority of people within the census lived in Hadleigh town where walking to work would be reasonable and accessible.
- 5.4 Additionally, it would not be considered safe to have a scenario whereby 15% of a workforce for approximately 6000sqm of employment space would walk along the A1071, particularly in the winter months, along an unlit main road.

- 5.5 Furthermore, within the Travel Plan, a minibus service is proposed that would ferry employees and public to and from Hadleigh Town centre. The council considers this to be compelling evidence of the site's inherently unsustainable characteristics is so far as it requires its own bespoke public transport. Moreover, whilst Planning has the mechanisms to secure a budget for a minibus service via s106, this would be of limited utility and could not cater for all employees accounting for location and personal choice, and limited detail is given as to frequency of operation and the likely differing operating times of various operators within the use classes sought. As such it offers limited weighting in the decision making because of that limited utility and because even if treated as a sustainable transport option the likely reality would be employees driving to work or seeking to undertake an obviously risky foot/cycle journey.
- 5.6 Class E is not conducive to an inaccessible site such as this. Uses defined within Class E, even if restricted only to office, would entail not only employees but potentially visitors and guests. All of which would have to travel to the site by private car. This is not sustainable and is contrary to policy CS15, specifically point Xviii).

6.0 Site Access, Parking And Highway Safety Considerations

- 6.1 The existing access off the A1071, which currently serves both Beeston's and Kersey Freight, would be used and forms part of this Outline Planning application before Members.
- 6.2 The NPPF states that development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe. There is no evidence before Officers to indicate that the effect on the local transport network by traffic generated from the development would be severe.
- 6.3 The SCC Highway Authority has been consulted and it is noted that, due to the location of the development, encouraging travel by sustainable modes through a Travel Plan will be difficult for any future occupier because of the lack of surfaced walking and cycling links from the site to Hadleigh. Moreover, if future employees are not discouraged to walk to the site, the travel plan suggests that 14% of the work force would walk to work. The Local Planning Authority would have grave concerns of 14% of a work force commuting on foot along the A1071 that lacks any pedestrian infrastructure and is an unlit busy main road for at least 1.5km. This would pose a significant highways safety risk and officers cannot responsibly recommend that such a proposal be supported; the risks are too great.
- 6.4 Despite the concerns raised by Hadleigh Town Council, Aldham Parish Council and Chattisham and Hintlesham Parish Council, the Local Highway Authority does not raise any concern with regards to the impact of the proposal on the highway, nor in respect to increased traffic levels, more generally stating that they consider the proposal would not have an impact on the public highway with regard to congestion, safety or parking.
- 6.5 Therefore and overall, whilst the proposal would not have a severe impact on the road network as per paragraph 111 of the NPPF, it cannot provide safe and suitable access to the site for all users as per paragraph 110 of the NPPF and it is therefore wholly unacceptable for this reason alone.

7.0 Design and Layout

- 7.1 As the proposal is Outline (with only access and structural landscaping to be considered), matters of layout and design are left to the Reserved Matters stage. However, it is beholden on the applicant to demonstrate that the desired quantum of development can be satisfactorily achieved.
- 7.2 The proposal would consist of up to 1,900 square metres of Class E floor space (formerly use class B1) and up to 4,200 square metres of Class B2 and B8 units.
- 7.3 The indicative layout submitted demonstrates that the site could accommodate this amount of development together with the appropriate amount of parking.
- 7.4 However, this layout plan is an industrial estate of high density and would be an obvious urbanisation of the site. Whilst it is acknowledged that the Beeston's site has a large building associate with the coach's business, this is a) a former agricultural building that was repurposed for its current use and b) is a single building in a large site that otherwise maintains an open character. The parking of coaches and lorries is temporary as these vehicles are moved regularly and again maintain the open countryside character. The proposal, on the other hand, would place permanent large buildings in a high-density scheme within open countryside and close to a designated bird reserve, with an increase in light pollution. This is highly out of character with the surrounding area.
- 7.5 Policy CS15 requires that the proposal respects the landscape and makes a positive contribution to the local character, shape and scale of the area. It is considered that by proposing a dense industrial estate such as this in open countryside would not make a positive contribution to the local character and therefore is contrary to policy CS15.
- 7.6 Moreover, CN01 of the Local Plan states that all new development proposals will be required to be of appropriate scale, form, detailed design and construction materials for the location, and that, proposals must pay particular attention to the scale, form and nature of adjacent development and the environment surrounding the site. The high density of the scheme would heavily urbanise the site in open countryside as well as introduce a significant amount of extra light pollution that would have a further adverse impact on the character of this area.

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

- 8.1 Paragraph 174 of the NPPF states that the planning system should contribute to, and enhance, the natural and local environment by protecting and enhancing valued landscapes, geological conservation interests and soils.
- 8.2 The site is not in a designated landscape area but is on flat open countryside. It is also opposite Wolves Wood, which is an ancient woodland, Nature reserve and SSSI. Additionally, the Public Right of Way that runs through the site leads to Hintlesham Woods to the west, which is also an ancient woodland and SSSI.
- 8.3 The proposal seeks to develop a greenfield site. In this instance, given the exposed, elevated, location, this would cause some harm to the character of the area and surrounding landscape, clearly contrary to Policy CS15 (i) and (ii).

- 8.4 The structural landscaping elements that form part of this Outline application are existing on site but do not have planning permission. Therefore, this element is retrospective. The bunds offer an alien feature in what is otherwise a flat landscape.
- 8.5 In any event, the bunds would not screen the development of the proposal altogether. As evident with the existing Beestons building which is clearly visible above the existing bunds when travelling along the A1071. A greater amount of the proposal will be exposed above the bund than that of the existing Beeston's building, as the proposed units will be closer to the bund.
- 8.6 The proposal would seek additional planting along the southern and eastern boundaries. If the planting were significant, over time the proposal might be adequately screened by the proposed landscaping. It is also recognised here that previous landscaping schemes approved (namely drawing number LSDP 11487.01 under reference B/13/01492) on these boundaries have not been implemented in full. Any conditions must ensure that landscaping is carried out in full to secure the mitigation measures.
- 8.7 Suffolk Wildlife Trust, Ecology Place Services, Natural England and RSPB were all consulted on the application. All of which, other than Natural England, offered no objection but recommendations for enhancements and mitigation to be controlled via condition.
- 8.8 The applicant has since submitted a screening for air quality impacts prior to determination. The reason for screening for air quality impacts relate to the potential impacts to the interest features of Hintlesham Woods and Wolves Wood that may be sensitive to aerial pollutants, such as those emitted from increased number of cars, lorries and construction vehicles travelling on Ipswich Rd, entering and operating within this proposed development site both during and post construction.
- 8.9 The submitted Ecological Air Quality Assessment found that the that affects because of atmospheric emissions associated with the proposed development both alone and in-combination are not predicted to be significant at the identified ecological designation.
- 8.10 Natural England was re-consulted and has lifted its holding objection, subject to conditions.

9.0 Land Contamination, Flood Risk, Drainage and Waste

- 9.1 Environmental Health confirm that there is no objection to the proposal from the perspective of land contamination.
- 9.2 SCC Flood Water Management have lifted their holding objection, as the applicant has demonstrated that they have the rights to discharge surface water in perpetuity.
- 9.3 It is noted that the existing bunds that do not have planning permission lie over the top of where a soakaway was required to deal with surface water for the increase in hardstanding relevant to the overnight lorry park under reference B/13/01492. There is no detail within the application that suggests that these soakaways were delivered and how the existing bunds might affect this.

10.0 Impact on Residential Amenity

- 10.1 The application is outline only, with all matters reserved save for access and structural landscaping. As such, not knowing the exact occupants of the units makes understanding the exact impact on residential amenity unknown at this stage. There is an existing residential dwelling situated to the northwest, which is tied to the use of the Beeston's Coach Depot under permission B/04/01260. The surrounding area is then predominantly agricultural fields with a number of residential properties approximately 800 metres away from the site.
- 10.2 Environmental Health – Noise/Odour/Light/Smoke have been consulted as part of the application. And, whilst it is noted that there is a certain amount of loss of amenity due to noise which already exists at Cobbold's Farm given the existing activities on the site, the proposed use of B2 and/or B8 is likely to result in different noise sources both in terms of the hours of noise as well as the character of the noise. As such, a noise assessment is required prior to commencement of the proposal in order to establish a baseline noise level for the site. This can be dealt with via condition and would be important to include it with any reserved matters submission.

PART FOUR – CONCLUSION

11.0 Planning Balance and Conclusion

- 11.1 On the face of it the application offers the potential for business units and in turn new employment opportunities. This is supported in principle by the Council's Economic Development team, albeit with caveats.
- 11.2 The shortcoming of the scheme, however, including the fact that it fails to comply with the relevant policies and your development plan, do need to be re-iterated.
- 11.2 This proposal is not for the extension or growth of an existing business but rather for new employment land which happens to be adjacent to an existing business. The only connection is that the landowner is the same. The uses are different in so far as the adjacent Beestons site is conditioned to be a Coach depot only (following a permission granted in extraordinary circumstances) excluding any B2 or B8 use. Additionally, the 2015 permission for a lorry and coach park is conditioned that vehicles shall only be parked overnight with no B2 and B8 use to take place. This is confirmation that the proposal site cannot be conceived as an extension or growth of the existing. Those historic permissions very much turned on their own, exceptional facts.
- 11.3 No future occupants have been identified for the proposed development and thus this is considered a speculative development. Even if, at this late stage, the applicant were to produce some evidence of proposed end users, this does not overcome the fundamental shortcomings of this site as detailed above. Therefore, it is reasonable and just to temper the weighting offered to the benefit of the alleged creation of jobs.
- 11.3 The site is only accessible by car via the A1071. There is no cycle or pedestrian infrastructure, and the bus stop is 600 metres away from the site and would require passengers to walk along the A1071. Therefore, the site would have a heavy reliance on private vehicles for both employees and

visitors. The proposal offers no improvements to accessibility. Thus, the site is considered an unsustainable location and contrary to policies CS2 and CS15 of the Core Strategy and paragraphs 84 and 85 of the NPPF.

- 11.4 New employment land outside of the existing employment areas and in the countryside is contrary to policies CS2, CS15 and CS17 of the Core Strategy, EM02, EM08 and EM20 of the Local Plan and paragraphs 84 and 85 of the NPPF.
- 11.5 Moreover, siting Class E uses, even if limited by condition to office use, would contribute to undermining the vitality of Hadleigh by placing this use in an inaccessible location outside of the town. This is contrary to policies EM02, EM08 and the NPPF paragraphs 84, 85 and Chapter 7 (Ensuring the vitality of town centres) of the NPPF.
- 11.6 Whilst the 'exceptional circumstances' test of CS2 is not wholly consistent with the NPPF and therefore attributed less than full but nevertheless significant weighting, the other tests of CS2 that relate to the spatial distribution of development and policies CS15 and CS17 of the Core Strategy and policies EM02, EM08 EM20 of the Local Plan have been found to be consistent with the NPPF paragraphs 82, 84 and 85 as well as Chapter 7. This is because they are supportive of growth of existing business in rural areas which utilise brownfield sites, existing buildings, and ensure that local services (including office uses under Class E) are accessible.
- 11.7 Therefore, the basket of policies most important for determining this application are considered up to date.
- 11.8 It has been assessed that the proposal is contrary to these policies and, as such, the application should be refused as a departure from the development plan unless material considerations indicate otherwise. Overall, application of the policies within the NPPF reinforces the direction to refuse permission. No such compelling considerations have been identified.
- 11.9 As a speculative development if approved it would still count towards the District's employment land. The risk of approving an outline permission for employment land in an unsustainable location, which is speculative and unlikely to be implemented, would undermine the need for other sites that come forward on both allocated land and windfall sites that are accessible and have prospective occupants.
- 11.10 Therefore, there are no material considerations that offer a just reason to depart from the development plan. The application should therefore be refused.

RECOMMENDATION

That the application is REFUSED planning permission for the following reasons:-

The proposal is outside of any Built-Up Area Boundary and is in a countryside location and in addition the site does not form part of any strategic employment land allocation nor is it considered the growth or extension of an existing rural business. There is no justification for the site to come forward as a departure from the adopted Development Plan for employment purposes. The introduction of new built-form, in the shape of various employment use buildings and associated commercial activity, will introduce alien elements into the landscape with the effect of harming the character of the countryside hereabouts. Furthermore, the introduction of significant development in this location would extend undesirable ribbon development along the A1071, potentially extending the urban area beyond the built-up boundary of Hadleigh very visibly from a main route into and out of the town from and to the countryside. On the east side of Hadleigh.

The Council is of the opinion that the proposed development is not sustainable from an economic and environmental perspective. The development of employment floorspace on this greenfield site outside of Hadleigh will, in the opinion of the Council, [i] undermine the efficacy of the Council's adopted Employment Strategy/strategic planning policies by competing with allocated sites thereby potentially prejudicing them from coming forward or remaining in employment use [ii] result in unnecessary and unjustified harm to the character of the countryside and its ecological value and, [iii] undermining the vitality of Hadleigh Town by locating uses (Class E) that offer community services and facilities in an inaccessible location within the countryside along the A1071 rather than within the centre or edge of town.

As such, the proposal is considered contrary to Local Plan policies CS1, CS2, CS15 EM01, EM02 and EM08, paragraphs 82, 84, 85 and Chapter 7 of the NPPF.

WITHOUT PREJUDICE:

Should Members choose to disagree with this recommendation, then it is suggested that they consider whether the following conditions would be appropriate to manage this development:

- Time limit for Reserved Matters
- Drawing numbers (where appropriate)
- Limitation on floorspace
- “E” Class uses limited to office only
- Structural landscaping
- Lighting
- In line with ecological recommendations
- Fire hydrants
- Action if unexpected ground contamination
- Construction Management Plan
- No burning
- Noise assessment
- Travel Plan conditions
- Footpath
- Parking
- Cycle Parking
- Bins
- Resource efficiency measures (during construction)
- Sustainability and Energy Strategy
- Surface Water Drainage Scheme
- SUDS Verification Report

In relation to any reason for approval, it is recommended that Members may wish to attach significant weight to the need to support economic growth and productivity, taking into account local business needs as expressed in the application and the Councils’ “Open for Business Strategy” which aims to Help to deliver 10,000 new jobs by 2036.

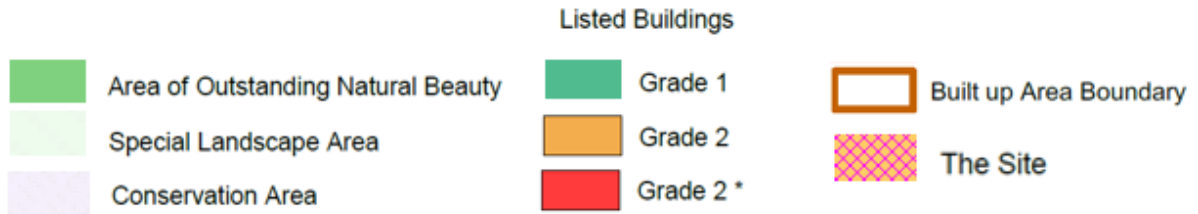
It is requested that, if Members choose to grant permission, that they expressly clarify the material Planning reasons and considerations which have led to that outcome.

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Application No: DC/20/05137

Parish: Hadleigh

Location: Land At Cobbolds Farm, Ipswich Road



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