

# Public Document Pack



<b>COMMITTEE:</b>	<b>PLANNING COMMITTEE</b>
<b>DATE:</b>	<b>WEDNESDAY, 5 OCTOBER 2022 9.30 AM</b>
<b>VENUE:</b>	<b>KING EDMUND CHAMBER, ENDEAVOUR HOUSE, 8 RUSSELL ROAD, IPSWICH</b>

<b>Members</b>		
<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	

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

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

## **AGENDA**

### **PART 1**

#### **MATTERS TO BE CONSIDERED WITH THE PRESS AND PUBLIC PRESENT**

Page(s)

**1 SUBSTITUTES AND APOLOGIES**

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

To receive apologies for absence.

**2 DECLARATION OF INTERESTS**

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

**3 PL/22/12 TO CONFIRM THE MINUTES OF THE MEETING HELD ON 21 SEPTEMBER 2022**

To follow

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

5 **SITE INSPECTIONS**

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

6 **PL/22/13 PLANNING APPLICATIONS FOR DETERMINATION BY THE COMMITTEE** 5 - 8

An Addendum to Paper PL/22/12 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/22/01754 LAND EAST OF HADLEIGH ROAD, ELMSETT, SUFFOLK** 9 - 30

b **DC/21/03561 LAND TO THE EAST OF HADLEIGH ROAD, ELMSETT, SUFFOLK, IP7 6ND** 31 - 46

**Notes:**

1. The next meeting is scheduled for Wednesday 19 October 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, 19 October 2022 at 9.30 am.

### **Webcasting/ Live Streaming**

The Webcast of the meeting will be available to view on the Councils Youtube page:  
[https://www.youtube.com/channel/UCSWf\\_0D13zmegAf5Qv\\_aZSg](https://www.youtube.com/channel/UCSWf_0D13zmegAf5Qv_aZSg)

For more information about this meeting, including access arrangements and facilities for people with disabilities, please contact the Committee Officer, Claire Philpot on: 01473 296376 or Email: [Committees@baberghmidsuffolk.gov.uk](mailto:Committees@baberghmidsuffolk.gov.uk)

### **Introduction to Public Meetings**

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

### **Domestic Arrangements:**

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

### **Evacuating the building in an emergency: Information for Visitors:**

If you hear the alarm:

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



## PL/22/13

### BABERGH DISTRICT COUNCIL

### PLANNING COMMITTEE

05 OCTOBER 2022

### SCHEDULE OF APPLICATIONS FOR DETERMINATION BY THE COMMITTEE

Item	Page No.	Application No.	Location	Officer
6A	9-30	<b>DC/22/01754</b>	<b>Land East of Hadleigh Road, Elmsett, Suffolk</b>	AS
6B	31-46	<b>DC/21/03561</b>	<b>Land to the East of Hadleigh Road, Elmsett, Suffolk, IP7 6ND</b>	AS

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**

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

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# Agenda Item 6a

## Committee Report

**Item No: 6A**

**Reference:** DC/22/01754

**Case Officer:** Alex Scott

**Ward:** South East Cosford.

**Ward Member/s:** Cllr Leigh Jamieson.

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## **RECOMMENDATION – GRANT PLANNING PERMISSION WITH CONDITIONS**

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### Description of Development

Full Planning Application - Erection of 44 No. residential dwellings (including 35% affordable housing and bungalows), landscaping and public open space.

### Location

Land east of, Hadleigh Road, Elmsett, Suffolk

**Expiry Date:** 07/10/2022

**Application Type:** FUL - Full Planning Application

**Development Type:** Major Small Scale - Dwellings

**Applicant:** Denbury Homes

**Agent:** Mr James Bailey

**Parish:** Elmsett

**Site Area:** 2.5 Hectares (Ha)

**Density of Development:**

Gross Density (Total Site): 17.6 dwellings per hectare (dph)

Net Density (Developed Site, excluding open space and SuDs): 27.3 dph

**Details of Previous Committee / Resolutions and any member site visit:** Outline Planning Application ref: B/17/01009, for 41 dwellings on the same site, was previously considered by Committee on 25<sup>th</sup> October 2017. Members resolved to grant outline planning permission, subject to conditions and completion of a s.106.

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

**Has the application been subject to Pre-Application Advice:** Yes - ref: DC/21/05526 - Dated: 30<sup>th</sup> November 2021.

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## **PART ONE – REASON FOR REFERENCE TO COMMITTEE**

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

It is a “Major” application for:

- a residential development for 15 or more dwellings.

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## **PART TWO – POLICIES AND CONSULTATION SUMMARY**

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### **Summary of Policies**

NPPF - National Planning Policy Framework  
CS01 - Applying the presumption in Favour of Sustainable Development in Babergh  
CS02 - Settlement Pattern Policy  
CS03 - Strategy for Growth and Development  
CS11 - Core and Hinterland Villages  
CS13 - Renewable / Low Carbon Energy  
CS14 - Green Infrastructure  
CS15 - Implementing Sustainable Development  
CS18 - Mix and Types of Dwellings  
CS19 - Affordable Homes  
CS21 - Infrastructure Provision  
CN01 - Design Standards  
CN04 - Design & Crime Prevention  
CR07 - Landscaping Schemes  
HS28 - Infilling/Groups of dwellings  
HS31 - Public Open Space (1.5 ha and above)  
TP15 - Parking Standards - New Development  
EN22 - Light Pollution - Outdoor Lighting

### **Neighbourhood Plan Status**

This application site is within an adopted Neighbourhood Plan Area.

Accordingly, the current adopted Neighbourhood Plan forms part of the current development plan:

The following draft Neighbourhood Plan Policies are considered relevant to the current application proposal:

EMST1 - Elmsett’s Spatial Strategy  
EMST2 - Housing Development in Elmsett  
EMST3 - Housing Allocation - Land at Hadleigh Road, Elmsett  
EMST5 - Housing Space Standards – Elmsett

EMST6 - Housing Mix – Elmsett  
EMST9 - Protection of Important Views and Landscape Character – Elmsett  
EMST11 - Heritage Assets – Elmsett  
EMST12 - Development Design Considerations - Elmsett

## **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**

#### **Parish Council**

##### Elmsett Parish Council - 24<sup>th</sup> April 2022

Do not object to the principle of the application proposal - The proposal is considered in line with Policy EMST3 - Concerns still remain with regards: Parking on Hadleigh Road; The frontage drainage ditch; and Street Lighting.

#### **National Consultee Responses**

##### Anglian Water - 7<sup>th</sup> April 2022

The foul drainage from this development is in the catchment of Elmsett Water Recycling Centre that will have available capacity for these flows.

##### East Suffolk Drainage Board - 25<sup>th</sup> April 2022

Note applicant intends to discharge surface water to a watercourse - Request discharge is facilitated in line with standards (as provided) - Recommend that discharge is attenuated to the Greenfield Run-off Rates wherever possible.

#### **County Council Responses**

##### SCC – Highway Authority - Initial Response - 25<sup>th</sup> April 2022

No objection - Subject to compliance with suggested conditions.

##### SCC – Highway Authority - Subsequent Response, following revisions - 13<sup>th</sup> September 2022

Amendments to the proposal do not change the position of the Highway Authority from their initial response - All of the recommended planning conditions still apply, however those that referenced drawing 003 should be updated to 003 A to reflect the latest submitted plans (parking and bins conditions) – Contribution towards Bus Stop Improvements still required by way of s.106.

##### SCC - Public Rights of Way - 25<sup>th</sup> April 2022

The proposed site contains a public right of way (PROW): Elmsett Public Footpath 9, with Elmsett Public Footpath 7 along the southern boundary of the site – The proposal is accepted subject to the following:

- Elmsett Public Footpath 9 is retained in its existing alignment within an open corridor;
- The public right of way must not be constrained by fencing or planting that creates any form of corridor effect;

- Any properties beside the public right of way should front the footpath with an open aspect;
- A footbridge at the western end is replaced;
- The surface of Elmsett Public Footpath 9 within the red line of the development is surfaced with an unsealed, compacted material to provide a robust surface for people to walk on.

SCC - Passenger Transport Team - 27<sup>th</sup> April 2022

The village has infrequent service through it however the nearest stop to the site would be on the corner of Whatfield Road, Elmsett. There is a pathway on the opposite side of the road from the site to the stop. The stop already has a bus shelter so a s.106 contribution of £6,000 for DDA kerbs on both sides of the road, plus a pole opposite the shelter, is required to make improvements.

SCC - Lead Local Flood Authority - Initial response - 25<sup>th</sup> April 2022

Holding Objection - Details of system adoption and maintenance; and long section and cross section of the swales required.

SCC - Lead Local Flood Authority - re-consultation responses, following revisions - 25<sup>th</sup> May 2022 and 6<sup>th</sup> September 2022

Recommend Approval on basis of further information received - Subject to conditions.

SCC - Archaeology - 8<sup>th</sup> April 2022

There are no grounds to consider refusal of permission in order to achieve preservation *in situ* of any important heritage assets. However, in accordance with the National Planning Policy Framework (Paragraph 205), any permission granted should be the subject of a planning condition to record and advance understanding of the significance of any heritage asset before it is damaged or destroyed.

SCC - Fire and Rescue - 11<sup>th</sup> April 2022

Recommend that fire hydrants be installed within this development on a suitable route for laying hose - However, it is not possible, at this time, to determine the number of fire hydrants required for fire-fighting purposes - The requirement will be determined at the water planning stage when site plans have been submitted by the water companies - Recommend that proper consideration be given to the potential life safety, economic, environmental and social benefits derived from the provision of an automatic fire sprinkler system.

SCC - Travel Plan Officer - 5<sup>th</sup> April 2022

No comment to make - The development does not meet the threshold that requires a Travel Plan in accordance with the Suffolk Travel Plan Guidance.

SCC - Development Contributions Manager - 5<sup>th</sup> April 2022

Education and Libraries improvements contributions required by way of CIL - Secondary School transport costs required by way of S106.

**Internal Consultee Responses**

BDC - Heritage Consultants (Place Services) - 27<sup>th</sup> April 2022

The development would not result in harm to any of Elmsett's designated or non-designated heritage assets and the design and appearance of the dwellings would be appropriate in terms of local character and distinctiveness - There are no designated heritage assets within the site boundary or in close

proximity - The site lies within the wider setting of approximately 9no. designated heritage assets in the village, however there are no visual links between - The development would not be incompatible with the existing development character within this wider setting - Materials condition recommended, should the application be approved.

BDC - Ecology Consultants (Place Services) - 8<sup>th</sup> April 2022

No objection - Subject to securing a proportionate financial contribution towards visitor management measures for the Stour and Orwell Estuaries SPA/Ramsar; and Ecological mitigation and enhancement measures.

BDC - Landscape Consultants (Place Services) - Initial Response - 26<sup>th</sup> May 2022

Note there are a number of TPO trees around the site;

The submitted arboricultural impact assessment makes no reference to TPO trees on the site and it appears that the TPO tree to the western boundary will be removed as part of H005 removal and further clarification and details around this query are requested;

Active frontages to Hadleigh Road and public open spaces welcomed;

Some garden spaces too small and too close to existing planted boundaries, and the southern boundary in particular, raising concern over shading of properties and private gardens and long-term protection of trees;

Hedgerow to Hadleigh Road frontage should be retained where possible and removal should be kept to a minimum;

Principles of Landscaping welcomed, including in the landscape masterplan;

No reference made to improvements to existing boundary hedgerows as per the requirements of Elmsett Neighbourhood Plan;

Planting within attenuation area will provide for biodiversity as well as amenity, which is welcomed, subject to agreed plant species;

Planting or mounding is recommended in place of fence to proposed play area.

Conditions were proposed relating to the submission of, and agreement to, a soft and hard landscaping scheme and also a landscape management plan.

BDC - Landscape Consultants (Place Services) - Subsequent Response - 7<sup>th</sup> July 2022

Welcome new annotation to masterplan and supplementary planting to perimeter;

New tree planting should provide sufficient mitigation for tree loss;

Protection of existing landscape features is the preferred approach and should be explored during detailed design process;

Previous comments with regards number of dwellings and fences and gates to play area still apply;

Previous recommended conditions remain valid.

BDC - Environmental Protection - Land Contamination - 8<sup>th</sup> April 2022

No objection - Request the LPA are contacted in the event of unexpected ground conditions during construction and that the minimum precautions (as advised) are undertaken until the LPA responds to the notification - Advise the developer that responsibility for safe development of the site lies with them.

BDC - Environmental Protection - Air Quality - 8<sup>th</sup> April 2022

No objection - The scale of the development is not likely to compromise the existing good air quality at and around the development site.

BDC - Environmental Protection - Other Issues - Initial Response - 20<sup>th</sup> April 2022

No objections in principle - Concern with regards loss of amenity at existing properties due to proximity of LEAP (10 metres from the nearest residential boundary when protocol advises 20 metres) - Further acoustic information requested with respect of the pumping station - Flies should terminate at least one metre above roof ridge level - Construction management, prohibition of burning, and external lighting details required by way of condition.

BDC - Environmental Protection - Other Issues - Second Response - 22<sup>nd</sup> July 2022

Recommend proposed LEAP is moved so it is not within 20 metres of the boundary of dwellings - Or revise the proposed LEAP to a LAP.

BDC - Environmental Protection - Other Issues - Third Response - 19<sup>th</sup> August 2022

Revised proposals have moved proposed LEAP 20 metres from existing dwellings and this is compliant with the Council's Protocol - Noise attenuation barrier recommended between LEAP and proposed dwellings - Satisfied that pumping station noise will unlikely result in a loss of amenity to residents.

BDC - Environmental Protection - Other Issues - Fourth Response - 12<sup>th</sup> September 2022

No objections on basis of revised documents submitted - Subject to foul water drainage scheme condition.

BDC - Sustainability - 22<sup>nd</sup> April 2022

No Objection - Subject to a scheme for the provision and implementation of water, energy and resource efficiency measures, during the construction and operational phases of the development, being secured by way of condition.

BDC - Tree Officer - 5<sup>th</sup> April 2022

No Objection - Subject to implementation of proposed tree protection measures - two trees proposed for removal are of limited value.

BDC - Public Realm - 13<sup>th</sup> April 2022

No Objection - The quantity of Public Open Space (POS) is sufficient for the size of the development, as is the provision of the play area - This a relatively small development, and the areas of POS are largely internal to it - Public Realm would not wish to adopt these areas, and a local management solution is recommended.

BDC - Strategic Housing - 3<sup>rd</sup> May 2022

No objection to the: number, type, size and tenure of on-site affordable housing proposed (in accordance with list provided by Strategic Housing) - Should any of the detail (as set out) change, Strategic Housing would need to be re-consulted.

BDC - Waste Manager - 8<sup>th</sup> September 2022

No objection subject to conditions: Development should be suitable for a 32 tonne RCV; and Waste Strategy, including marked wheeled bin collection points.

## **B: Representations**

At the time of writing this report, at least five letters/emails/online comments have been received. It is the officer opinion that this represents five objections and none in support. A verbal update shall be provided as necessary.

Views are summarised below:-

- The Development is too large for the Village;
- The scale of the development will affect the character of the Village;
- Smaller developments, such as “Church View” are much more suitable;
- Proposal would result in a very large increase in vehicles, probably 80 plus;
- Roads around Elmsett are very narrow and are unable to cope with extra traffic;
- The proposal will affect the ability for residents opposite to park their cars on the road;
- Proposed new road junction will result in a significant additional traffic hazard;
- Increased Traffic would result in Noise and disturbance and increased fumes/pollution for the village;
- Concerns that proposed dwellings would not be affordable to young people in the Village;
- The proposal will increase existing flood and drainage issues in the Village;
- The proposal will put significant pressure on existing Village services and facilities, which will be unable to cope, such as the Village School;
- Existing residents’ outlook would be severely impacted by the development - Fields replaced by a Housing Estate;
- Construction Traffic will be significantly dangerous to residents during construction, due to narrow roads;
- Concern with regards noise disruption during construction.

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

## **PLANNING HISTORY**

<b>REF:</b> DC/21/03561	Submission of Details (Reserved Matters application) relating to Outline Planning Permission B/17/01009. Appearance & Scale for residential development of 41no dwellings to include market and affordable housing, new vehicular access, wildlife areas, amenity space and community woodland.	<b>DECISION:</b> Pending Decision
<b>REF:</b> B/17/01009	Outline (Means of access, layout and landscaping to be considered) - Residential development of 41 dwellings to include market and affordable housing, new vehicular access, wildlife areas, amenity space and community woodland.	<b>DECISION:</b> Granted 27.06.2018

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## PART THREE – ASSESSMENT OF APPLICATION

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### 1.0 The Site and Surroundings

- 1.1. The site is an arable field to the east of Hadleigh Road, Elmsett. There is a ditch and a 15-metre stretch of hedgerow to the western boundary with the roadside. There is a footpath that crosses inside the site along the northern boundary. Passage for this footpath across the ditch is currently provided by a wooden bridge. There are existing hedgerows to the western and southern boundaries of the site. There is also a footpath along the southern boundary of the site which is outside the red line. Three trees are present along the southern and eastern boundaries outside the site, which are the subject of Tree Preservation Orders.
- 1.2. In the north lies estate development on Garrards Road. Properties along Hadleigh Road are predominantly semi-detached and detached dwellings. A pavement runs along the eastern side of Hadleigh Road to the centre of Elmsett and terminates opposite the site's north-western boundary.

### 2.0 The Proposal

- 2.1. The current proposal relates to the development of the existing site and the erection of 44 new houses, 35% (15 no.) of which are proposed to be affordable homes. Public open Space, recreational space, a new estate road access and footpath connections to Hadleigh Road are also proposed.
- 2.2. The proposed dwelling types are broken down as follows:

#### **Market Dwellings**

Two-bedroom bungalows	= 4 no.
Two-bedroom, two-storey houses	= 8 no.
Three-bedroom, two-storey houses	= 9 no.
Four-bedroom, two-storey houses	= 6 no.
Five-bedroom, two-storey houses	= 2 no.
<b>TOTAL (Market Dwellings)</b>	<b>= 29 no.</b>

#### **Affordable Dwellings**

##### Affordable Rent

Two-bedroom bungalow	= 1 no.
Two-bedroom, two-storey houses	= 6 no.
Three-bedroom, two-storey houses	= 4 no.
<u>Shared Ownership</u>	
Two-bedroom, two-storey houses	= 2 no.
Three-bedroom, two-storey houses	= 2 no.
<b>TOTAL (Affordable Dwellings)</b>	<b>= 15 no.</b>



- 2.3. The proposed dwellings would be provided in a range of types and styles. Proposed external facing material would be a mix of facing red, blend, buff and multi brick and painted render. Roofing materials would be a mix of red and black pantiles, and slates.

### **3.0 The Principle of Development**

- 3.1. Development Plan Policy and Allocation ref: EMST3 provides the principle of development of the site for approximately 41 dwellings.
- 3.2. The following requirements of Policy EMST3 are also considered to be satisfied:
- On-site delivery of 15 affordable dwellings;
  - Public Open Space, including community woodland;
  - Improvements to existing footways;
  - Provision of an equipped play area;
  - Public right of way enhancements;
  - Enhanced Tree and Hedgerow planting;
  - New Wildlife Areas;
  - Highways improvements - as specified.
- 3.3. It is your officer's opinion that development plan policies CS2, CS3, CS11 and CS15 provide the relevant framework to consider the sustainability of this site, having regard to the three strands of sustainable development set out in the NPPF. The adopted 'Rural Development & Core Strategy Policy CS11 Supplementary Planning Document' ("the SPD") is also a material consideration.
- 3.4. Policy CS2 (Settlement Pattern Policy) identifies Elmsett as a Hinterland Village. Policy suggests that most Hinterland Villages should accommodate some development to help meet the needs within their functional cluster. Elmsett falls within the Hadleigh cluster, which also includes the villages of Aldham, Burstall, Chattisham, Hintlesham, Kersey, Layham, Lindsey, Semer and Whatfield.
- 3.5. Paragraph 80 of the NPPF sets out that planning policies and decisions should avoid isolated homes in the countryside. The site is not considered to be 'isolated' within the meaning of this term as it is allied to the Built Up Area Boundary of Elmsett and therefore does not lie isolated from services. Paragraph 79 of the NPPF also states that:
- "To promote sustainable development in rural areas, housing should be located where it will enhance or maintain the vitality of rural communities. Planning policies should identify opportunities for villages to grow and thrive, especially where this will support local services. Where there are groups of smaller settlements, development in one village may support services in a village nearby."*
- 3.6. Hadleigh lies only a short car journey from Elmsett and the town contains a wide range of services and facilities. Elmsett has a shop, village hall, churches, primary school and public house, therefore the location of the site is considered sustainable, within the Hadleigh cluster. As such, Elmsett is a settlement which is considered capable of taking a degree of growth and this

growth would help safeguard the provision of existing facilities within the settlement and the surrounding area.

- 3.7. Policy CS2 remains a consideration, as the site is formally located outside the village BUAB and is therefore designated 'countryside' in the current development plan. CS2 limits development in the countryside so that it will only be permitted in exceptional circumstances subject to a proven justifiable need; therefore this application represents a departure from this policy in this respect.
- 3.8. Policy CS11 seeks to provide greater flexibility in the location of appropriate housing development beyond the existing BUABs. Policy CS3 (Strategy for Development and Growth) is a consideration and sets out that the Council must provide a minimum of 1,050 dwellings in Core and Hinterland Villages for the period between 2011 and 2031. Considering these policies in combination, it is considered that this proposal is in accordance with the wider settlement principles shared by the NPPF and the adopted development plan. These policies, having regard to the requirement under paragraph 60 of the NPPF, to support the Government's objective of significantly boosting the supply of homes, are considered to represent material considerations to depart from Policy CS2.
- 3.9. Policy CS11 is the key Core Strategy policy relevant to guiding growth in Hinterland villages and offers useful criteria to assess the sustainability of this proposal:

3.9.1 CS11 Criteria for Core and Hinterland Villages:

The landscape, environmental and heritage characteristics of the village The site lies on the southern side of Elmsett and is currently an agricultural field. There are hedgerows to the southern and eastern boundaries of the site and to the roadside in the west. The site has an open character which would change if development were to occur, but this may not necessarily be to the detriment of the street-scene or the surrounding environment. The elevations provided are indicative, but suggest the height of dwellings would be modest and their character reflective of others in the locality. The density and pattern of development is not dissimilar to the Garrard's Road estate immediately to the north.

- 3.9.2 At present, the boundaries of existing estate development on Garrard's Road are not particularly sensitively screened in the existing landscape setting. Ribbon development also extends on the opposite side Hadleigh Road past the site, which has an urbanising effect upon the locality. Having regard for the existing characteristics of its surroundings, it is not considered that development of this site would be out of character with its surroundings or create an adverse environmental impact. Whilst development of the site along the site frontage only might be preferable, there is existing estate development in the locality and the proposal is acceptable within this context. Landscaping details are not reserved and therefore are "locked in" and secured under this outline consent. The site does not lie within a conservation area or within proximity of any listed buildings, therefore there is no harm to heritage assets. There is compliance with this element of CS11.

3.9.3 The locational context of the village and the proposed development (particularly AONBs, Conservation Areas and heritage assets):

The site lies on the southern side of Elmsett, in a landscape setting which is not particularly sensitive. The site is well related to the services and facilities in the centre of the village by a

paved footway on the western side of Hadleigh Road and a footway link to this would be provided along the site frontage. Whilst there are no streetlights, the journey to the village centre is short, in an area where there is a speed limit, and benefits from the surveillance of roadside properties; it is not uncommon for many of the villages identified in the Core Strategy not to have street lights and these villages have also been identified as capable of accommodating development.

- 3.9.4 Additional connections have also been provided within the development to the existing footpath along the northern boundary (to be retained) and potentially to existing footways within the Garrard's Road development.
- 3.9.5 The proposed scale, character and density are considered to be similar to the estate development to the north and, therefore, not out of keeping with the surroundings. An extension of the village in this location would read as logical within its surroundings and the site is naturally contained by the hedgerow in the south. The additional landscaping provided on the site would significantly soften the development from views in the wider landscape, perhaps screening it from view altogether.
- 3.9.6 It is therefore considered that the proposal is well located, having regard for its contextual relationship with the rest of the village and its wider surroundings. The proposal is compliant with this element of CS11 Policy.
- 3.9.7 Site location and sequential approach to site selection:  
The acceptability of the principle of development does not turn on whether or not the site is within the BUAB. In this case the site is outside the BUAB and requires an assessment under Paragraph 14 of the NPPF in any regard. However, it is clear that there are no sequentially preferable sites in the BUAB which could enable development of a similar scale to this and there is no requirement to look at alternative sites adjoining the built up area boundary as sequentially they are within the same tier. This element of CS11 is satisfied.
- 3.9.8 Locally identified need - housing and employment, and specific local needs such as affordable housing:  
"Locally identified need" or "local need" should be construed as the development to meet the needs of Elmsett and its wider functional cluster. The sequential approach requires new that development for "rural growth", first be directed into Core Villages. In this case, the Applicant has not submitted a housing needs assessment.
- 3.9.9 The layout plan indicates that the properties would be a mix of 2, 3, 4 and 5 bedroom properties, with 35% affordable housing, of a type, mix and tenure as agreed by your strategic housing officers. It is considered that the proposed housing mix would help with the need for the smaller affordable homes.
- 3.9.10 The development has not been subject to a housing needs survey. It is considered that in strict policy terms the development has not demonstrated that there is a locally identified need for development of this scale. As such, the proposal could be argued to not accord with this element of policy CS11.
- 3.9.11 However, it must be recalled that the site is allocated in the Elmsett Neighbourhood Plan (ENP) based on numbers arrived at by using the standard methodology. AECOM's independent

assessment of the site found it to be suitable for development and this found its way to a site allocation in the EMP. As such, the need has been indirectly assessed.

3.9.12 This level of needs assessment may normally be open to challenge; however, the fact that it has been used to inform allocated sites within the ENP gives it increased weight.

3.9.13 Locally Identified Community Needs:

The SPD identifies that proposals should be accompanied by a statement that analyses the community needs of the village and how they have been taken into account in the proposal. In this case the applicant has not submitted a community needs assessment.

3.9.12 In the absence of such a statement, the application submission has not adequately demonstrated how the proposal would meet this element of policy CS11. However, your officers would advise that the proposed development will generate contributions towards community infrastructure, to be spent on local services and infrastructure, therefore supporting rural communities, local services and facilities. In this regard, despite the absence of the needs assessment, the proposal delivers benefits through CIL that are considered to satisfy this element of policy CS11.

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

Policy CS11 requires the cumulative impact of development, both within the Village and its the functional cluster, to be a material consideration. Given the responses from statutory consultees and the small scale of development proposed, there is no reason to believe there would be significant adverse cumulative impacts as a result of the development in combination with others completed/committed to in the Hadleigh cluster. CIL provides a mechanism for GP surgeries and schools to adequately mitigate development and this development would contribute to providing CIL funding on a district wide and parish level. There is also no evidence to suggest that utilities infrastructure cannot serve or would be significantly adversely impacted by the development. It is therefore considered that the evidence suggests this development will be easily accommodated within the existing infrastructure of the village and will not lead to a detrimental impact on the social, physical and environmental wellbeing of the village nor the wider cluster. The proposal therefore complies with this element of policy CS11. Additional CS11 Criteria for Hinterland Villages Is adjacent or well related to the existing pattern of development for that settlement

3.9.14 As outlined above, it is considered that the proposal has a close functional relationship and is well related to the existing pattern of development for the settlement. It is also considered that the layout, size and scale of development is in keeping with the surrounding street scene and, crucially, (in line with the presumption in favour of development) demonstrable evidence does not exist that there is an adverse impact resulting from the scale and size of development proposed. This element of CS11 is therefore satisfied and meets a proven local need, such as affordable housing or targeted market housing identified in the adopted neighbourhood plan

3.9.15 Consideration of the extent to which the development meets local needs, both in terms of housing and community facilities, is considered in detail earlier in this report. In conclusion, there is no direct evidence to suggest there is a proven local need, which does strain against that clause of CS11; however, the standard methodology, AECOM assessment and ENP allocation do give it sufficient weight.

3.9.16 Supports local services and/or creates or expands employment opportunities:

The proposal would provide new dwellings and would make a contribution to supporting the existing facilities in the wider area. As such, the proposal satisfies this element of policy CS11 and the wider objectives of the NPPF.

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

The proposal would not compromise delivery of permitted or identified schemes. As such, the proposal accords with this element of policy CS11.

3.9.18 Summary of Assessment Against Policy CS11:

For the reasons set out above, the proposal cannot be said to fully comply with policy CS11 in terms of whether it satisfies a local need (although the need has been assessed elsewhere); however, it satisfies the spatial and sustainability objectives of this policy.

3.10 Consideration against other development plan policies.

3.11. Policy CS2 can be afforded a limited weight as it forms part of a suite of policies which seek to ensure that development is sustainably located in line with the principles set out in the NPPF.

3.12. The proposed design and layout are acceptable and, therefore, comply with the requirements set out in Policy CS15. The biodiversity enhancement, amenity open space and ability to support local services also score in the applications favour against CS15. The proposal also accords with key policies such as CS21, CS19 and CS18.

3.13. Your officers are of the view that this site is not isolated and would be well related to existing services and facilities. There is a substantial social benefit from the provision of 44 dwellings, which would help meet the district need and a modest temporary economic benefit from the construction of the dwellings. There would not be any demonstrable adverse environmental impacts. As the benefits outweigh any significant adverse impacts there is a presumption in favour of its approval and this offers a material reason to depart from saved policies CS2 and CS11 given there is broader compliance with the other saved local plan policies and NPPF.

3.14. It is worth recalling, also that as the site is allocated in the Elmsett Neighbourhood Plan, this carries significant weight.

3.15. The principle of the proposed development is, therefore, considered acceptable, subject to agreed detail and consideration of other material planning considerations. Those considered most relevant to the development proposal are set out below:

#### **4.0 Design and Layout**

4.1. The detailed proposal submitted is considered to be well designed, to propose a high quality, beautiful and sustainable buildings and development, ensures that the development functions well and adds to the overall quality of the area. The proposal is considered visually attractive; is sympathetic to local character; and establishes and maintains a strong sense of place, in accordance with NPPF paragraphs 126, 130 and 134.

- 4.2 The detailed plans and elevations of buildings provided are considered by your officers to be acceptable on design grounds. Overall 19 different dwelling design variations are proposed in a mix of facing red brick, pale yellow brick, weatherboard, and off-white render, with a mix of red pantile, black pantile, and grey slate roof materials proposed.
- 4.3 The detailed plans and elevations of buildings provided are considered by your officers to be acceptable on design grounds.
- 4.4 In addition, the proposed development employs sustainable construction techniques, and utilises microgeneration technologies for power and heating purposes, in accordance with the requirements of plan policy CS13. Such provision will be ensured by way of condition, as advised by your sustainability officer.

## **5.0 Site Access, Parking and Highway Safety Considerations**

- 5.1 In terms of assessment against development plan policies CS15, HS28, TP15 and EMST3, the development is not considered to result in an unacceptable impact on highway safety and should provide safe and suitable access to the site for all users. The development should also ensure that any significant effects on the transport network can be cost effectively mitigated to an acceptable degree. The development should also ensure that opportunities are taken to promote sustainable transport modes.
- 5.2 On-site turning and parking should also be provided in accordance with current advisory parking standards provided by the Local Highway Authority.
- 5.3 Development Plan Policy EMST3 also requires improvements are undertaken to the Hadleigh Road Frontage to include road widening, re-surfacing, kerbing, highway and land drainage, new frontage footway, improvements to existing footways on Hadleigh Road and improved link to the village centre; a new pedestrian footbridge; and passing bays on Ipswich Road and Flowton Road, to highways requirements. Such provision will be required as part of any planning application submitted and secured, as necessary by way of either condition or S106.
- 5.4 The proposal would provide opportunities for access via the proposed new estate road access to Hadleigh Road and pedestrian connections to Village Services and Facilities, to the north.
- 5.5 Overall, the proposal is considered to provide safe and suitable access to the site for all users and provides on-site turning any parking, in accordance with the requirements of current adopted advisory parking standards, provided by SCC-Highways.
- 5.6 Whilst concerns have been raised that the proposed new road junction will result in a significant additional traffic hazard and there have been objections concerning Increased traffic; the SCC-Highway has been consulted and has not raised any objection - subject to compliance with suggested conditions and off-site highways works and bus stop improvements being secured by way of a s.106

## **6.0 Flood Risk and Surface Water Drainage**

- 6.1 The proposal site is located within flood zone 1, as identified by Suffolk County Council as Lead Local Flood Authority (LLFA), which is low risk for river and sea flooding. However, the site is also identified as being within an area at predicted risk of surface water flooding (pluvial), with the proposed dwellings shown as lying within areas subject to that flooding.

- 6.2. Paragraph 162 of the National Planning Policy Framework states that development should not be permitted if there are reasonably available sites appropriate for the proposed development in areas with a lower risk of flooding, and that the sequential approach should be used in areas known to be at risk now or in the future from any form of flooding.
- 6.3. Paragraph 166 of the National Planning Policy Framework provides that where planning applications come forward on sites allocated in the development plan through the sequential test, applicants need not apply the sequential test again. This is considered relevant to the current proposal.
- 6.4. The developable area of the site is considered to be at the lowest risk of flooding (as referred to in NPPF paragraphs 162 and 167) and, as such, the proposed development is considered to pass the sequential test.
- 6.5. The application is supported by a site-specific Flood Risk Assessment and Surface Water Drainage Strategy, prepared by a suitably qualified individual/company.
- 6.6. SCC - Lead Local Flood Authority (LLFA) has been consulted on the application proposal and, following negotiation and receipt of revised and further information from the applicant, resolved to recommend approval of this application on basis of the most recent proposals submitted, subject to conditions.
- 6.7. In assessing the proposal, your officers consider the surface water drainage scheme, as currently proposed, would suitably manage surface water run-off from the proposed development and would not demonstrably result in significant increased flood risk on the site or elsewhere.

## **7.0 Archaeology**

- 7.1. The County Archaeological Unit has been consulted on the current proposal and has advised that the site is situated on the edge of the historic core of Elmsett, within an area of archaeological interest recorded in the County Historic Environment Record. A medieval moated site lies to the south, as does a historic windmill site. As such, SCC Archaeology advises that there is a high potential for the discovery of below-ground heritage assets of archaeological importance within the site area, and groundworks associated with the development have the potential to damage or destroy any archaeological remains which exist.
- 7.2. SCC-Archaeology advises that there are no grounds to consider *refusal* of permission in order to achieve preservation *in situ* of any important heritage assets. However, in accordance with NPPF Paragraph 205, any permission granted will likely be the subject of a planning condition to record and advance understanding of the significance of any heritage asset before it is damaged or destroyed.

## **8.0 Residential Amenity**

- 8.1. The proposed dwellings have been designed and sited so as to provide future occupants with suitable garden curtilage space and dwellings have been sited with acceptable back-to-back distances so as to not overly-dominate neighbouring properties and are not considered to result in significant loss of natural light for neighbouring properties.

- 8.2. Proposed windows have also been designed and located so as to not result in significant overlooking of and loss of privacy for neighbouring properties.
- 8.3. The proposed LEAP Play area has been assessed by your Environmental Protection Officers to be an acceptable distance from existing residential properties so as to not result in significant amenity harm in terms of increased noise and disturbance.
- 8.4. Your Environmental Protection Officers are also satisfied that noise from the proposed pumping station will be unlikely to result in a loss of amenity to residents.
- 8.5. Overall, the proposal is considered to result in a good standard of amenity for future occupants, whilst not significantly impacting the amenities currently enjoyed by occupants of existing neighbouring properties. The proposal is, therefore, considered to be in accordance with the provisions of NPPF Paragraph 130 and with development plan policy HS28, in these regards.

## **9.0 Ecology**

- 9.1. The site lies within the 13km Zone of Influence (ZOI) for the Stour & Orwell Estuaries SPA/Ramsar. As such, Natural England's advice to ensure new residential development and associated recreational disturbance mitigation for designated site impacts is compliant with the Habitats Regulations 2010 (as amended). A contribution is, therefore, sought as part of the proposal's requirements.
- 9.2. Sufficient information is considered to have been provided, in order to understand the impacts of development on protected and priority species and their habitats, most notably: skylarks; bats; reptiles, hedgehogs and other nesting birds.
- 9.3. The submitted ecological information includes proposed measures for securing protection of protected and priority species during the construction period, with any external lighting proposed being sensitive to bats. Provision of plots for skylarks, in proximity to the proposal site, is also proposed to be secured by way of S106 agreement.
- 9.4. The Council's ecology consultants have been consulted on the application proposal and have not raised an objection, subject to securing a proportionate financial contribution towards visitor management measures for the Stour and Orwell Estuaries SPA/Ramsar; and Ecological mitigation and enhancement measures, by way of condition.

## **10.0 Land Contamination**

- 10.1. A phase I land contamination assessment has been submitted, as part of the application proposal.
- 10.2. Your Environmental Protection Officers have assessed the report provided and have raised no objection to the principle of the development proposed on the site, subject to the LPA being contacted in the event of unexpected ground conditions during construction and that the advised minimum precautions are undertaken until the LPA responds to the notification. Your officers also advise the developer that responsibility for safe development of the site lies with them.

## **11.0 Affordable Housing**



11.1. Development Plan Policy CS19 provides that: In order to promote inclusive and mixed communities all residential development will be required to provide 35% affordable housing. CS19 provides further that Individual targets may be set for (inter alia) Site Allocations.

11.2. 15 no. affordable dwellings are proposed to be provided on the site, as required by the relevant site allocation at development plan policy EMST3. The detailed proposal is also supported by your Strategic Housing Officers.

## **12.0 Other Developer Contributions**

12.1. Suffolk County Council has been consulted on the current proposal and has advised the following Developer Contributions will be required as a result of the proposed development:

- Contributions required by way of CIL
- Secondary school expansion contribution;
- Sixth form expansion contribution;
- Library improvement contribution.
  
- Contributions required by way of S106
- Secondary School Transport Costs and Monitoring Fee.

## **13.0 Parish Council Comments**

13.1. It is considered that the matters raised by Elmsett Parish Council have been addressed in the above report.

13.2. Further elaboration can be provided at the committee meeting, as necessary.

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## **PART FOUR – CONCLUSION**

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### **14.0 Planning Balance and Conclusion**

14.1. The principle of development is considered to be in accordance with the provisions of plan allocations policy EMST3, subject to a Section 106 agreement to secure delivery of the 15 no. Affordable Homes; Public Open Space and Play Equipment; Biodiversity Enhancements; as well as improvements to the existing Highway network.

14.2. In your Officers' opinion, the resultant development provides an environment that is not considered to be excessively car dominated, has good supervision and details a variety of character areas, dwelling styles and materials that provides interest to a range of streetscapes and transition between village and countryside.

14.3. None of the statutory consultees offers a significant objection to the scheme that cannot be addressed by way of conditions.

14.4. The proposed development is well connected to the existing Village and its existing services and facilities, which it would help support.

- 14.5. The proposal would also be suitably landscaped for such an edge of settlement location, would provide significant areas of green open space within the development and safe, landscaped footpath connections clear of vehicular highways.
- 14.6. Overall, the development is considered to provide an attractive place with a range of house types to meet both affordable and housing needs at all levels.
- 14.7. The proposed development is, therefore, considered to offer Sustainable Development, having had regards to the provisions of the current adopted development plan and those of the NPPF, taken as a whole.

## **RECOMMENDATION**

That authority be delegated to the Chief Planning Officer to GRANT Planning Permission, subject to the following:

**(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:**

- On-site delivery of 35% Affordable housing, of a type and tenure as advised by your Strategic Housing Officers;
- Provision of on-site Public Open Space and Play Equipment and management thereof;
- Skylark mitigation scheme
- Secondary School Transportation Costs
- Highways Improvements

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

- Standard time limit (3yrs for implementation)
- Approved Plans and Documents (Plans submitted that form this application)
- Archaeology scheme of investigation and recording
- Tree protection measures
- Arboricultural Method Statement, including auditable monitoring schedule and tree protection plan
- Detailed landscaping plan and aftercare
- Landscape management plan
- Construction management plan
- No burning
- Fire Hydrants
- Lighting scheme
- Sustainability measures
- Those required by the Lead Local Flood Authority: Surface Water Disposal Strategy; Surface Water Verification Report; Construction Surface Water Management Plan (CSWMP)

- Foul drainage scheme
- Those required by Place Services Ecology: RAMs; Ecology Appraisal Recommendations; Landscape and Ecological Management Plan; Biodiversity Enhancement Strategy; Wildlife Sensitive Lighting Scheme
- Those required by the Local Highway Authority: Access; Visibility Splays; Improvements to Hadleigh Road; Passing Bays (Ipswich Road and Flowton Road); Access Ditch Piping and Bridging; Estate Roads and Footpaths; Refuse and Recycle Bins; Turning and Parking; Cycle Parking; Construction Management
- Materials condition (Heritage recommendation)
- Those required by Waste Manager: RVC Swept Path Analysis; and Waste Strategy, including Wheelied bin collection points.

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

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

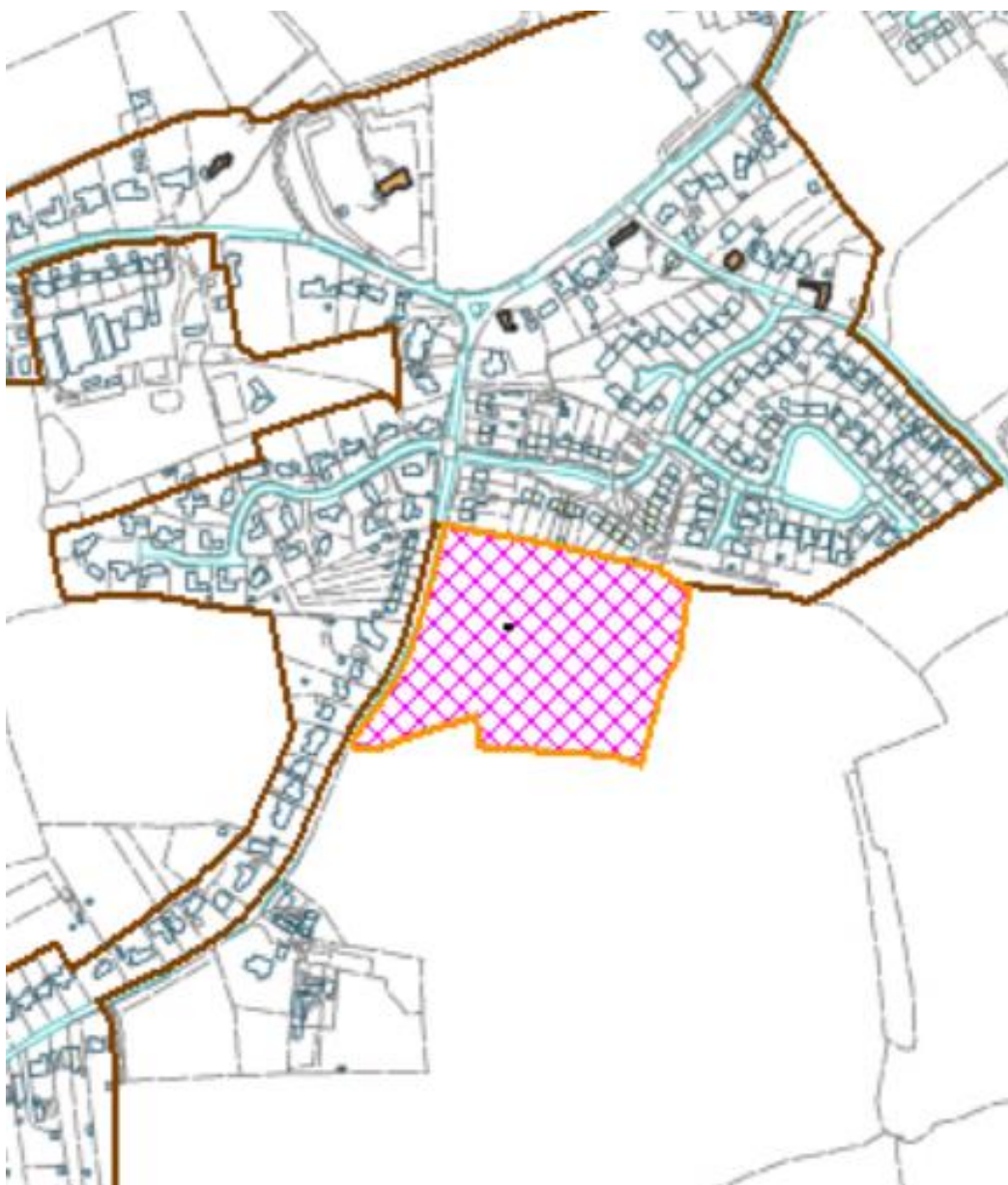
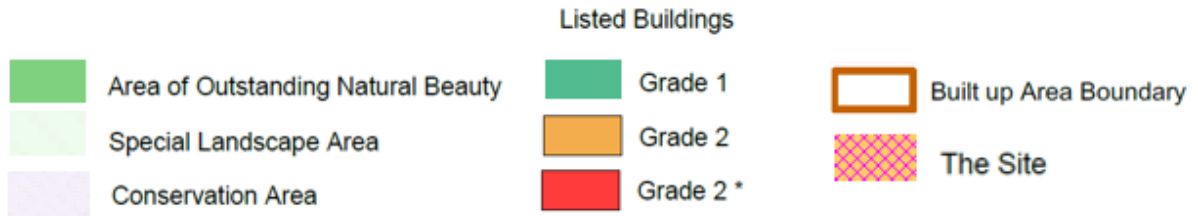
**(4) That in the event of the Planning obligations or requirements referred to in Resolution (1) above not being secured and/or not secured within 6 months that the Chief Planning Officer be authorised to refuse the application on appropriate grounds.**

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Application No: DC/22/01754

Parish: Elmsett

Location: Land East of Hadleigh Road, Elmsett



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# Agenda Item 6b

## Committee Report

**Item No: 6B**

**Reference:** DC/21/03561

**Case Officer:** Alex Scott

**Ward:** South East Cosford.

**Ward Member/s:** Cllr Leigh Jamieson.

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## **RECOMMENDATION – REFUSE RESERVED MATTERS**

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### Description of Development

Submission of Details (Reserved Matters application) relating to Outline Planning Permission B/17/01009. Appearance & Scale for residential development of 41no dwellings to include market and affordable housing, new vehicular access, wildlife areas, amenity space and community woodland.

### Location

Land to the East of Hadleigh Road, Elmsett, Suffolk IP7 6ND

**Expiry Date:** 21/01/2022

**Application Type:** RES - Reserved Matters

**Development Type:** Major Small Scale - Dwellings

**Applicant:** Propertize Ltd

**Agent:** Mr Mathew Blacoe

**Parish:** Elmsett

**Site Area:** 2.5 Hectares (Ha)

### **Density of Development:**

Gross Density (Total Site): 16.4 dwellings per hectare (dph)

Net Density (Developed Site, excluding open space and SuDs): 27.3 dph

### **Details of Previous Committee / Resolutions and any member site visit:**

Outline Planning Application ref: B/17/01009 was previously considered by Committee on 25<sup>th</sup> October 2017. Members resolved to grant outline planning permission, subject to conditions and completion of S106.

\*The current reserved matters application (DC/21/03561) was previously considered by Committee Members on 19<sup>th</sup> January 2022. The outcome of the meeting was that Members resolved to recommend that the Chief Planning Officer grant Reserved Matters, subject to the following being resolved prior to formal approval being issued:

1. Consideration and approval of additional information pursuant to Conditions 18 and 19 of the Outline Planning Permission, with regards to a Surface Water Drainage Scheme, required to be

considered concurrently with reserved matters – such matters to include details of Ditch management and maintenance.

2. Exploration into the possibility of providing additional local parking - for those existing dwellings affected by the development, immediately on the opposite side of Hadleigh Road, which do not currently benefit from off-street parking and are currently required to park vehicles on Hadleigh Road.

3. The applicant's agreement to providing Electric Vehicle charging infrastructure to all new dwellings proposed.

4. Review of applicant's intentions regarding Street Lighting of the site - Having considered the Parish Council and Committee Member's preference for no streetlighting to be provided;

5. Further details and early discussion with regards proposed passing bays to be provided, pursuant to condition 15 of the Outline Planning Permission;

6. Consideration of provision of a defibrillator on site, as requested by members at the meeting.

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

**Has the application been subject to Pre-Application Advice: No.**

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## **PART ONE – REASON FOR REFERENCE TO COMMITTEE**

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

It is a "Major" application for:

- a residential development for 15 or more dwellings.
- \*Following the prior meeting of the 19<sup>th</sup> January 2022, your officers have been unable secure additional information from the applicant in order to satisfy members' resolutions 1 to 6, listed above. The application is, therefore, returned to committee for further consideration by members, on this basis.



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## **PART TWO – POLICIES AND CONSULTATION SUMMARY**

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### **Summary of Policies**

NPPF - National Planning Policy Framework  
CS01 - Applying the presumption in Favour of Sustainable Development in Babergh  
CS02 - Settlement Pattern Policy  
CS03 - Strategy for Growth and Development  
CS11 - Core and Hinterland Villages  
CS13 - Renewable / Low Carbon Energy  
CS14 - Green Infrastructure  
CS15 - Implementing Sustainable Development  
CS18 - Mix and Types of Dwellings  
CS19 - Affordable Homes  
CS21 - Infrastructure Provision  
CN01 - Design Standards  
CN04 - Design & Crime Prevention  
HS28 - Infilling/Groups of dwellings  
HS31 - Public Open Space (1.5 ha and above)  
TP15 - Parking Standards - New Development  
EN22 - Light Pollution - Outdoor Lighting

### **Neighbourhood Plan Status**

This application site is within an adopted Neighbourhood Plan Area.

Accordingly, the current adopted Neighbourhood Plan forms part of the current development plan:

The following draft Neighbourhood Plan Policies are considered relevant to the current application proposal:

EMST1 - Elmsett's Spatial Strategy  
EMST2 - Housing Development in Elmsett  
EMST3 - Housing Allocation - Land at Hadleigh Road, Elmsett  
EMST5 - Housing Space Standards – Elmsett  
EMST6 - Housing Mix – Elmsett  
EMST9 - Protection of Important Views and Landscape Character – Elmsett  
EMST11 - Heritage Assets – Elmsett  
EMST12 - Development Design Considerations - Elmsett

## **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**

#### **Parish Council**

##### Elmsett Parish Council:

No Objection in Principle, as it is in line with Neighbourhood Plan – However concerns raised with regards: Parking on Hadleigh Road; The Frontage Drainage Ditch; and Street Lighting.

#### **National Consultees**

##### Natural England:

No Objection - Natural England has previously commented on this outline proposal, our ref. 226182, and made comments to the authority in our letter dated 21 September 2017. The advice provided in our previous response applies equally to this proposal although we made no objection to the original proposal. The proposed amendments to the original application are unlikely to have significantly different impacts on the natural environment than the original proposal.

##### Anglian Water:

No relevant details to assess - unable to comment.

#### **County Council Responses**

##### SCC - Highways:

Raise no objections - Subject to conditions in relation to refuse/recycling bin points, details of the relocated ditch, details of estate roads and footpaths, provision of carriageways/footways, provision of visibility splay, retention of parking, details of provision of passing bays on Ipswich Road and Flowton Road to be provided, provision of road widening outside the site.

##### SCC - Local Lead Flood Authority:

Holding Objection - Following points require addressing:

1. Submit a revised proposed site plan depicting above ground open SUDS for the collection, conveyance, storage and discharge of surface water meeting the four pillars of SUDS (quality, quantity, biodiversity and amenity), unless there is clear evidence that this is not appropriate.
2. Submit cross sections of SUDS features.
3. Submit a designers risk assessment for all open SUDS features.
4. Submit landscape and establishment (first five years) details for all SUDS features.
5. Demonstrate that the re-alignment of the watercourses (ditches) with the development have been agreed with the consenting authority.

##### SCC - Archaeology:

This site requires an archaeological evaluation to assess the archaeological potential of the development site, followed by mitigation as appropriate.

Archaeology is secured by conditions 4 and 5 of the Outline permission DC/17/01009. Therefore, there isn't a requirement for conditions for archaeology on the reserved matters application, but archaeological work is still required.

SCC - Public Rights of Way:

Do not object to this proposal and are pleased to see that the Applicant intends to accommodate FP9 in a wide green space, and to replace the footbridge at the western end - Advice given to the developer, which must be taken into account during construction and operation of the development.

SCC - Fire and Rescue:

Please ensure that Condition 3 (of the Outline Planning Permission), under Section B of the original decision notice, follows this development to its conclusion.

SCC - Developer Contributions:

Have no additional comments to make with regard to planning contributions in addition to those made at the outline planning stage. SCC shall seek appropriate contributions through CIL bids.

**Internal Consultee Responses**

BDC - Heritage Team:

Do not wish to make comment - No formal comments submitted.

BDC - Ecology Consultants - Place Services:

Holding objection due to insufficient ecological information - out of date ecological report.

BDC - Environmental Protection - Noise/Odour/Light/Smoke:

No objection subject to Chimneys used for fires and wood burners terminating at least 1 metre above roof ridge level - Construction management and lighting conditions advised by way of condition.

BDC - Public Realm:

The Public Realm team consider that the level of public open space and the provision of the LEAP are of a scale that is appropriate for this development.

BDC - Strategic Housing Response:

35% affordable housing is required on this site, equating to 14.35 dwellings – The Section 106 cites 10 dwellings for affordable rent and 4 for shared ownership - The strategic housing team are pleased with the layout of the site with regard to the 'pepper potting' of affordable housing and wholly support this scheme in its current form - Details of approved affordable housing mix provided.

**Other Consultee Responses**

East Suffolk Drainage Board - 2<sup>nd</sup> July and 8<sup>th</sup> November 2021:

Recommend that a drainage strategy is supplied which has been considered in line with the Planning Practice Guidance SuDS discharge location hierarchy.

Suffolk Wildlife Trust - 13<sup>th</sup> July 2021:

Recommend further changes to the Proposed Site Layout accompanying the application, in the interest of Biodiversity.

**B: Representations**

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

Views are summarised below:-

- The development is too large for the village;
- The scale of the development will affect the character of the village;
- Smaller developments, such as 'Church View' are much more suitable;
- Proposal would result in a very large increase in vehicles, probably 80 plus;
- Roads around Elmsett are very narrow and are unable to cope with extra traffic;
- The proposal will affect the ability for residents opposite to park their cars on the road;
- Proposed new road junction will result in a significant additional traffic hazard;
- Increased traffic would result in noise and disturbance and increased fumes/pollution for the village;
- Concerns that proposed dwellings would not be affordable to young people in the village;
- The proposal will increase existing flood and drainage issues in the village;
- The proposal will put significant pressure on existing village services and facilities, which will be unable to cope, such as the village school;
- Existing resident's outlook would be severely impacted by the development - Fields replaced by a Housing Estate.
- Construction traffic will be significantly dangerous to residents during construction, due to narrow roads;
- Concern with regards noise disruption during construction

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

**PLANNING HISTORY**

<b>REF:</b> B/17/01009	Outline (Means of access, layout and landscaping to be considered) - Residential development of 41 dwellings to include market and affordable housing, new vehicular access, wildlife areas, amenity space and community woodland.	<b>DECISION:</b> GTD 27.06.2018
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## **PART THREE – ASSESSMENT OF APPLICATION**

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### **1.0 The Site and Surroundings**

- 1.1. The site is an arable field to the east of Hadleigh Road, Elmsett. There is a ditch and a 15-metre stretch of hedgerow to the western boundary with the roadside. There is a footpath that crosses inside the site along the northern boundary. Passage for this footpath across the ditch is currently provided by a wooden bridge. There are existing hedgerows to the western and southern boundaries of the site. There is also a footpath along the southern boundary of the site which is outside the red line. Three trees are present along the southern and eastern boundaries outside the site which are the subject of Tree Preservation Orders.
- 1.2. To the north lies estate development on Garrards Road. Properties along Hadleigh Road are predominantly semi-detached and detached dwellings. A pavement runs along the eastern side of Hadleigh Road to the centre of Elmsett and terminates opposite the site's north-western boundary.

### **2.0 The Proposal**

- 2.1. The application is submitted further to outline planning permission ref: B/17/01009, granted in June 2018, and seeks approval of reserved matters relating to the Appearance and Scale of 41 no. dwellings (including 14 no. affordable homes, as secured by way of Section 106).
- 2.2. The application includes the provision of approximately 1 hectare (Ha) of on-site Public Open Space, split into four areas across the site; a centrally-located Locally Equipped Area for Play (LEAP); Woodland Planting and Wildlife Areas; Structural Landscape Boundary Planting; as well as a significant amount of new tree planting within the site.
- 2.3. A completed Section 106 Agreement, attached to the Outline Planning Permission (ref: B/17/01009), secures the following:
- Onsite delivery of 14 no. affordable homes;
  - Provision and maintenance of Public Open Space;
  - Provision of a LEAP;
  - A Skylark Mitigation Scheme;
  - A Habitat regulation assessment financial contribution.
- 2.4. The site would be accessed via a new estate road access, from Hadleigh Road, to the west. Hadleigh Road would be widened to a minimum width of 5.5 metres, along the full length of the site frontage, as part of the proposal. A new 1.5 metre-wide public footpath would also be provided, running parallel with the western site boundary fronting Hadleigh Road, along the full length of the site frontage, linking into existing public footpath infrastructure to the north of the site, as part of the proposal.
- 2.5. The proposed net density of housing development would be 27.3 dwellings per hectare, with back-to-back distances of no less than 18 metres.
- 2.6. The proposed dwelling types are broken down as follows:

#### **Market Dwellings**

Two Bedroom - Single-storey - Detached - Bungalows = 5 no.

Two Bedroom - Two-storey - Semi-detached - Houses	= 2 no.
Three Bedroom - Two-storey - Semi-detached - Houses	= 6 no.
Three Bedroom - Two-storey - Terraced - Houses	= 6 no.
Four Bedroom - Two-storey - Detached - Houses	= 8 no.
<b>TOTAL (Market Dwellings)</b>	<b>= 27 no.</b>

### **Affordable Dwellings**

#### Affordable Rent

Two Bedroom - Single-storey - Detached - Bungalow	= 1 no.
Two Bedroom - Two-storey - Semi-detached - Houses	= 6 no.
Three Bedroom - Two-storey - Terraced - Houses	= 3 no.

#### Shared Ownership

Two Bedroom - Two-storey - Semi-detached - Houses	= 2 no.
Three Bedroom - Two-storey - Semi-detached - Houses	= 2 no.
<b>TOTAL (Affordable Dwellings)</b>	<b>= 14 no.</b>

- 2.7. The proposed dwellings would be provided in a range of types and styles. Proposed external facing material would be a mix of facing soft red brick, lime wash render, and horizontal stained timber weatherboard. Roofing materials would be a mix of red clay pantiles, red clay plain tiles and natural slates).

### **3.0 The Principle of Development**

- 3.1. The principle of the proposed development has already been established by way of Outline Planning Permission Ref: B/17/01009. Matters relating to: access; layout and landscaping have also been previously addressed as part of the outline planning permission. Whilst it is noted that there are objections and comments, received from consultees, relating to in principle issues, and matters relating to access, layout and landscaping, all such matters have previously been addressed by way of the outline permission granted. There is not, therefore, the opportunity to re-assess such matters by way of this current reserved matters application.
- 3.2. The current reserved matters application relates specifically to the Appearance and Scale of the proposed buildings only.

### **4.0 Site Access, Parking and Highway Safety Considerations**

- 4.1. The point of access, and planning conditions requiring further details and provision of: Estate Roads and Footpaths; improvements to the Hadleigh Road Highway, along the site frontage; and provision of passing bays on Ipswich Road and Flowton Road, have previously been dealt with under the outline planning permission. The outline permission also approved the proposed layout, which includes the proposed parking layout as follows: 79 no. allocated parking spaces and 30 garage parking spaces (Equates to 2.7 parking spaces per dwelling); 13 no. Visitor/Informal off road parking bays (Equates to 0.32 spaces per dwelling).
- 4.2. The proposed parking provision is considered to meet the minimum requirement for parking places as set out in the latest SCC advisory Parking Standards.
- 4.3. The proposed access point, estate road layout and turning and parking layout, in relation to the proposed 41 dwellings, are considered acceptable in planning policy terms. Furthermore, village services and facilities are considered to be accessible via safe proposed pedestrian routes, and

the scheme would also secure beneficial improvements to Hadleigh Road, Ipswich Road and Flowton Road, previously secured by way of condition of the outline planning permission.

- 4.4. Comments raised at the previous committee meeting by members, raising concern with regards the conflict between additional vehicle movements, and turning into and out of the proposed estate road junction, in association with the proposed development and existing on-street parking on Hadleigh road, associated with existing neighbouring properties, are acknowledged and your officers have attempted to negotiate with the applicant with regards the possibility of providing additional local parking within the development, as requested. Such mitigation has, however, not been forthcoming from the applicant.
- 4.5. The application, therefore, remains to be determined, as submitted, without the additional local parking requested at the prior committee meeting.
- 4.6. Whilst it is acknowledged that existing on-street parking on Hadleigh Road, to the frontage of the proposed development would result in some disruption to traffic flows, such disruption is not considered to result in a significant impact on the transport network or an unacceptable or severe impact on highway safety, as per the requirements of NPPF paragraphs 110 and 111. It is also noted that the Local Highway Authority do not object to the proposal in this regard. As such your officers are unable to advise the application is refused for such reasons.
- 4.7. Overall the proposal is considered acceptable in highway safety terms, having had regard to development plan policies HS28, TP15 and EMST3, having had regard to the provisions of the NPPF as a material consideration.

## **5.0 Design and Layout [Impact on Street Scene]**

- 5.1. The development is predominantly two-storey; however the developer has sought to provide 6 no. Bungalows as part of the development.
- 5.2. The proposed housing is proposed essentially in two character areas, with the denser area fronting the Village Street-Scene and the more open, less dense area to the rear of the site, adjacent to open countryside, surrounding the central area of open space and play area. The proposed layout is considered to create a welcoming, quality, open, green, pedestrian-friendly residential environment. Back gardens face either: street-scenes, side elevations of properties, public open space, or open countryside, and generally avoid unsupervised spaces. The proposed open spaces and landscaped boundaries provide green corridors to accord with landscaping recommendations, as well as creating a soft, structural buffer to the adjoining countryside. Overall the development is considered to deliver attractive spaces between dwellings to encourage activity and good sense of place, with direct links to the open countryside, via the existing public right of way, to be incorporated.
- 5.3. The proposed housing density of 27.3 dwellings per hectare, is considered to be acceptable in this location, reflective of the existing village character, in accordance with the provisions of development plan policies CS15 and CS18. The proposed density is, therefore, considered to be appropriate to the existing character and density of development to its immediate surrounds, and appropriate to the special landscape character of the locality.
- 5.4. The layout proposes a wide range of house types, with 8 no. significant design variations proposed. The resulting range of house types enjoys detailed features with a greater range of character variances when compared to an average estate of a similar scale. It is considered that

the proposals will provide a development of sufficient interest and individual character, suitable in the proposed location. The scheme delivers a range of housing types which would provide a suitable mix address and would deliver 14 no. new affordable housing units.

- 5.5. Your Strategic Housing Officers have assessed the application proposal and are satisfied that the proposed would deliver the affordable homes secured by way of the outline permission, of a type and tenure that is acceptable, in accordance with what was previously agreed in principle at outline stage.
- 5.6. Overall the proposed design and layout of the proposed development is considered consistent with the requirements of development plan policies CS11, CS15, CN01, HS28, EMST3, EMST4, EMST6, EMST9 and EMST12, having had regard to the provisions of the NPPF as a material consideration.

## **6.0 Landscape Impact, Trees, Ecology, Biodiversity and Protected Species**

- 6.1. The proposed scheme of landscaping has previously been considered and approved at Outline Planning Stage and details are secured by way of condition.
- 6.2. Overall, the proposed landscaping scheme is considered to provide appropriately wide native species hedgerows, in double staggered rows, to all site boundaries interspersed with tree planting. The interior of the site would also include a significant amount of green spaces, where a significant amount of further tree planting is also proposed internal to the site.
- 6.3. Whilst it is noted that Council's consultants are of the opinion that further ecology information is required, it is considered that the applicant is already under an obligation to carry out a significant amount of ecology enhancements on the basis of the proposed layout and landscaping, which is already approved. Such ecology enhancements are secured by way of conditions 22 to 25 of the Outline Planning Permission and will be addressed at the relevant stage.
- 6.4. Overall, the proposed scheme of landscaping is considered to provide an exemplary open, green environment and setting, with appropriate native species soft landscape planting to site boundaries, offering a significant amount of ecological enhancements appropriate to such an edge of Village location.
- 6.5. Overall the proposed scheme of landscaping is considered consistent with the requirements of development plan policies CS11, CS15, CN01, HS28, EMST3, EMST4, EMST6, EMST9 and EMST12, having had regard to the provisions of the NPPF as a material consideration.

## **7.0 Impact on Residential Amenity**

- 7.1. Policy HS23 of the development plan seeks to ensure new housing developments protect the amenities of neighbouring residents. Furthermore, paragraph 130 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 existing and future users of developments and places.
- 7.2. The proposed layout provided is considered to sufficiently demonstrate that the site is readily capable of accommodating the proposed number and density of dwellings in a manner that will not unduly compromise the residential amenity of future occupiers of the development or occupiers of neighbouring dwellings. The proposed dwellings give no rise to unacceptable



amenity impacts, owing largely to the separation distances between proposed dwellings and existing neighbouring dwellings and the orientation of buildings proposed.

- 7.3. The closest separation distance between existing and proposed properties would be approximately 13 metres, between the side elevations of proposed plot 1 and no. 7 Hadleigh Road. Proposed dwellings fronting Hadleigh road would be approximately 26 metres away from the frontages of existing dwellings on the opposite side of the road. Minimum back-to-back distances from existing properties on Garrards road, to the north of the site, would be not less than 40 metres. The proposed development would not, therefore, result in significant harm with regards dominance, overshadowing or loss of daylight to any existing neighbouring property.
- 7.4. The proposal, therefore, accords with the aspirations of development plan policy HS28 and with paragraph 130 of the NPPF in this regard.

## **8.0. Surface Water Drainage and Flood Risk**

- 8.1. Whilst matters relating to Flood Risk and Surface Water Drainage have previously been dealt with under the Outline Planning Permission as a point of principle; further detail was required to be submitted and approved concurrently with this reserved matters submission, as required by conditions 18 and 19 of the outline permission (ref: B/17/01009).
- 8.2. Despite negotiation with the applicant by your officers, further information has not been forthcoming in this respect and, in the absence of such, it has not been possible to conclude that the proposed development would not increase flood risk elsewhere, as required by NPPF paragraph 167.

## **9.0 Other Issues**

- 9.1. It is noted that the previous resolution of members required, inter alia: EV charging Infrastructure to be provided throughout the development; Consideration of no street lighting to be provided, in the interest of amenity and biodiversity; and consideration for the provision of a defibrillator within the development. Although the applicant has not engaged with your officers with regards these resolutions, it is considered that such matters could be secured by way of conditions, should members resolve to approved the application.
- 9.2. It is also noted that the previous resolution of members required further information with regards passing bays. It is noted that such passing bays are already secured by way of condition 15 of the outline planning permission. It is, therefore, suggested that the Council would have control to assess further details in this respect and, if needs be, enforce provision at the relevant time.

## **10.0 Parish Council Comments**

- 10.1. The majority of matters raised by Elmsett Parish Council have been dealt with in the relevant sections above; however, further elaboration with regards specific points raised is provided below:
- 10.2. The application includes the widening of, and improvements to, Hadleigh Road along the frontage of the development site and for the provision of additional car passing bays on Ipswich Road and Flowton Road. The proposed highway improvements are considered to provide proportionate

alleviation of resultant pressure on the existing highway network and to make the scheme acceptable in terms of highway safety and convenience for both motorists and pedestrians.

- 10.3. A lighting design scheme is required to be submitted and agreed prior to occupation of the site, by way of Condition 25 of the Outline Planning Permission.

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## **PART FOUR – CONCLUSION**

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### **10.0 Planning Balance and Conclusion**

- 10.1 The principle of development has been agreed for the number of dwellings proposed as well as a Section 106 agreement to secure delivery of the 14 no. Affordable Homes; Public Open Space and Play Equipment; Biodiversity Enhancements; as well as improvements to the existing Highway network.
- 10.2. In your Officers' opinion, the resultant development provides an environment that is not considered to be excessively car dominated, has good supervision and details a variety of character areas, dwelling styles and materials that provides interest to a range of streetscapes and transition between village and countryside.
- 10.3. The proposed development is well connected to the existing village and its existing services and facilities, which it would help support.
- 10.4. The proposal would be suitably landscaped for such an edge of settlement location, would provide significant areas of green open space within the development, and safe, landscaped footpath connections clear of vehicular highways.
- 10.5. The development is considered to provide an attractive place with a range of house types to meet both affordable and housing needs at all levels.
- 10.6. Whilst it is acknowledged that existing on-street parking on Hadleigh Road, to the frontage of the proposed development would result in some disruption to traffic flows, such disruption is not considered to result in a significant impact on the transport network or an unacceptable or severe impact on highway safety, as per the requirements of NPPF paragraphs 110 and 111. It is also noted that the Local Highway Authority do not object to the proposal in this regard. As such your officers are unable to advise the application is refused for such reasons.
- 10.7. The applicant has failed to submit additional flood risk and surface water drainage information, as required by conditions 18 and 19 of the outline permission ref: B/17/01009. The proposal is, therefore, considered contrary to NPPF paragraph 167, in this regard, which requires all developments not to increase flood risk elsewhere.
- 10.8. For the reasons given in paragraphs 10.6 and 10.7, above, the current proposal is not considered to represent sustainable development and for these reasons the current application is not supported by your officers.

## **RECOMMENDATION**

That the Chief Planning Officer be authorised to REFUSE Reserved Matters, for the following reasons:

Conditions 18 and 9 of the Outline Planning Permission (ref: B/17/01009) require further details regarding flood risk and surface water drainage to be submitted concurrently with this reserved matters application. Such details have, however, not been provided.

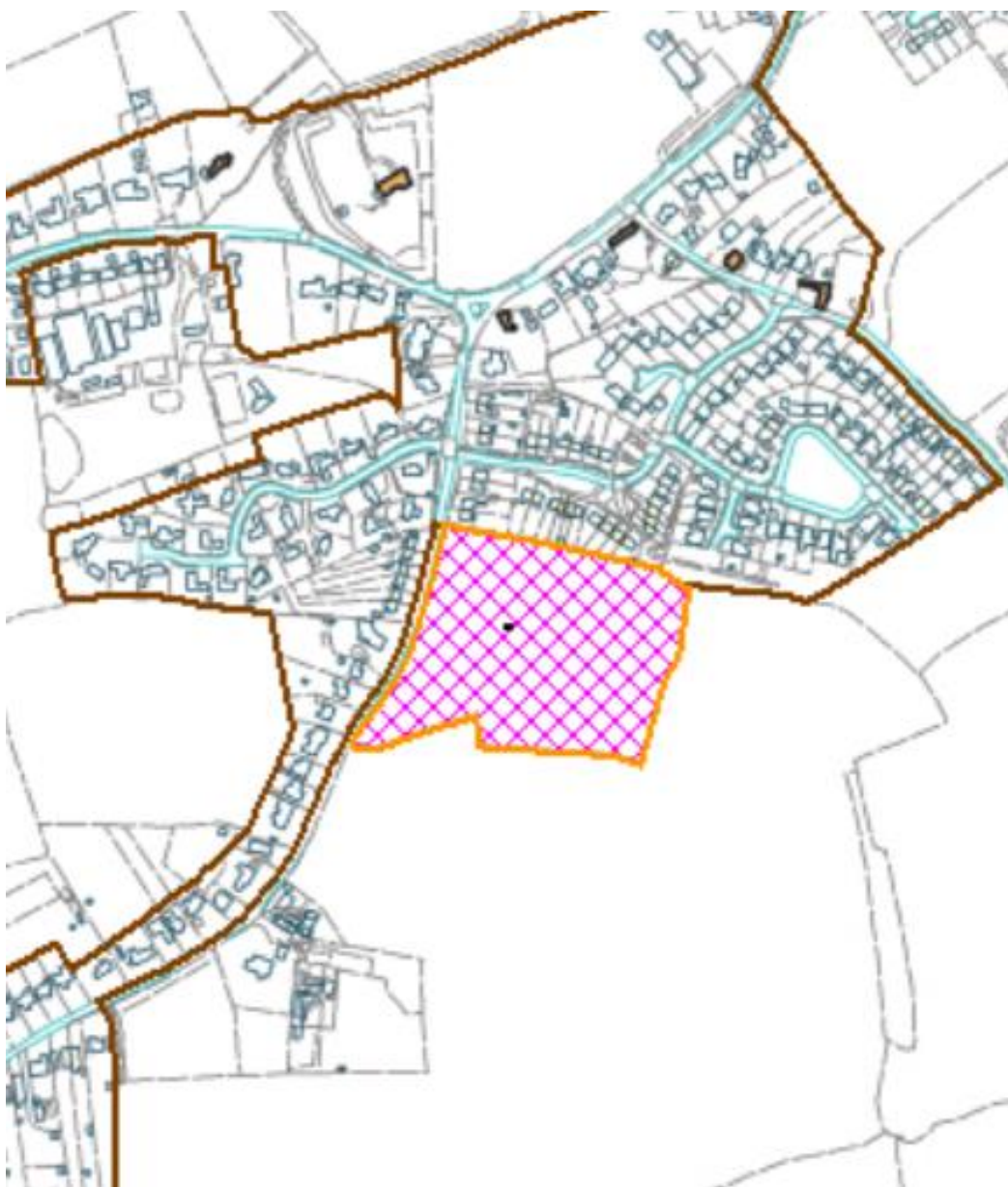
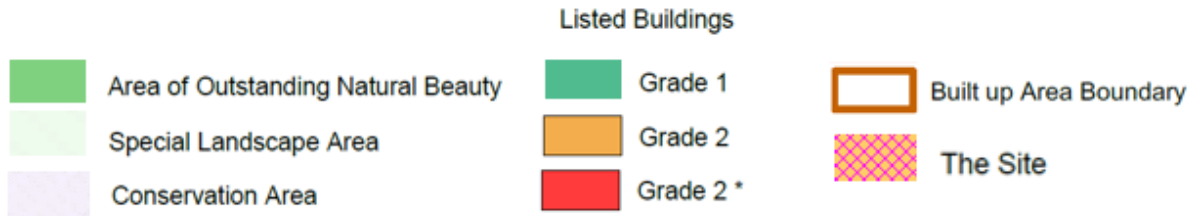
The development is, therefore, contrary to the provisions of NPPF paragraph 167 and clauses vii and viii of Babergh Core Strategy policy CS15, as the applicant has not demonstrated, to the satisfaction of the Local Planning Authority, that the proposed development would not increase flood risk elsewhere.



Application No: DC/21/03561

Parish: Elmsett

Location: Land to the East of Hadleigh Road, Elmsett



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