

# Public Document Pack



<b>COMMITTEE:</b>	<b>PLANNING COMMITTEE</b>
<b>DATE:</b>	<b>WEDNESDAY, 16 NOVEMBER 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	

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## **AGENDA**

### **PART 1**

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

Page(s)

**1 SUBSTITUTES AND APOLOGIES**

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

To receive apologies for absence.

**2 DECLARATION OF INTERESTS**

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

**3 PL/22/16 TO CONFIRM THE MINUTES OF THE MEETING HELD ON 19 OCTOBER 2022 5 - 12**

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

5 **SITE INSPECTIONS**

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

6 **PL/22/17 PLANNING APPLICATIONS FOR DETERMINATION BY THE COMMITTEE** 13 - 16

An Addendum to Paper PL/22/17 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/22/02336 CHILTON WOODS MIXED DEVELOPMENT TO NORTH OF, WOODHALL BUSINESS PARK, SUDBURY, SUFFOLK** 17 - 52

b **DC/21/05110 LAND TO THE SOUTH OF, THOMPSON AND MORGAN, POPLAR LANE, SPROUGHTON, SUFFOLK** 53 - 78

**Notes:**

1. The next meeting is scheduled for Wednesday 30 November 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, 30 November 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.

# Agenda Item 3

## BABERGH DISTRICT COUNCIL

Minutes of the meeting of the **PLANNING COMMITTEE** held in the Frink Room (Elisabeth)  
- Endeavour House on Wednesday, 19 October 2022 at 09:30am

### **PRESENT:**

Councillor: Stephen Plumb (Chair)  
Leigh Jamieson (Vice-Chair)

Councillors: Sue Ayres Peter Beer  
David Busby John Hinton  
Michael Holt Alastair McCraw  
Mary McLaren Adrian Osborne

### **Ward Member(s):**

Councillors: Councillor Clive Arthey  
Councillor Elisabeth Malvisi  
Councillor Margaret Maybury

### **In attendance:**

Officers: Area Planning Manager (MR)  
Planning Lawyer (IDP)  
Case Officers (SS/EF)  
Governance Officer (CP)

### **53 APOLOGIES FOR ABSENCE AND SUBSTITUTIONS**

53.1 Apologies were received from Councillor Simon Barrett and Councillor Alison Owen.

53.2 Councillor Sue Ayres substituted for Councillor Barrett.

### **54 DECLARATION OF INTERESTS**

54.1 There were no declarations of interest declared.

### **55 PL/22/14 TO CONFIRM THE MINUTES OF THE MEETING HELD ON 05 OCTOBER 2022**

It was **RESOLVED:**

**That the minutes of the meeting held on 05 October 2022 were confirmed and signed as a true record.**

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

56.1 None received.

## 57 SITE INSPECTIONS

57.1 None received.

## 58 PL/22/15 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/22/15 and the speakers responded to questions put to them as provided for under those arrangements.

Application Number	Representations From
DC/21/03185	Irene Mitchell (Lavenham Parish Council) Abby McKay-Hipwell (Agent) Councillor Margaret Maybury (Ward Member) Councillor Clive Arthey (Ward Member)
DC/22/01674	John Purser (Objector) Councillor Elisabeth Malvisi (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/22/15 be made as follows:-**

## 59 DC/21/03185 LAVENHAM PRESS, 47 WATER STREET, LAVENHAM, SUFFOLK, CO10 9RN

59.1	Application Proposal	DC/21/03185 Planning Application. Demolition of existing unlisted buildings and structures and erection of retirement living accommodation to include associated amenity space, landscaping, parking and vehicular access
	Site Location	<b>LAVENHAM</b> - Lavenham Press, 47 Water Street, Lavenham, Suffolk CO10 9RN
	Applicant	McCarthy Stone Retirement Lifestyles Limited

59.2 The case officer introduced the application to the Committee outlining the proposal before Members including: the location of the site, the existing and proposed layouts of the site, access to the site, and the officer recommendation of refusal as detailed in the report.

59.3 The Case Officer and the Area Planning Manager responded to questions

from Members on issues including: the pre-application advice provided to the applicant, the reasons for refusal and the weight given to the lack of affordable housing, the proposed parking provision at the site, the population of Lavenham, the proposed number of dwellings on site, the age of the existing building, whether the existing occupants of the building have identified a relocation site, and the response in the report from NHS England and its relevance to this application.

- 59.4 Members considered the representation from Irene Mitchell who spoke on behalf of Lavenham Parish Council.
- 59.5 The Parish Council representative responded to questions from Members on issues including: whether the Parish Council raised the issue of the design with the applicants, the condition of the footpaths on Water Street, and the housing needs identified in the Lavenham Neighbourhood Plan.
- 59.6 Members considered the representation from Abby McKay-Hipwell who spoke as the Applicant.
- 59.7 The Applicant responded to questions from Members on issues including: the pre-application advice given, the design of the buildings and whether the Suffolk Design Guide was consulted, the loss of employment land, the reasons the site was not marketed as employment land, and what engagement took place between the applicant and the community.
- 59.8 Members considered the representation from Ward Member, Councillor Maybury who spoke against the application.
- 59.9 The Ward Member responded to questions from Members on issues including: the length of time the site had been available, and whether there had been any interest from developers.
- 59.10 Members considered the representation from Ward Member, Councillor Arthey, who spoke against the application.
- 59.11 The Ward Member and the Area Planning Manager responded to questions from Members on issues including: which of the heritage assets on site were included within the development, and whether the current occupiers of the building would remain in the village.
- 59.12 The Case Officer and the Area Planning Manager responded to questions from Members on issues including: the ownership of the heritage asset on site which is not part of the application, and the dates of the pre-application advice provided by Officers.
- 59.13 Members debated the application on issues including: the existing employment use of the land, the marketing of the site, the design and density of the proposed development, and the proposed number of dwellings on site compared to the number identified in the Lavenham Neighbourhood Plan.

59.14 Councillor Beer proposed that the application be refused as detailed in the Officer recommendation.

59.15 Councillor Holt seconded the proposal.

59.16 Members continued to debate the application on issues including: the Lavenham Neighbourhood Plan, heritage issues, the Suffolk Design Guide, loss of existing employment land, the lack of affordable housing proposed at the site, and the reasons for refusal.

59.17 Area Planning Manager provided clarification to Members regarding the reasons for the lack of affordable housing and Company Infrastructure Levy contribution.

59.18 The Proposer and Seconder agreed to the following amendment to the reasons for refusal:

Delegate to the Chief Planning Officer to review for final wording based on original recommendation.

By a unanimous vote

**It was RESOLVED:**

**That the application is REFUSED planning permission and authority be delegated to the Chief Planning Officer to review the final wording based on the original recommendation which reads as follows:**

**Babergh's Local Plan Policy EM24 states: "Planning applications to redevelop or use existing or vacant employment land, sites and premises for non-employment purposes, will only be permitted if the applicant can demonstrate that their retention for an appropriate employment use has been fully explored.**

**"In this instance, the applicant has neither marketed the site, nor demonstrated that it is unsuitable or not viable for all forms of employment-related use. As such, the proposal is contrary to Policy EM24.**

**Policy CN01 states: "All new development proposals will be required to be of appropriate scale, form, detailed design and construction materials for the location."**

**Core Strategy Policy CS15 repeats this, by stating that development should: " i) respect the landscape, landscape features, streetscape / townscape, heritage assets, important spaces and historic views; ii)make a positive contribution to the local character, shape and scale of the area..."**

**Lavenham's Neighbourhood Plan Policy D1 states, inter alia, that: "All development proposals will be expected to preserve and enhance**



Lavenham's distinctive character." These sentiments are also echoed in its Policy H1.

Paragraphs 66 and 72 of the Listed Buildings and Conservation Areas Act state that the local planning authority shall have special regard to terms of preserving a listed building (including its setting) and preserving or enhancing the character or appearance of a conservation area.

Paragraphs 197, 199, 200, 202 and 203 of the NPPF describe the way in which local planning authorities should have due regard to sustaining and enhancing the significance of heritage assets and give guidance as to how any harm can only be outweighed by public benefits.

This approach is echoed in Babergh's Local Plan Policy CN08 which states: That development which have an impact on views into or out of a conservation area should: "preserve or enhance the character of the conservation area or its setting" and is also within DP1 which asks that the scale and character of the proposal: "respects the landscape, landscape features, streetscape/townscape, heritage assets and important spaces and historic views into and out of the village" and that "the proposal will make a positive contribution to the local character, shape and scale of the area."

In this instance, it is proposed to erect a two-storey building, larger than the existing commercial premises, dwarfing the dwellings on Water Street. This represents an overdevelopment of the site, out of character for this part of Lavenham with a scale, and form out-of-keeping with adjacent and nearby buildings. In addition, the existing 47 Water Street has been excluded from the development, isolating it with insufficient space around the property.

The Landscaping scheme shows bitmac and tarmac within the site and the car parking for the scheme appears unattractive and utilitarian in appearance.

As such, the development would cause harm to heritage assets – listed buildings and the conservation area – and is therefore contrary to the aims and objectives of Babergh Local Plan Policy CN08 and Core Strategy Policy CS15 and Lavenham's NP policies D1 and H1.

The proposal is also contrary to Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990, which states that when considering whether to grant planning permission for development which affects a listed building or its setting, the LPA 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. The benefits of housing supply and improved residential amenity are not sufficient to outweigh this heritage harm and, as such, the proposal offends Paragraphs 197, 199, 200, 202 and 203 of the NPPF.

Policy CS19 of Babergh's Core Strategy states that developments of this size require a contribution to affordable housing by way of a percentage of units within the scheme or alternatively a commuted sum for an off-site provision.

Lavenham's NP Policy H3 echoes this "in order to facilitate a cohesive community affordable housing must be designed to be integral to the development as a whole." Neither units nor a commuted sum has been offered with this development, contrary to CS19, LNP H3 the aims of the NPPF.

Babergh's Core Strategy Policy CS15 states that developments should "minimise the exposure of people and property to the risks of all sources of flooding by taking a sequential risk-based approach to development, and where appropriate, reduce overall flood risk and incorporate measures to manage and mitigate flood risk" and also "minimise surface water run-off and incorporate sustainable drainage systems(SUDs) where appropriate"

In this instance, insufficient information has been submitted with regards to surface water flooding by way of flood risk assessment. This is contrary to the above policy as well as paragraph 167 of the NPPF.

## 60 DC/22/01674 LAND SOUTH OF, TAMAGE ROAD, ACTON

60.1	Application Proposal	DC/22/01674 Application under S73 of The Town and Country Planning Act 1990 relating to DC/19/03126 for the variation of Condition 2 (List of Approved Drawings) Condition 4 (Soft landscaping) and Condition 16 (Drainage/foul)
	Site Location Applicant	<b>ACTON</b> – Land South of, Tamage Road, Acton Bloor Homes Eastern

60.2 A break was taken from 11:00 until 11:12am, after application number DC/21/03185 and before the commencement of application number DC/22/01674.

60.3 The Case Officer introduced the application to the Committee outlining the proposal before Members including: the location and layout of the site, the proposed amendments to the conditions, the previously approved plans, the proposed improvements to the play area, and the officer recommendation of approval as detailed in the report.

60.4 The Case Officer responded to questions from Members on issues including: whether the changes will mean that there will no longer be a permanent pond on site, details of the proposed plans for the SUDS basin, the reasons why the applicant did not comply with the previously agreed condition, and the timescale for the plans to take effect.

60.5 The Planning Lawyer provided clarification that the proposed works were a redesign of the current approved plans and not a retrospective application.

60.6 Members considered the representation from John Purser who spoke as an

Objector.

- 60.7 The Objector responded to questions from Members on issues including: what the community would accept as a compensation for the proposed amendments to the original condition, and whether the area would be large enough to accommodate an alternative suggestion.
- 60.8 The Case Officer provided clarification to Members that the proposals in the report did not propose to remove any soil from the public open space area, and the type of play equipment proposed by the applicant.
- 60.9 Ward Member Councillor Malvisi read out a statement objecting to the proposal from Ward Member Councillor Nunn who was unable to attend the meeting.
- 60.10 The Ward Member responded to questions from Members on issues including: the Ward Members view on the proposal, and other sports and play equipment provision in the area.
- 60.11 The Area Planning Manager provided clarification regarding the long-term maintenance of the site, and the references made in the Ward Members statement to the working hours during the build phase of the development and the comments made during the presentation of the site inspection request at a previous committee meeting.
- 60.12 Members debated the application on issues including: the fact that the applicant had not complied with the previously approved conditions, the inconvenience to local residents of any work having to be re-undertaken, the advice provided by the Suffolk County Council Flood and Water Engineer, and the potential loss of open space.
- 60.13 Councillor Beer and Councillor Ayres left the meeting at 12:16pm.
- 60.14 The Ward Member responded to a question from Members regarding whether Acton had a Neighbourhood Plan in place.
- 60.15 Councillor McCraw proposed that the application be approved as detailed in the recommendation.
- 60.16 Councillor McLaren seconded the proposal.
- 60.17 Members continued to debate the application on issues including: the impact on local residents and whether the proposed improvements to the play area was considered acceptable compensation.
- 60.18 Councillor McCraw and Councillor McLaren agreed to the following additional condition:

Officers to ensure that long-term maintenance of SUDS and fence are captured by conditions

By a vote of 6 votes for and 2 against

**It was RESOLVED:**

**That the application is GRANTED S.73 planning permission and includes the following conditions:-**

- **Timescale for undertaking alterations to the SUDs basin**
- **Details of additional play equipment and installation of play equipment within 3 months of approval.**
- **Following the seed supplier recommendations on good ground preparation, seeding, establishment and long-term management to ensure the wildflower mix establishes successfully.**
- **All relevant conditions from planning application DC/19/03126.**
  
- **Any other conditions the Chief Planning Officer may deem appropriate.**

**Standard Informatives.**

**And the following additional condition:**

**Officers to ensure that long-term maintenance of SUDS and fence are captured by conditions**

The business of the meeting was concluded at 12:30pm.

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Chair



## PL/22/17

### BABERGH DISTRICT COUNCIL

### PLANNING COMMITTEE

16 NOVEMBER 2022

### SCHEDULE OF APPLICATIONS FOR DETERMINATION BY THE COMMITTEE

Item	Page No.	Application No.	Location	Officer
6A	17-52	DC/22/02336	<b>Chilton Woods Mixed Development to North of, Woodhall Business Park, Sudbury, Suffolk</b>	SS
6B	53-78	DC/21/05110	<b>Land to the South of Thompson and Morgan, Poplar Lane, Sproughton, Suffolk</b>	EF

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/22/02336

**Case Officer:** Samantha Summers

**Ward:** Sudbury Northwest.

**Ward Member/s:** Cllr Jan Osborne. Cllr Trevor Cresswell.

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## **RECOMMENDATION – GRANT RESERVED MATTERS WITH CONDITIONS**

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### Description of Development

Application for approval of Reserved Matters for Phase II (matters relating to appearance, scale, layout and landscaping) - Erection of 242no. dwellings, residential amenities, open space, parking and associated development details pursuant to Outline Planning Permission B/15/01718 dated 29.03.2018

### Location

Chilton Woods Mixed Development to North Of, Woodhall Business Park, Sudbury, Suffolk

**Expiry Date:** 04/08/2022

**Application Type:** RES - Reserved Matters

**Development Type:** Major Large Scale - All Other

**Applicant:** Taylor Wimpey East London (Limited)

**Agent:** Savills

**Parish:** Sudbury

**Site Area:** 9.3Ha

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

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

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

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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:

This is a major development.

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

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## **Summary of Policies**

CN01 - Design Standards  
CN04 - Design & Crime Prevention  
CN06 - Listed Buildings - Alteration/Ext/COU  
CN08 - Development in/near conservation areas  
CN14 - Historic Parks and Gardens - National  
CN15 - Historic Parks and Gardens - Local  
HS31 - Public Open Space (1.5 ha and above)  
CR07 - Landscaping Schemes  
CR08 - Hedgerows  
TP04 - New Cycle Links  
TP15 - Parking Standards - New Development  
CP01 - Chilton Mixed Use Development Package  
CS01 - Applying the presumption in Favour of Sustainable Development in Babergh  
CS02 - Settlement Pattern Policy  
CS03 - Strategy for Growth and Development  
CS04 - Chilton Woods Strategic Land Allocation and Strategy for Sudbury / Great Cornard  
CS12 - Design and Construction Standards  
CS13 - Renewable / Low Carbon Energy  
CS14 - Green Infrastructure  
CS15 - Implementing Sustainable Development  
CS16 - Town, Village and Local Centres  
CS18 - Mix and Types of Dwellings  
CS19 - Affordable Homes  
CS21 - Infrastructure Provision  
NPPF - National Planning Policy Framework

## **Neighbourhood Plan Status**

This application site is not within a Neighbourhood Plan Area.

## **Consultations and Representations**

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

### **A: Summary of Consultations**

#### **Town/Parish Council**

**Chilton Parish Council** – no comments received to consultation on the 16<sup>th</sup> May 2022 or 4<sup>th</sup> August 2022.

#### **Sudbury Town Council**

APPROVE - However members again expressed their disappointment over the lack of PV Solar Panels on the properties within this new development.

#### **Acton Parish Council – 31/05/2022**

Acton Parish Council strongly recommends refusal of this application at this time for the following reason. Application number DC/21/02764, which related to discharge of condition pertaining to materials, is still

awaiting decision. Acton Parish Council (and other consultees) recommended rejection of this application on the basis that the contractors proposed materials were in absolute contravention to those illustrated in the Design Code for the development. Dark red brick buildings and cobalt blue surfaces for roads and tracks on the estate would be entirely inappropriate and bear no resemblance to the materials in the Design Code, which has been approved by Babergh District Council.

#### **Action Parish Council – 24/08/2022**

Acton Parish Council requests that if the application to build residential phase two of the Chilton Woods development is granted then it should be subject to the following conditions.

1. The design code specifies the colour palate for the proposed buildings: either pale bricks or render painted over in pinks, creams and appropriate light colours. The developer has received approval from Babergh District Council to use red bricks, some of which are very dark. This is not in accordance with the Design Code and the developer is unable to explain to the Chilton Woods working group why it has changed this application. We would regard streets of red brick as being inappropriate and clearly not in accordance with the Design Code. We would suggest that the developer is instructed, to the extent that it is permitted to use dark red bricks, that most of the houses should be rendered over the bricks and painted in colours that accord with the Design Code. Where possible, bricks that are in accordance with the Design Code should be used unless the property is to be rendered and painted.
2. It seems that the developer intends to place two children's play areas so that they straddle a Public Right of Way, with gates at either end of the play areas. We suggest that it is inappropriate that a PROW should run through a children's play area and that putting gates across a PROW is also inappropriate. We therefore suggest that children's play areas should be situated elsewhere.
3. We note that the proposed landscaping is not in accordance with the Design Code and that different planting is proposed. We suggest that the developer should be required to plant in accordance with the Design Code.
4. Building of residential phase one has resulted in production of significant dust which is damaging to air quality. There have been complaints about this from neighbouring properties. This will clearly become more of an issue once there are residents on the development as it is built out around them, and we would request that Babergh District Council ensures that the developer complies with its obligations in this respect.

#### **Long Melford Parish Council**

The Parish Council notes the application and has no comment to make.

#### **Great Waldingfield Parish Council – 15/06/2022**

At its Meeting on the 13 June 2022, the Council recommended refusal as the proposed materials (red bricks etc) are not in accordance with the design code. The Council however supports the Community Heat Hub for both phases of this development. The Council noted that this application relates to the specifics of the proposed buildings in one of the phases of the development. It also noted that the application relating to the CEMP (Construction Environmental Management Plan) (DC/21/02764) is still awaiting a decision by the LPA. The Parish Council has previously rejected the proposed materials as being inconsistent with the design code, but this application clearly involves the use of these materials (red bricks, etc). Until the materials (particularly the limited use of red bricks) have been agreed in accordance with the Chilton Woods Design Code, the Council cannot support this application.

#### **Great Waldingfield Parish Council – 24/08/2022**

Great Waldingfield Parish Council would like Babergh to attach these conditions to granting permission for Phase Two of Chilton Woods. If these conditions are not attached, then the Parish Council recommends that the application be refused.

1. That Taylor Wimpey will honour the Design Code and the wishes of the Steering Group in the use of pale brick and painted render on the face of the new homes. Dark red brick is inappropriate to Suffolk and has, unfortunately, been used for buildings in Phase One.
2. That the two children's play areas will not be located across existing PROW. They should be located away from, or adjacent to, PROW as the main users of footpaths are usually dog walkers. Dogs are not welcome in play areas.
3. That all landscaping, including tree planting, should be exactly as agreed in the Design Code.
4. That every measure should be taken to avoid dust blowing into neighbouring residential areas, including Great Waldingfield.

## **National Consultee**

### **Historic England**

Historic England provides advice when our engagement can add most value. In this case we are not offering advice. This should not be interpreted as comment on the merits of the application. We suggest that you seek the views of your specialist conservation and archaeological advisers.

### **Anglian Water**

#### Foul Water

Anglian Water have assessed the foul water strategy, a gravity connection into Hawkins Road is acceptable. We would wish to be re consulted if this strategy changes.

#### Surface Water

The applicant has indicated on their application form that their method of surface water drainage is via SuDS. If the developer wishes Anglian Water to be the adopting body for all or part of the proposed SuDS scheme the Design and Construction Guidance must be followed. We would recommend the applicant contact us at the earliest opportunity to discuss their SuDS design via a Pre-Planning Strategic Enquiry. The Lead Local Flood Authority (LLFA) are a statutory consultee for all major development and should be consulted as early as possible to ensure the proposed drainage system meets with minimum operational standards and is beneficial for all concerned organisations and individuals. We promote the use of SuDS as a sustainable and natural way of controlling surface water run-off.

### **Natural England**

Natural England has no comments to make on this reserved matters application.

### **Highways England**

No objection.

### **NHS Suffolk and North East Essex CCGs**

Due to the S106 for the development being previously agreed and discussions having taken place with BMSDC Infrastructure Team it was decided that the CCG would not be required to comment on this application.

### **Ministry of Defence**

The Defence Infrastructure Organisation (DIO) Safeguarding Team represents the Ministry of Defence (MOD) as a consultee in UK planning and energy consenting systems to ensure that development does not compromise or degrade the operation of defence sites such as aerodromes, explosives storage sites, air weapon ranges, and technical sites or training resources such as the Military Low Flying System. The applicant is seeking approval of Reserve Matters for Phase II (matters relating to appearance, scale, layout and landscaping).

After reviewing the application documents, I can confirm the MOD has no safeguarding objections to this

proposal.

## **County Council Responses**

### **SCC – Flood and Water Team**

Suffolk County Council, as Lead Local Flood Authority (LLFA), have reviewed application ref DC/22/02236.

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

- Proposed Site Layout Plan Ref 1369-3-1300 Rev D
- Phase 2 Landscaping Masterplan Ref csa/4716/141
- Drained Areas Plan Ref p21-833 sk22 p1
- Surface Water Drainage Layout Ref p21-833 sk20 p1
- Suds Cross Sections p21-833 sk19 p1

### **SCC – Public Rights of Way and Access**

The proposed site does contain a public right of way (PROW): Sudbury Public Footpath 9. The Definitive Map for Sudbury can be seen at: <https://www.suffolk.gov.uk/assets/Roads-and-transport/public-rights-of-way/Sudbury.pdf> but a more detailed plot of public rights of way can be requested by the Applicant to accurately plot PROW on relevant plans. Please contact [DefinitiveMaps@suffolk.gov.uk](mailto:DefinitiveMaps@suffolk.gov.uk) for more information. Note, there is a fee for this service.

We accept this proposal subject to the following:

1. FP9 must be protected and remain open and safe for public use at all times, other than where a temporary closure has been applied for and authorised.
2. It isn't clear from the Applicant's plans how FP9 interacts with the rest of the site layout. If they haven't done so already, the Applicant should contact the Definitive Map Team to obtain the digital data so that the legally recorded route can be clearly plotted on their plans.
3. The attenuation basin at the southern end of FP9 must not be sited too close to the edge of the footpath as this will create a hazard for the public.
4. It currently appears that the Applicant may be proposing to site a playground over FP9. This isn't a problem per se; however the route cannot be obstructed in any way, including by play equipment or gates.

Furthermore, the following must also be taken into account:

1. PROW MUST remain open, unobstructed, and safe for the public to use at all times, including throughout any construction period. If it is necessary to temporarily close or divert a PROW, the appropriate process must be followed (please see points 4 and 5 below).
2. PROW are divided into the following classifications:
  - Public Footpath – only for use on foot or with a mobility vehicle
  - Public Bridleway – use as per a public footpath, and on horseback or by bicycle
  - Restricted Byway – use as per a bridleway, and by a 'non-motorised vehicle', e.g. a horse and carriage
  - Byway Open to All Traffic (BOAT) – can be used by all vehicles, in addition to people on foot, mobility vehicle, horseback and bicycle

All currently recorded PROW are shown on the Definitive Map and described in the Definitive Statement (together forming the legal record of all currently recorded PROW). There may be other PROW that exist which have not been registered on the Definitive Map. These paths are either historical paths that were not claimed under the National Parks and Access to the Countryside Act 1949 or since, or paths that have been created by years of public use. To check for any unrecorded rights or anomalies, please contact [DefinitiveMaps@suffolk.gov.uk](mailto:DefinitiveMaps@suffolk.gov.uk) .

3. The applicant, and any future owners, residents etc, must have private rights to take motorised vehicles over a PROW other than a BOAT. To do so without lawful authority is an offence under the Road Traffic Act 1988. Any damage to a PROW resulting from works must be made good by the applicant. Suffolk County Council is not responsible for the maintenance and repair of PROW beyond the wear and tear of normal use for its classification and will seek to recover the costs of any such damage it is required to remedy. We do not keep records of private rights and suggest that a solicitor is contacted.
4. The granting of planning permission IS SEPARATE to any consents that may be required in relation to PROW. It DOES NOT give authorisation for structures such as gates to be erected on a PROW, or the temporary or permanent closure or diversion of a PROW. Nothing may be done to close, alter the alignment, width, surface or condition of a PROW, or to create a structure such as a gate upon a PROW, without the due legal process being followed, and permission being granted from the Rights of Way & Access Team as appropriate. Permission may or may not be granted depending on all the circumstances. To apply for permission from Suffolk County Council (as the highway authority for Suffolk) please see below:
  - To apply for permission to carry out work on a PROW, or seek a temporary closure – <https://www.suffolk.gov.uk/roadsand-transport/public-rights-of-way-in-suffolk/rights-and-responsibilities/> or telephone 0345 606 6071.  
PLEASE NOTE, that any damage to a PROW resulting from works must be made good by the applicant. Suffolk County Council is not responsible for the maintenance and repair of PROW beyond the wear and tear of normal use for its classification and will seek to recover the costs of any such damage it is required to remedy.
  - To apply for permission for structures such as gates to be constructed on a PROW – contact the relevant Area Rights of Way Team - <https://www.suffolk.gov.uk/roads-and-transport/public-rights-of-way-in-suffolk/public-rights-of-waycontacts/> or telephone 0345 606 6071.
5. To apply for permission for a PROW to be stopped up or diverted within a development site, the officer at the appropriate borough or district council should be contacted at as early an opportunity as possible - <https://www.suffolk.gov.uk/roads-andtransport/public-rights-of-way-in-suffolk/public-rights-of-way-contacts/> PLEASE NOTE, that nothing may be done to stop up or divert the legal alignment of a PROW until the due legal process has been completed and the order has come into force.
6. Under Section 167 of the Highways Act 1980 any structural retaining wall within 3.66 metres of a PROW with a retained height in excess of 1.37 metres, must not be constructed without the prior written approval of drawings and specifications by Suffolk County Council. The process to be followed to gain approval will depend on the nature and complexity of the proposals. Construction of any retaining wall or structure that supports a PROW or is likely to affect the stability of the PROW may also need prior approval at the discretion of Suffolk County Council. Applicants are strongly encouraged to discuss preliminary proposals at an early stage.
7. . Any hedges adjacent to PROW must be planted a minimum of 2.0 metres from the edge of the path in order to allow for annual growth. The landowner is responsible for the maintenance of the hedge and hedges must not obstruct the PROW. Some hedge types may need more space, and this should be taken into account by the applicant. In addition, any fencing should be positioned a minimum of 0.5 metre from the edge of the path in order to allow for cutting and maintenance of the path, and should not be allowed to obstruct the PROW.
8. . There may be a further requirement to enhance the PROW network relating to this development. If this is the case, a separate response will contain any further information. In the experience of the County Council, early contact with the relevant PROW officer avoids problems later on, when they may be more time consuming and expensive for the applicant to address. More information about Public Rights of Way can be found at [www.suffolk.gov.uk/roads-and-transport/public-rights-of-way-in-suffolk/](http://www.suffolk.gov.uk/roads-and-transport/public-rights-of-way-in-suffolk/) .

## **SCC Highways – 01/06/2022**

Holding objection until the following comments have been addressed:

### **Adoptable Road Layout:**

Narrow or missing footway is evident on Road 6 (south of Road 11), and on part of Roads 2, 3, 7, 10 and 11 (none of which appear to be shared surface roads). We require footways in these locations on adoptable non-shared surface roads.

Laybys opposite the junction on the raised table on Road 6 – this is not a suitable location for the laybys as it will impede pedestrians crossing the road in this location and may result in conflicts/confusion among motorists using the junction and laybys. Please relocate these laybys.

0.5 metre wide adoptable service margins are noted in several locations - these are only suitable in locations where no street lighting is proposed. Further information is required.

Trees - it is noted that a number of trees are proposed less than 5 metres from adoptable roads and footways. Details of root protection should be provided and any trees that may present a safety or maintenance liability will not be permitted next to the highway.

### **Parking:**

A number of the 4 and 5 bedroom dwellings feature 'triple tandem' parking arrangements that are not acceptable to the Highway Authority onto or next to adoptable roads.

### **Cycle Routes:**

The proposed cycle route within this phase features bend/ junction radii that is too tight for cyclists to use and does not line up with the crossing point at the northern end of the route (subsequently requiring a very tight manoeuvre to access the crossing point). Whilst it is accepted that the master-planning for this development was agreed prior to the introduction of LTN1/20, the layout should accord with this guidance wherever possible with regard to layout and crossings.

## **SCC Highways – 17/08/2022**

Whilst the majority of the issues previously raised by the Highway Authority have been addressed by the revised plans, there are still several areas where footways are insufficiently wide or missing, and a number of triple tandem parking arrangements onto adoptable roads.

Where a full height kerb is proposed, it requires a suitably wide footway. A service margin behind a full height kerb is not acceptable as it would be used as a footway due to road not being a shared surface. This is evident below and on roads 10 and 11.

We would not object to roads 10 and 11 being shared surface with footways on one side (which is distinctly different to a standard road with inadequate width footway sections).

Triple tandem parking onto adoptable roads is not acceptable. The spaces to mitigate this are noted but in most cases, these are not next to the dwellings and there remains a high risk that occupiers would simply park on the road in front of the properties. Whilst this may not cause a safety issue in most cases, close to junctions, turning heads and footway/ footpath routes, it would result in a safety issue. Holding objection remains until the above comments have been addressed.

## **SCC Fire and Rescue**

I can confirm that I won't be making comment at this stage as we have the condition for fire hydrants as condition 2 under DC/15/01718 and DC/20/05183.

## **Internal Consultee Responses**

### **BMSDC Arboricultural Officer**

I have no objection to this application subject to it being undertaken in accordance with the measures outlined in the accompanying arboricultural report, an 'approved document' condition can be used for this purpose. Although a small number of trees are proposed for removal they are of limited value and their loss will have negligible impact within the wider landscape.

### **BMSDC Environmental Protection – Air Quality**

Many thanks for your request for comments in relation to the above application. I can confirm that I have no comments to make with respect to Local Air Quality Management.

### **BMSDC Environmental Protection – Land Contamination**

Many thanks for your request for comments in relation to the above application. I can confirm that I have no comments to make with respect to land contamination.

### **BMSDC Environmental Protection – Other Matters**

Thank you for your consultation on the above application. The Environmental Protection Team have no objections to the proposed development. I note that construction matters are already covered by condition 30 of the overarching permission B/15/01718, as is lighting through condition 40. I have had regard to the details for the Local Areas Equipped for Play and note that they comply with the requirement of being 20m from the nearest property curtilage.

### **BMSDC Environmental Protection - Sustainability**

Many thanks for your request to comment on the Sustainability/Climate Change mitigation related aspect of this Application. I have viewed the applicant's documents, namely the Design and Access Statement parts 1-6, Planning statement, Energy Statement and note the contents therein. I am satisfied with the proposals included within the documents and have no objection or further comments to make.

### **BMSDC Public Realm – 01/06/2022**

We note that the Open Spaces will not be transferred to the District Council. However, as it is such a significant site Public Realm Officers have considered the application and would make the following comments/recommendations.

1. When considering equipment for our own play areas we tend to try and avoid wooden play equipment as being not so long lasting;
2. Our countryside officer has made a number of recommendations/observations:
  - a. We are concerned that they state the development is “not anticipated to result in any significant residual negative effects on important ecological features” [CSA Ecological Impact Assessment]. This despite the presence of Skylarks found on arable land, 5 species of bat and Great Crested Newts found in their Survey 1
  - b. Does BMSDC have a Habitats Risk Assessment the developers will adhere to?
  - c. Our countryside officer would wish to request more enhancements to the wildlife habitat to help nature recovery connecting habitats, and alternative recreational space as this is such large development. Pushing for more greenspace to be given and quality, tree, hedgerows and planting schemes to enhance the urban and wild greenspace
  - d. Our countryside officer would wish to see the planting of such items as Blackthorn Hawthorne Crab apple Willow Dog rose Elder Hazel Rowan Birch Wild Cherry and Field Maple

Our countryside officer believes there could be some real opportunities to develop a quality Wetland area in the basin thinking beyond maintaining it as a blank recreational space. She suggests the following marginal plant options as a starting point - Common rush, *Juncas effusus*, Water forget-me-not, *Mysotosis scorpiodes*, Yellow flag iris, Marsh Woundwort, *Stachys palustris*, Purple loosestrife, *Lythrum*



salicaria, Lobelia cardinalis, Sedges- Carex pendula, Saw sedge Cladium mariscus, Juncus effusus, Elder Cornus foemina, Cornus sanguinea, Cornus alba siberica, Cornus sericea- more varieties to maximise colour and interest, and a Wetland Meadow seed Mix can be sown appropriately.

In our officer's opinion, this could be a really positive space for both nature and humans.

### **BMSDC Public Realm – 10.06.2022**

Further to my email below, I have received further advice from our Biodiversity officer relating to this application. This is specifically relating to the proposed tree planting. He observes as follows:

"I'd question some of the tree species selected for the less formal areas. Beech is listed frequently, which to my mind isn't found that widely in this area, certainly looking at the tree survey information. Oak would be more likely. Hornbeam is also not found locally that often but would appear appropriate for the soil. Not sure how well beech will fair, particularly with potential climate change scenarios.

Whitebeam is also frequently listed but is not commonly found outside of urban areas in this location. Overall, the species mix appears somewhat generic and not tailored to the location, more a range of native species found nationally, rather than locally. I'd prefer the less urban open space, around the perimeter, to contain a range of species that better reflects what's present within the wider landscape"

I realise that we have passed the consultation deadline date, but if it is possible to include the above in our response that would be useful, and at the least if this could be considered and communicated to the developer prior to approval, with the suggestion that they consider altering their planting specification accordingly, we would be grateful.

### **BMSDC Waste Services**

Looking at the Refuse Strategy I can see that there are communal points for some dwellings and the bin stores listed, however there does not appear to be individual bin presentation points (bpp) for the rest of the properties would these bpp be at the edge of the curtilage? Communal collection point for dwellings 288,289 and 298 are hidden behind properties my concern is that these may become an issue as not visible from the road. Please could the point be moved to be more prominent?

The bin stores diagram labelled bin bike garage elevations shows that the bin store has a slope up to the entrance, how wide is this area as it would need to accommodate a 1100l bin and the operatives with ease?

### **BMSDC Strategic Housing - 06.06.2022**

#### Key Points

<p><b>Support:</b> The proportion of affordable homes, at 30%, exceeds the requirements of the Section 106 agreement. Future phases will need to be examined to ensure that they also include appropriate provision, given that the site as a whole only has to deliver 25% affordable housing.</p>
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<p><b>Support:</b> The mix and distribution of affordable homes is acceptable, although the applicant needs to correct a discrepancy between the Planning Statement and submitted plans.</p>
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<p><b>Comment:</b> The site would benefit from more smaller open market units and some bungalows.</p>
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#### 2. Housing Need Information:

- 2.1 The Ipswich Housing Market Area, Strategic Housing Market Assessment (SMHA) document, updated in 2019, confirms a continuing need for housing across all tenures and a growing need for affordable housing.

2.2 The 2019 SHMA indicates that in Babergh there is a need for 110 new affordable homes per annum. The Council's Choice Based Lettings system currently has 197 households registered for affordable housing with a local connection to Sudbury, as of May 2022, with almost 800 households on the Housing Register with a local connection to Babergh.

3. Required Mix for Affordable Housing

3.1 The Section 106 agreement for B/15/01718 (the outline permission for the entire site) secured 25% affordable housing for the Chilton Woods development. This was below policy-compliance but agreed with regard to the assessed viability of the site. The obligation makes provision for the first 500 dwellings to provide a minimum of 12% affordable housing, with remaining dwellings (up to 1,150) to secure 35%. In respect of tenure, 75% of affordable units were to be for affordable rent and 25% intermediate housing (to mean Shared Ownership unless otherwise agreed). Review points were built into the Section 106 Agreement in respect of affordable housing provision, but these triggers haven't been reached yet.

3.2 Phase 1 (DC/21/02764) secured 42.5% affordable housing, in excess of the minimum requirement in the Section 106. Furthermore, this second phase (the subject of this application) will also exceed the requirements of the Section 106 agreement, at 30%. Phases 1 and 2 together equate to 35.5% affordable housing across the two phases, significantly above the minimum requirement. Whilst this is to be welcomed, future phases will need to be examined to ensure that they include affordable housing. This is not a matter for this phase, but is highlighted for the future.

3.3 The mix of affordable units proposed by the applicant is set out below:

Tenure	Number of Units	Size (bedspaces / persons)	Type	Floorspace (m <sup>2</sup> , GIA)
Affordable Rent	3	1b2p	Wheelchair Flat <sup>1</sup>	71.7
<i>54 total</i>	10	1b2p	Flat	50.1 – 51.8
	23	2b3p - 2b4p	Flat	61.1 – 73.8
	10	2b4p	House	80
	8	3b5p	House	94
Shared Ownership	14	2b4p	House	80
	4	3b5p	House	94
<i>18 total</i>				

With regard to data from the SHMA and the latest information from the Housing Register, the mix is considered acceptable. However, future phases (with lower overall densities) should make provision for more larger affordable units, namely 3-bed Shared Ownership and a small number of 4-bed affordable rent units. As per the paragraph above – this is for later phases / future planning decisions.

3.4 It should be noted that three of the ground floor, 1b2p flats are proposed as being wheelchair units. This is welcomed but, if it is relevant to the decision to be made, Building Control colleagues might usefully be contacted to confirm whether the units meet the relevant standard (either wheelchair adaptable or wheelchair ready).

3.5 The applicant has included provision for lifts to be installed in the three blocks of flats. This is accepted as including lifts at the outset may make it harder for the developer to secure a Registered Provider to take the units on, due to the ongoing maintenance costs involved. Colleagues may wish to take advice on whether the proposals would genuinely allow for future installation of lifts, if desired by the eventual Registered Provider.

3.6 All affordable units meet the relevant Gross Internal Area requirements of the Nationally Described Space Standard. The distribution of the affordable homes is acceptable. A balance has

to be struck between pepper-potting and clustering for management purposes, and the affordable units are distributed groups of no more than 14.

- 3.7 The Section 106 Agreement sets out phasing arrangements within each phase.
- 3.8 Despite what the Planning Statement says in paragraph 3.8, it is not clear that the development delivers a tenure-neutral design, given that the unit types for the open market homes are different to those identified for affordable homes.
- 3.9 It needs to be confirmed that the eventual Registered Provider will not be subject to sharing any unreasonable ongoing costs for highway maintenance. It is recommended that any highway to be transferred to the RP should be constructed to an adoptable standard.
- 3.10 The affordable units need to be assessed to determine whether there is sufficient vehicle and cycle parking (in line with Suffolk Guidance on parking). It also needs to be determined that there is sufficient bin storage.
- 4. Open Market Mix
- 4.1 The key (extant) policy for considering this issue is Policy CS4 of the Babergh Core Strategy, which directs that this site should follow the approach to density and mix set out in policies CS18 and CS19. These policies state that that the housing mix should reflect established needs in the District.
- 4.2 The Strategic Housing Market Assessment ('SHMA' 2019, part 2) indicates the market housing requirements for the district as a whole. This may not represent a directly and specifically appropriate mix in the circumstances of a development, but it offers a guide as to how the development can provide an appropriate mix and contribute to meeting overall needs.

<b>Size of unit (bedrooms)</b>	<b>Current proposal</b>	<b>Split to mirror district-wide requirement<sup>i</sup></b>	<b>Difference</b>
1	6	21	-15
2	42	61	-19
3	80	51	+29
4+	42	37	+5

- 4.3 This shows a deficit in the number of 1- and 2-beds relative to District-wide needs. Future phases ought to act to bring the overall mix closer to the District-wide needs.
- 4.4 The Planning Statement sets out that 88% of units will meet the M4(2) standard, which is welcomed, but it is not clear which units this applies to. If this needs to be checked prior to determination, Building Control colleagues will need to be approached for advice.
- 4.5 All open market units meet the gross internal area requirements of the NDSS.
- 4.6 No units are proposed as bungalows; the applicant has indicated that they intend for bungalows to come forward in future (lower density) phases.

**Appendix: Size of new owner-occupied accommodation required in Babergh over the next 18 years**

Source: Ipswich Strategic Housing Market Assessment Part 2 Partial Update (January 2019)

Table 4.4c (using the 2014-based projections)

<b>Size of home</b>	<b>Current size profile</b>	<b>Size profile 2036</b>	<b>Change required</b>	<b>% of change required</b>
One bedroom	598	1,183	585	12.2%
Two bedrooms	5,037	6,765	1,729	36.1%
Three bedrooms	12,327	13,774	1,447	30.2%
Four or more bedrooms	10,605	11,098	1,033	21.5%
<b>Total</b>	<b>28,026</b>	<b>32,820</b>	<b>4,794</b>	<b>100.0%</b>

**BMSDC Strategic Housing – 24/08/2022**

The open market housing mix appears to have been updated as follows.

Bed spaces	Original Submission	Updated Proposal	Change
1b	6	6	-
2b	42	42	-
3b	80	88	+8
4b+	42	34	-8

The change seems to be a reduction in the number of 4-beds, with 8 units becoming 3-beds. The number of open market 1, 2 and 5-beds has not changed.

It appears that an updated accommodation schedule has not been submitted, so the figures above have been generated by cross referencing the Phase 2 Tenure Plan (1369-3-1204, dated July 22) and Phase 2 Unit Mix Plan (1369-3-1200, dated July 22). The applicant should be asked to confirm whether these figures are correct.

Accordingly, the table below updates the relationship with the District-wide open market needs.

Bed spaces	Updated Proposal	Split to mirror district-wide requirement	Difference
1b	6	21	-15
2b	42	61	-19
3b	88	51	+37
4b+	34	37	-3

The changes in the open market mix are broadly positive, although it would be preferable if there were a greater proportion of 1 and 2-bed open market units.

It appears that there have been no changes to the proposed affordable housing mix so, subject to confirmation from the applicant, comments dated 6 June 2022 remain as stated previously.

### **BMSDC Heritage**

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

### **Essex Place Services – Landscape – 01.06.2022**

This letter sets out our landscape and green infrastructure observations and recommendations response in relation to layout, appearance and landscaping.

#### General Layout

- Ideally there would be paved step free access point to the south-east corner of phase 2 (close to plots 257/206). Placement subject to guidance from SCC Highways. This would improve circulation for pedestrians and wheelchair users allowing ease of access from the residential neighbourhood streets to the POS network.
- An additional surfaced connection in the northwest should also be considered.
- It is unclear if the green space behind the bin store (between block J and plot 414) is intended as a communal garden. If so, then enclosure may be appropriate for security. Clarification is sought.

#### Soft landscaping

- The selected plant species are generally in accordance with the Design Code, though a few of the indicative species were missing including *Carpinus Frans Fontaine*, *Pyrus Chanticleer*, *Malus John Downie* and *Crataegus laevigata*.
- We would advise against the use of *Viburnum tinus* sp. for hedging as they can be prone to attack by viburnum beetle and can give off an offensive smell when wet. Smaller, more spread-out groups would be acceptable (3-5No. per group).
- Root barriers are identified for proposed trees within the written specification, though these have not been marked on the plan.
- No planting or screening is provided to the building (possibly substation) between Block G and Plot 302.
- Planting within the parking courts is mainly specified as small to medium shrubs, which would have little visual softening effect on the fence lines e.g. rear of plots 370-381
- Some areas of planting are predominately single species which increases the risk of biotic threat and position/microclimate failure leaving significant areas of e.g. planting of parking area to rear of plot 316.

We recommend the planting plans are reviewed and amended.

#### Hard landscaping

- Surface materials should align with the Approved Design Code e.g. we would expect to see Keyblock in Bracken used within the Acton Lane and Parkside Character areas for private drives and shared spaces. Focal spaces should also be indicated on the plan. We recommend that the surface materials be reviewed and amended accordingly.
- The hard landscape proposals sheets 1-4 reference documents containing details the boundary treatments (CSA/4716/146-148), though these were missing from the application.
- Timber knee rails proposed in the Design Code to define the edges of open spaces and for preventing informal car parking on verges were not noted on the plans.

- The knee rail for the attenuation basin references drawing CSA/4716/104-108 for specifications, which was not included in the submission.
- No details of the construction/materials of the communal bin stores have been provided. Therefore, we have been unable to assess the visual suitability of the planting.
- Also, the indicated placement of the gates on the bin store for Block J do not align with the access path, making the end parking space vulnerable to damage when manoeuvring the bins.

### Levels

- With regards to the levels, we are satisfied that the slopes of the attenuation basins and swales are appropriate.
- The appearance of attenuation basin D could be improved by varying the profile of the NE slope which is approximately 3m in height when empty. A 'dry shelf' could be incorporated running around the top of the basin. Planting of the banks should also be incorporated.
- There may be a conflict between existing levels at the western edge of this phase and the proposed play area. We recommend that this is reviewed; it may be helpful to overlay the contours on the proposal plan. We would also recommend avoiding soil mounding long the contour which may lead to localised water puddling on the uphill side.

We would advise our comments and recommendations above are addressed prior to granting of reserved matters.

### **Essex Place Services – Landscaping – 25/08/2022**

We welcome the amendments and additional information provided which addressed most of our concerns. The remaining concerns which we believe are still pertinent are:

- The visual appearance of the parking courts; more varied planting is now specified though no taller shrubs, wall shrubs or climbers have been specified to soften the appearance of the rear boundary fences.
- Surface materials; generally, the materials are in accordance with the design code, though to be fully in accordance we would expect that private drives and shared surfaces are specified as block paved. The recreational path to the village green should be Macadam with chippings.

Further to the above we would recommend that the Tegula sets to the village green POS should Pennant Grey coloured and be laid as a curved stretcher bond, following the curved edge of the paved area. This would result in less small/cut blocks which can be difficult to secured, creating maintenance issues as the site matures.

We would advise our comments and recommendations above are addressed prior to granting of reserved matters or secured by an appropriately worded condition.

### **Essex Place Services - Ecology**

We have reviewed the submitted documents for this reserved matter application, including the Ecological Impact Assessment (CSA Environmental Ltd, March 2022), the Ecological Enhancement Plan – Phase 2 (CSA Environmental Ltd, March 2022), the Phase 2 Landscape Masterplan (CSA Environmental Ltd, April 2022), the Phase 2 Open Space and Play Proposals Sheets (CSA Environmental Ltd, April 2022), the Phase 2 Soft Landscape Proposals Sheets (CSA Environmental Ltd, April 2022).

We have also re-assessed the documents submitted for the Outline Planning Permission (B/15/01718), the Design Code for the development (DC/21/01460) and the Site-Wide Landscape & Ecology Management Plan (CSA Environmental Ltd, January 2022), which was submitted to discharge a number of ecological based conditions for the wider scheme (DC/22/02332).

In terms of the Ecological Impact Assessment (CSA Environmental Ltd, March 2022), it is indicated that we generally support the conclusions of this updated report. Our only issue is that the presence of Hazel Dormouse has been ruled out across the wider the site, following surveys conducted in 2020/21 by CSA Environmental. Hazel Dormouse was confirmed in 2014 by AMEC Foster Wheeler and therefore a European Mitigation Licence is required under condition 5 of the outline consent.

However, given that in the absence of current evidence of dormouse presence at the Site, the applicant's ecologist indicates that no derogation licence would be granted by Natural England.

It is highlighted that we accept this conclusion but need further justification on the survey methodology undertaken for the dormouse surveys. This is because the probability of detecting dormice for sites with a low dormouse capture rate (<3 nests detected), will only have a 0.95% probability of detection if 100 nest tubes are used and monitored from April or May onwards until the end of November. Alternatively, multiple survey seasons could be undertaken to fully to determine presence / likely absence. If appropriate survey methodology has been undertaken, then a statement in writing from Natural England to the effect that it does not consider that the specified activity/development will require a licence will be required to meet the requirements of this condition.

Alternatively, the developer should submit a s.73 application to allow the develop to proceed without compliance with Condition 5, due to the requirements of the condition to allow it to be discharged. We also support the proposed soft landscaping for this development, which includes appropriate planting schedules and specifications. However, it appears that the soft landscape proposals for the SuDs have not been included with the planning submission (CSA/4716/104-108). Therefore, it would be useful to see whether appropriate soft landscaping has been recommended, which will provide benefits for biodiversity. In addition, it would be useful to confirm whether the proposed measures are in line with the SW Implementation, Management & Maintenance Plan – Phase 2 (Simpson tws, March 2022).

It is indicated that we support the bespoke enhancement measures included within the Ecological Enhancement Plan – Phase 2 (CSA Environmental Ltd, March 2022), which is in line with the details contained within the Design Code. In addition, we support the further information outlined within the Site-Wide Landscape & Ecology Management Plan (CSA Environmental Ltd, January 2022). Therefore, we are satisfied that sufficient information is available to meet the requirements of condition 9 of the outline consent for this phase of the development. However, we do encourage the developer to have the finalised soft landscaping plans supported by a Biodiversity Net Gain Assessment. The Biodiversity Net Gain Assessment should contain the use of the DEFRA Biodiversity Metric 3.1 (or any successor) and should preferably follow the Biodiversity Net Gain Report & Audit Templates (CIEEM, 2021). This is recommended to clearly demonstrate measurable net gains for biodiversity in line with paragraph 174[d] & 180[d] of the NPPF 2021.

We also highlight that a wildlife friendly lighting scheme should be provided for this development to occupation, in line with condition 10 of the outline consent. Therefore, the development should be designed in accordance with BCT & ILP Guidance. Furthermore, lighting contour plans, Isolux drawings and technical lighting specifications (including locations and product designs) should be provided to meet the requirements of this condition. The external lighting plan should also have clear Environmentally Sensitive Zones within the development (i.e., Bat hop overs and hedgerows), where lighting will be minimised or avoided, as it could potentially impact important foraging and commuting routes for bats.

## **B: Representations**

At the time of writing this report no letters/emails/online comments have been received.

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## **PART THREE – ASSESSMENT OF APPLICATION**

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

- 1.1 The Chilton Woods site is located to the north of the A134 and adjoins Tesco, Woodhall Business Park and adjacent residential estates. To the north, east and west of the site are agricultural fields with sporadic development before reaching more defined settlements within Newman's Green, Acton, Great Waldingfield, Chilton and Long Melford. The site straddles the parishes of Acton, Chilton, Long Melford and Sudbury, with the largest proportion of land falling within Chilton. The site is currently comprised of Grade 3 agricultural land (land with moderate limitations).
- 1.2 There is a Public Right of Way (footpath) running through the wider site, starting adjacent to Mountbatten Road and running northwards through the site. There is another Public Right of Way (footpath) located to the northeast of the site running eastwards and southeast into surrounding fields. Sudbury footpath No. 9 runs along the western boundary of the Phase 2 site.
- 1.3 The site is neither within nor adjacent to an Area of Outstanding Natural Beauty (AONB), Site of Special Scientific Interest (SSSI), Air Quality Management Area (AQMA), Special Landscape Area (SLA), Local Green Space, or Area of Visual/Recreational Amenity (AVRA). There are trees to the southern and part western boundaries and also on the Acton Road frontage of the old Middle School site.
- 1.4 The eastern "limb" of the wider Site, comprising part of the airfield is, however, recognised for its high ecological value and as such is designated as a County Wildlife Site (CWS) Waldingfield Airfield Arable Margins.
- 1.5 The site is located wholly within Flood Zone 1 and is the least vulnerable to fluvial (river) flooding the site is also not at a high risk from pluvial (surface water) flooding.
- 1.6 There is a Scheduled Monument (Wood Hall Moat) to the southwest of the wider site. The site sits outside of any Conservation Area, with the nearest Conservation Area being within the centre of Sudbury to the south. There is a range of listed buildings near to the site, but all fall outside of the site to the south. The nearest of these include the Grade II\* listed Barn and chapel at St Bartholomew's Priory Farm, Chilton Hall and the Grade II listed St Bartholomew's Priory Farmhouse, Walled Garden east of Chilton Hall and Chilton Hall Historic Park and Garden. There is intervening development between the Phase 2 site and the heritage assets.
- 1.7 The Phase I residential site comprises two parcels of land on the south-western side of the Chilton Woods development site. The two parcels of land are divided by Acton Lane. The larger of the sites is to the east of Acton Lane and is nestled between other developments. The Anderson development which is currently under construction lies to the east of the site, St Mary's Close to the south, Aubrey Drive and Reynolds Way are to the west with Acton Way to the north. This site would provide 147 units. The second parcel of land is smaller and lies to the west of Acton Lane and is located to the east of the All-Saints Middle School site. This site would provide 53 units. Reserved Matters was granted for Phase 1 residential under DC/21/02764.
- 1.8 This current application seeks agreement of the reserved matters for layout, scale, appearance and landscaping of the Phase 2 residential development of 242 dwellings. The Application Site comprises a 9.3-hectare (23-acre) parcel of land in an 'L' form with the proposed new school to the northeast and the proposed new Village Centre to the north.



- 1.9 The south-eastern corner immediately adjoins Acton Lane and the western parcel from the first phase of the development. The western boundary of the site lies immediately adjacent to the Suffolk County school site with the northern edge adjoining the village centre parcel. Access into the parcel is provided via the site wide distributor road which forms part of the approved major infrastructure works application. The access points onto Aubrey Drive, Reynolds Way and Acton Lane form the principal points of ingress/egress to the residential land at this stage. The access strategy for this phase of the development is wholly in accordance with the provisions of the outline permission.
- 1.10 The parcel comprises a plot of land to the west of Acton Lane, located immediately west of the new access point of Reynolds Way/Acton Lane. The local distributor road, as approved under the Major Infrastructure Works - Reserved Matters Application (MIW RMA) wraps around the western/southern boundary of this parcel and the proposed Suffolk School site to the north and loops around to create a connection to Aubrey Drive. Northbound vehicular access along Acton Lane is terminated at the Reynolds Way/Acton Lane access point and is instead routed via the local distributor road, which reconnects to a section of Acton Lane located to the north of the Suffolk County School site. The major infrastructure works secured delivery of a shared cycle/pedestrian access route running along the eastern boundary of Parcel B and the Suffolk school site. To the south and east of the parcel are existing housing estates.
- 1.11 The properties along Mountbatten Road and Hawkins Road (to the south) comprise terraces of two-storey dwellings and apartments. The properties along Acton Lane (to the south-east) comprise a series of semi-detached and detached two-storey dwellings. This plot represents a natural continuation of development from the first residential phase located immediately to the north and on the eastern edge of the local distributor road.

## **2.0 The Proposal**

- 2.1 The Phase 2 development site seeks 242 dwellings. The mix of dwellings is as follows:
- 36 x 1 and 2 bed flats
  - 6 x 1 bed coach house
  - 66 x 2 bed houses
  - 100 x 3 bed houses
  - 30 x 4 bed houses
  - 4 x 5 bed houses

- 2.2 The site brings forward 30% affordable houses (72 units). This is broken down as 25% shared ownership and 75% affordable rent:

- 36 x affordable rent apartments
- 18 x affordable rent houses
- 18 x shared ownership houses

The Strategic Housing Team has raised no objection to the mix and tenure of the development.

- 2.3 There is a mixture of parking options on the site ranging from parking courts and on-site parking to garages.

- 2.4 Density of build on the site is 26 units per hectare overall for the site, including the green spaces.

- 2.5 The scale of most buildings on the site is in line with the restriction of 10.8 metres defined on the building heights plan approved with the Outline planning permission. The scale of buildings on Phase 2 are two, two-and-a-half and three-storey buildings. The northern portion of the site adjoining the village centre land is covered by a higher height limit of up to 12 metres. The apartment blocks fronting this space are arranged over ground and two upper storeys and fully accord with the height threshold secured on the approved building heights plan (drawing ref. 35223\_Lea153f).
- 2.6 All dwellings have gardens, with the exception of the coach houses that have a secure area to the rear of the buildings in which to store bins and bicycles. The apartments have a shared garden area.
- 2.7 The finishing materials would be similar to those used in Phase 1, with clay pantiles and textured surface cement roof slate with dressed edge for the roofs. Walls would be finished with red brick, buff brick and render in shades of pink, cream, stone and white.
- 2.8 The site area is 9.3Ha.

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

- 3.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that applications under the planning Acts be determined in accordance with the development plan, unless material considerations indicate otherwise. Strictly speaking, that direction is more appurtenant to the determination of applications for planning permission; however, it is considered appropriate that the development plan be the starting point in determining the appropriateness of the reserved matters detail that has been submitted and is no less relevant in that respect.
- 3.2 Relevant to the submitted application, the development plan comprises the following:
- Babergh Core Strategy (2014)
  - Saved policies from the Babergh Local Plan (2006).
- 3.3 Within the current development plan, those policies considered to be most important for the determination of the reserved matters application and its associated details are as follows:
- CN01 - Design Standards
  - CN04 - Design & Crime Prevention
  - CN06 - Listed Buildings - Alteration/Ext/COU
  - CN08 - Development in/near conservation areas
  - CN14 - Historic Parks and Gardens - National
  - CN15 - Historic Parks and Gardens - Local
  - HS31 - Public Open Space (1.5 ha and above)
  - CR07 - Landscaping Schemes
  - CR08 - Hedgerows
  - TP04 - New Cycle Links
  - TP15 - Parking Standards - New Development
  - CP01 - Chilton Mixed Use Development Package
  - CS01 - Applying the presumption in Favour of Sustainable Development in Babergh
  - CS02 - Settlement Pattern Policy
  - CS03 - Strategy for Growth and Development
  - CS04 - Chilton Woods Strategic Land Allocation and Strategy for Sudbury / Great Cornard

- CS12 - Design and Construction Standards
- CS13 - Renewable / Low Carbon Energy
- CS14 - Green Infrastructure
- CS15 - Implementing Sustainable Development
- CS16 - Town, Village and Local Centres
- CS18 - Mix and Types of Dwellings
- CS19 - Affordable Homes
- CS21 - Infrastructure Provision

3.4 The Council is currently in the process of preparing a new Joint Local Plan with Mid Suffolk District Council. The National Planning Policy Framework (NPPF) identifies that decision-takers may give weight to relevant policies in emerging plans according to their stage of preparation, the extent to which there are unresolved objections to relevant policies, and their degree of consistency with national policies. The plan-making process in this instance is at a very early stage and is therefore not weighed as a determinative consideration in this instance.

3.5 The NPPF of July 2021 contains the Government’s planning policies for England and sets out how these are expected to be applied. The policies contained within the NPPF are a material consideration and should be taken into account for decision-taking purposes. 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 (paragraph 9).

3.6 The revised NPPF (July 2021) paragraph 132 states:

*“Design quality should be considered throughout the evolution and assessment of individual proposals. Early discussion between applicants, the local planning authority and local community about the design and style of emerging schemes is important for clarifying expectations and reconciling local and commercial interests. Applicants should work closely with those affected by their proposals to evolve designs that take account of the views of the community. Applications that can demonstrate early, proactive and effective engagement with the community should be looked on more favourably than those that cannot.”*

3.7 The National Design Guide (2019) sets out ten key characteristics of good design that must be considered in order to create well-designed places, these include:

- context,
- identity,
- built form,
- movement,
- nature,
- public spaces,
- uses,
- homes and buildings,
- resources,
- lifespan.

3.8 The developer and their design team have worked closely with the LPA and the Working Group throughout the evolution of the Design Code and the first substantive reserved matters

submission for residential development. A number of iterative amendments have been made to the Phase 2 scheme:

- Following comments during the Phase 1 consultation, the apartment blocks are larger on phase 2 (4 round a core, 12 in a block) to ensure the provision of lifts is viable.
- Following input at phase 1 stage, Juliette balconies have been provided to apartment blocks rather than balconies.
- Communal garden areas are provided next to the flats
- The number of Part M4(2) compliant homes has been increased, with the coach-house flats over garages (FOGs) the only dwellings that do not comply.
- Following Officer input, a FOG has been removed from one of the courtyards to improve the setting of this space.
- Defensible space and private amenity space has been added for some of the Coach-house FOGs where it is possible to do so.
- The path through Phase 2 (east to west from the PROW to the school) is shown as a 3-metre-wide shared path for pedestrians and cyclists.
- The Design Team has worked with SCC to maximise the number of trees close to roads following BDC feedback.
- The location of some of the affordable units was changed following Housing Officer input.
- Ground floor apartments have external access doors onto the street, providing a more active frontage to the apartments.
- Following feedback at the phase 1 stage, Phase 2 is intended to not have any gas boilers (with heating and hot water provided by the community heat hub – this application is currently under consideration with Babergh District Council) and all dwellings will have electric vehicle charging.
- The number of 1-bed homes (market for sale) has been increased following Housing Officer feedback.
- Following comments from the SCC Highway Authority, “triple tandem” parking spaces have been removed from the layout, next to the adopted highway. The mix of unit types has also been modified to reduce the number of 4-bed properties.
- Minor amendments have been made to the refuse strategy to ensure bins are more visible on collection day. Some drag distances have been reduced.
- Additional path links have been added to improve connectivity

3.9 Section 12 of the NPPF aims to achieve well-designed places. As described elsewhere, the NPPF encourages the use of Design Codes, and, subject to the determination of the parallel discharge of conditions application, Chilton Woods has its own specific Design Code. The Code has informed your Officer’s assessment and is the basis on which the evaluation of the Reserved Matters application in this report is based.

3.10 The following document is also considered as material and applicable to the consideration of this proposal by officers:

- Suffolk County Council - Suffolk Guidance for Parking (2019)

3.11 The principle of development has been established by the granting of outline planning permission B/15/01718 for the “Erection of up to 1,150 dwellings (Use Class C3); 15ha of employment development (to include B1, B2 and B8 uses, a hotel (C1), a household waste recycling centre (sui generis) and a district heating network energy centre); village centre (comprising up to 1,000m<sup>2</sup> Gross Floor Area (GFA) of retail floor space (A1, A2, A3, A4 and A5), village hall (D2), workspace (B1a), residential dwellings (C3), primary school (D1), pre-school (D1) and car parking); creation of new vehicular access points and associated works; sustainable transport

links; community woodland; open space (including children's play areas); sustainable drainage (SuDS); sports pavilion (D2) and playing fields; allotments; and associated ancillary works)".

- 3.12 This application seeks reserved matters approval, in part, relative to the Outline permission site. A Phasing Plan was a requirement of the Outline permission. This has been considered under a discharge of conditions application (DC/21/02883). This application relates to Phase 2 of the whole development site and comprises the erection of 242 no. dwellings, residential amenities, open space, drainage, parking and associated development.
- 3.13 This application seeks reserved matters for Layout, Scale, Appearance and Landscaping within Phase 2. The access points to the site have been agreed under the Major Infrastructure Works application that was granted under permission DC/20/05183.
- 3.14 As is noted elsewhere, a requirement of the Outline permission was that a Design Code should be approved by Condition to guide and inform good design within the different areas of the Chilton Woods Outline site and establish the place making approach to the character of these areas. The Design Code was agreed under discharge of conditions application DC/21/01460.

#### **4.0 Design Code**

- 4.1 The Design Code was a requirement of the Outline planning permission secured under condition 8. A Design Code is needed to safeguard the appropriate consideration of the interrelationships between the phases of development, to expound upon the principles in the submitted Design and Access Statement, and to ensure appropriate community engagement in accordance with Policy CS4. A 140-page document was submitted, which relates to the site that Taylor Wimpey has acquired. This includes residential land, village centre and market square land. The Design Code covers all residential phases and associated strategic landscaping but does not cover the commercial areas.
- 4.2 Public consultation and engagement took place throughout the development of the Design Code, and this was a requirement of the condition. Fortnightly meetings with the Working Group took place to discuss and amend the document as required. An online public consultation took place between 11th and 25th November 2020. Postcard invitations were sent to approximately 13,000 residents in Sudbury, Acton, Chilton, Newton Green and Great Waldingfield. This was based on a two-mile radius of the site.
- 4.3 The Design Code was received as a Discharge of Condition application under reference DC/21/01460 and was discharged by the Babergh Planning Committee on the 11<sup>th</sup> August 2021.
- 4.4 The Chilton Woods illustrative Masterplan submitted as part of the Outline Planning Application creates an overarching vision for this development. This Design Code conveys how the key ideas and concepts within the masterplan should be used for the detailed design of each phase and the detailed proposals for phase 2 build on this. Within the Design Code "key items" ensure that the overarching vision for the site is delivered, its interpretation should allow flexibility for creativity and to respond to changing circumstances over time.

#### **5.0 Layout**

- 5.1 As mentioned above, the Phase 2 development site is located to the west of the Phase 1 development and forms an L shape in the southern part of the Chilton Woods whole development area. Phase 2 comprises 242 dwellings.

- 5.2 Two vehicular access points are proposed to link the development with Phase 1. Both access points will be from the new distributor road. There are pedestrian links to Mountbatten Close, the new distributor road and future phases of Chilton Woods. The pedestrian path also links the public open space areas around the southern and western boundaries of the site and link with public footpath no. 9. The cycleway through Phase 1 links with Phase 2 and links the school site, village centre and future phases of Chilton Woods.
- Vehicle and pedestrian routes along the main streets are clearly defined - Pedestrians and vehicles are segregated.
  - Some shared surface courtyards with pedestrian priority are used on the cul-de-sac streets and courtyards, where it is safe and appropriate.
  - Pedestrian permeability is paramount, and footpaths and cycleways are located to connect with existing routes.
  - All pedestrian/cycle routes are appropriately lit and overlooked.
  - Proposed levels within the public realm are designed to enable access for all.
  - The site is well served by public transport.
  - Road widths and descriptions are taken from the SCC Design Guide and comply with the Design Code.
  - Access is provided for refuse and emergency vehicles throughout.
  - A new bus route will run through the Chilton Woods site, connecting the new homes to the village centre, new primary school and employment areas, further encouraging a 'walkable neighbourhood'.
  - The design of phase 2 builds upon the creation of a shared pedestrian / cycle route which runs east-west between the PROW and the school. The approach to access for this phase has been developed in consultation with officers at Suffolk County Council
- 5.3 As with Phase 1, Phase 2 has wide green areas which separate the development from Acton Lane, Hawkins Road, Mountbatten Close, Mountbatten Road and Woodhall Business Park. A wide swathe of green space also runs along the western boundary to separate it from future phases of development, this follows the existing public right of way. The north-eastern corner of the site also has another area of green space to separate it from the Village Centre. The cycleway which runs east to west through the northern section of the site also forms a wide greenway linking the phases of development with the school site. A small rectangular green area is located centrally in the southern part of the site.
- 5.4 Three apartment blocks, which contain 12 apartments each are located in the northern part of the site. Most of the dwellings are either detached or semi-detached. There are some short runs of terraces and coach houses.
- 5.5 This Reserved Matters application builds upon the strategies approved under the MIW RMA and developed alongside the Design Code. Of particular relevance to the second residential phase is the area to the south, west and east where basins will be located providing the primary form of surface water attenuation for this parcel, alongside further sustainable drainage measures delivered as part of the detailed design of this phase.
- 5.6 The Chilton Woods Design Code was approved by Babergh District Council in August 2021. The principles outlined in the Design Code have informed the design and layout of Phase 2. The Chilton Woods illustrative Masterplan, submitted as part of the Outline Planning Application, creates an overarching vision for this development. This Design Code conveys how the key ideas and concepts within the masterplan should be used for the detailed design of each phase and the detailed proposals for phase 2 build on this. Within the Design Code 'key items' ensure that the

overarching vision for the site is delivered, its interpretation should allow flexibility for creativity and to respond to changing circumstances over time.

5.7 The layout includes 72 affordable units. These have been pepper-potted around the site in group of 4 and 6 dwellings, apart from the apartment blocks which contain 12 units. This is considered to be acceptable. The Strategic Housing raised no objection to the mix and tenure of the dwellings.

5.8 Density was not fixed through the Outline Planning Permission, but was included indicatively in the Design and Access Statement. However, maximum densities are set through the Design Code. The maximum allowable density within Phase 2 is 40 dwellings per hectare, with part of the northern parcel (Overlooking the Village Green) which can exceed 41 d/ha.

- The proposals for Phase 2 accord with the density parameters and there are pockets of green space within the residential parcels, which are included within the net area.
- The average density across Phase 2 is 38.6 d/ha with higher density located along the spine road and looser densities along the more rural Acton Lane. This allows for larger plots, a more informal layout of homes and increased space for planting which helps both to soften the appearance of the homes and create variety across the phase.
- Subtle variation in density adds to a variety of character, aids legibility and helps to avoid monotony.
- Chilton Woods includes provision of large areas of open space to be delivered across the masterplan, which comprise 50% of the developable site area and Phase 2 connects to the wider open space strategy and accommodates doorstep green space.

5.9 Achieving an appropriate solution for car parking is fundamental to the success of this development. A variety of solutions have been used which respond to different conditions within the master plan, whilst ensuring that parking provision is appropriate, convenient and safe. Parking typologies are consistent with the standards set out in Suffolk Guidance for Parking (Technical Guidance 3rd Edition – May 2019) and accord with the Design Code. The parking strategy is based on the following principles:

- All apartments have 1 allocated parking space with Part M4(2) and Part M4(3)- compliant spaces, in landscaped courtyards. There are some unallocated spaces in each courtyard.

Parking for houses is provided as follows:

- 2-bedroom houses have either: 2 on plot spaces or 1 allocated space with the remainder unallocated in shared courtyards
- 3-bedroom houses have 2 spaces.
- 4- and 5-bedroom houses have either: 3 on plot spaces, 2 of which are independently accessible. 1 of the spaces is within a garage; or 2 on plot spaces with 1 allocated space at the front of the property (3 spaces in total).

5.10 Parking is conveniently located in a variety of ways:

- On plot within driveways.
- On plot in garages or carports.
- At the front of the houses, either in courtyards in limited situations or perpendicular to the street, broken up with trees and landscaping.

- Mews courtyards to the rear, where front access is not possible from the spine road or next to the Village Green.
  - Covered parking within coach houses.
  - Parallel lay by parking for visitors.
- 5.11 Secure cycle parking is also provided for all residential units with dedicated cycle stores provided within the blocks and flats and each house has private cycle stores/sheds.
- 5.12 The size of the parking spaces is as set out in the Design Code and consistent with SCC policy. This balanced approach, using a variety of methods to deal with the car, is an appropriate response for this site and consistent with the Design Code. In addition, strategies have been guided by current best practice as currently set out in DCLG and DFT's 'Manual for Streets' and English Partnerships 'Car Parking, What Work Where?' document. Building for Healthy Life has also informed the design decision making.
- 5.13 All dwellings in Phase 2 would have electric vehicle charging provided. The SCC Highway Authority initially raised several objections to the scheme, and these have been resolved. It has been agreed that, if there were very limited triple parking, it would withdraw its holding objection.
- 5.14 The layout has been designed with a consideration for the collection of refuse and recycling. The refuse strategy has been developed and agreed through consultation with officers at Babergh and Mid Suffolk / Suffolk CC. Provision has been made for the convenient storage of refuse and appropriate access for refuse collection vehicles. The adjacent diagram illustrates our approach to the storage and collection of refuse.
- Refuse stores are to be conveniently located for residents- with a paved area provided in rear gardens for the storage of bins provided by the local council.
  - Refuse stores are provided in discreet locations away from the public realm, improving the quality of the streetscape.
  - Residents will bring refuse bins to the front of their property or collection points on collection days.
  - Access is provided from stores in gardens to collection points without going through the house – all houses have direct access to rear gardens.
  - Communal refuse stores for the apartments are conveniently located within the parking courtyards for each block.
- 5.15 In line with the Design Code Frontages and Landmarks diagram, feature buildings and landscape features will be used in Phase 2 to create landmarks. The landmarks are used to mark gateways, corners, junctions and to terminate views, to assist with wayfinding, legibility and safety. Phase 2 forms a new gateway to the Chilton Woods site from Acton Lane, at the junction with Reynolds Way.
- 5.16 The new homes along Acton Lane are set back from the lane behind retained trees and hedgerows, creating a green arrival space here and a pair of "Suffolk pink" detached houses. Dwellings have been orientated to overlook the new car-free lane, creating a strong frontage, well overlooked and attractive, and aligned with the proposed Phase 1 homes. The buildings fronting onto the Village Green, the proposed open spaces and the main bus route are designed in line with the frontages diagram to create focal features in prominent locations. The spine road is an appropriate location for slightly taller buildings and more continuous frontage. Consideration has been made to the way strategic views connect spaces and are terminated on buildings or focal spaces. These views are important and help people orientate themselves and see where they are heading. Features on the key buildings include dormer windows, chimneys, brick detailing, coloured render and decorated gables.



5.17 The layout of the Phase 2 development is considered to be acceptable and compliant with both Babergh policy and the Design Code for Chilton Woods.

## **6.0 Scale**

6.1 All of the new dwellings would be 2, 2.5 or 3-storeys, in accordance with the outline Building Height Parameter Plan (drawing ref. 35223\_Lea153f) and the Design Code.

6.2 The scale of buildings on the site is in line with the restriction of 10.8 metres defined on the building heights plan approved with the Outline planning permission. The scale of buildings on Phase 2 is two and two-and-a-half-storey. The northern portion of the site adjoins the village centre land which is covered by a higher height limit of up to 12 metres. The apartment blocks fronting this space are arranged over ground and two upper storeys and fully accord with the height threshold secured on the approved building heights plan (drawing ref. 35223\_Lea153f).

6.3 The scale of the buildings is in-line with those set out on the Height Restriction Plan agreed at Outline stage and also with the guidance within the Design Code and is, therefore, acceptable.

## **7.0 Appearance**

7.1 Phase 2 has four separate character areas within its application site, as defined by the Design Code. These are Village Green, Residential Neighbourhood, Acton Lane and Parkside and Linear Green Linkages.

7.2 **The Village Green.** The Village Green character area joins the Village Centre to Phase 2, so the area will incorporate characteristics of the Village Centre, making the area more contemporary. Apartment blocks frame the corners of Phase 2, with 2.5-storey houses fronting onto the Village Green. This area has a slightly different feel to the rest of Phase 2, with contemporary features such as flat canopies to houses and apartments, coloured framed windows, to potentially match those of the Village Centre.

- Higher density housing, at 3 and 2.5 storeys.
- 2.5-storey houses with parapet gable features.
- Rear courtyard parking to avoid parking onto the Village Green.
- The material palette is modest, predominantly brick, with white and cream render.

7.3 **Residential Neighbourhood.** The “Residential Neighbourhood” character area runs through the heart of the parcel and is an important part of this sustainable development.

- This character area readily supports a variety of streets, spaces and housing typologies including semi-detached, terraced cottages and coach houses with occasional detached houses.
- Traffic is calmed by design to create an attractive environment for walking and cycling.
- Shared surfaces help to create an intimate and varied character.
- Streets and courtyards are designed so that cars do not dominate. Parking is carefully managed with some rear parking to avoid drives onto the spine road.
- Medium density housing, at 2 and 2.5 storeys.
- The materials palette is varied; predominantly brick, with render in a variety of pastel colours. Roofs are also varied with either tiles or composite slates.
- Key features include detailed gables and brick detailing with occasional chimneys to assist with wayfinding and to aid legibility.

7.4 **Acton Lane.** This character area retains and enhances the semi-rural character and setting of Acton Lane. This character area is an extension of the edge of Sudbury; therefore, it is appropriate to take inspiration from the housing typologies and vernacular architecture of the town.

- Homes are predominantly semi-detached or detached.
- The architectural language and materials palette is predominantly lighter tones with the use of pastel rendered colours in key locations.
- Medium density housing, predominantly 2 storey with some 2.5-storey homes.
- The material palette is varied and follows the lighter tones colour palette: brick, with render in a variety of pastel colours. Roof finishes are either tiles or composite slates.
- Key features include detailed gables, dormer windows, brick detailing and chimneys to assist with wayfinding and to aid legibility

7.5 **Parkside and Linear Green Linkages.** The Parkside character provides the interface between the built edge and the public open spaces and green linkages. In phase 2. This includes the frontage onto the new spine road.

- The Village Green, and the green cycleway.
- The new homes enjoy attractive views over these.
- Substantial areas of high-quality open space.
- Windows and front doors are placed to encourage natural surveillance and provide active frontages to the green spaces, creating safe, active routes.
- Focal buildings mark key corners with ‘corner turner’ buildings and terminate strategic view corridors.
- The roofline is varied with occasional chimneys and dormer windows adding further interest.
- Materials relate to the darker tone colourway palette with Suffolk red bricks and cream render on gateway buildings.
- The Parkland is an attractive setting for the homes and provides a high-quality amenity space.

7.6 The appearance of the dwellings blends with those of Phase 1, which gives good continuity to the Chilton Woods development as a whole. The limited use of materials also helps with the “sense of place”. The appearance as a whole is one of built form with green spaces edging the site. This lends the development a feeling and sense of space and openness that would make it a pleasant place to live. The appearance of the development is considered to be acceptable.

## 8.0 **Landscaping**

8.1 A distinctive feature of Chilton Woods will be the close integration between new homes and the surrounding landscape. The proposed landscape strategy creates a strong landscape framework that links all parts of the site together, connecting to the surrounding countryside and providing a new attractive edge to Sudbury. Key to the delivery of a high-quality, landscape-led, development is the full integration of green infrastructure, both existing and proposed within the development. These new green infrastructure assets will allow for a wide range of passive and active recreation alongside wildlife corridors and a range of habitats.

8.2 The overall landscape approach to Phase 2 has been informed by the site-wide Landscape and Play Strategies and the objectives and parameters as defined within the Design Code. In order to achieve these aims, the following key principles are embedded within the landscape proposals for Phase 2:

- A landscape approach of varying character that accords with the typologies identified within the Design Code;
  - An approach to the design of the areas of public open space that combines amenity and play and maximises opportunities to enhance biodiversity through a mosaic of habitats;
  - A scheme that maximises the retention of the existing trees and hedgerows;
  - An approach that maximises opportunities for new tree and shrub planting within the housing areas whilst ensuring longevity;
  - Hard landscaping design that reinforces character, legibility and assists in defining space; and
  - A landscape with recreational connections with the wider context.
- 8.3 **Village Green.** A gateway into the “Village Centre” character area to the north of Phase 2, the Village Green is a large open space for communal gathering, the boundary of which will be defined through the use of oversized semi- mature *Platanus x hispanica* tree stock. Columnar flowering cherry trees, such as *Prunus yedoensis*, will be used to the south of the space will continue this theme of verticality, reinforcing the built form that fronts onto the green. Mixed beds, including *Polystichum setiferum*, *Stipa arundunacea* and *Lavandula x intermedia* ‘Edelweiss’, will flank either end of the Village Green, ensuring a vibrant, varied and verdant setting at two key nodal entryways. Larger blocks of mixed ornamental planting such as *Rudbeckia fulgida* ‘Deamii’ and Hebe ‘White Gem’ will provide further colour and structural interest to the south of the space.
- 8.4 **Residential Neighbourhood.** The frontages to the dwellings within the Residential Neighbourhood character area are predominantly shrub planted, with several focal or end of street dwellings landscaped with hedge planting and turf. The species proposed impose a more ornamental aesthetic through colour and form; clipped *Lonicera nitida* ‘Baggensen’s Gold’ hedgerows, golden in colour, mark out focal dwellings and ornamental shrub planting of species such as *Photinia x fraserii* ‘Little Red Robin’, Hebe ‘Marjorie’ and *Euonymus fortunei* ‘Blondy’ complete the palette. This character is reinforced through the choice of ornamental street trees such as *Gleditsia triacanthos inermis* alongside the green foliage of *Pyrus calleryana* ‘Chanticleer’. These are contrasted through the use of *Carpinus betulus* and *Prunus avium* ‘Plena’ at key nodal points where this character area begins to bleed into the native POS. Road surface treatment is predominantly macadam with Brindle coloured block paving used to define raised tables.
- 8.5 **Acton Lane.** In order to reinforce the semi-rural character of Acton Lane, the dwellings within this character area are set back from Acton Lane itself within shared surfaced private drives surfaced in Brindle coloured block paving. Tree planting within the Acton Lane character area is focussed within the open space areas to enable larger, native species to be planted, such as *Carpinus betulus* and *Acer campestre*. To enhance the semi-rural character of Acton Lane, *Escallonia* ‘Apple Blossom’ and *Ligustrum ovalifolium* hedge planting predominates the frontages of new dwellings, with a host of evergreen shrub planting of such species as *Lonicera nitida* ‘Maigrun’ and *Cistus corbariensis* used against side elevations or where space is more limited. Rustic timber post and rail fencing is used to enclose the private drives to provide a more subtle demarcation to the open space areas.
- 8.6 **Parkside & Linear green Linkages.** Within the Phase 2 parcel, areas of POS form a circular route around the periphery, connecting the Acton Lane frontage in the east to the Village Green in the northwest. These open areas will be home to several large attenuation basins, swathes of long grassland meadow margins around retained hedgerow features and a multitude of footpath/cycleway connections. The space as a whole will provide a recreational resource for the local community as well as a vibrant rurales que setting for new houses to front. To ensure the public open space is well used and remains active, key links will be created into the Phase 1 parcel and beyond.

- 8.7 **Active Green Link.** Located along the western boundary, the Active Green Link is the culmination of the main cycle route from Phase 1 into the peripheral POS of Phase 2. The space is separated from nearby units by *Viburnum tinus* 'Eve Price' hedge planting to the south and beds of *Cornus alba* to the east. Beds of sensory ornamental shrubs, including *Lavandula intermedia*, will provide multiple new landscape textures, framing the play area. LEAP4 comprises a 'route' of timber play items, mounds and natural boulders, all set in a river of mulch surfacing and arranged in a way that will encourage adventurous play
- 8.8 **Central Pocket Park.** Located to the direct centre of Phase 2, the Central Pocket Park is a small area of open space that provides respite equidistant from the periphery POS. The space is enclosed by estate railings on the north and south, with clipped *Euonymus japonicus* 'Jean Hugues' hedgerow planting to those plots beyond this, to provide a sense of formality, reinforcing the urban character of the area. Within the space, native *Carpinus betulus* trees will give way to several *Prunus* 'Pink Perfection' multi-stem specimens, which together will provide a unique contrast in height, form, and scale, yet also introduce vibrant seasonal colour tones with year-round interest. A short section of tumbled concrete cobbles will split the space in two, connecting the north and south. This connection will centre around feature ornamental planting, along with two distinct areas of bulbs, such as *Allium*, *Galanthus*, and *Narcissus*, set within the flowering lawn, that will all provide further seasonal interest.
- 8.9 **Southern Woodland Glade.** The southern boundary of Phase 2 lies adjacent a handful of existing properties and, in places, a gappy yet extensive field boundary that extends around what was once a school. Where existing features are to be removed and gaps exist, mixed native hedge planting is proposed alongside a swathe of various stock-size trees, bringing the existing hedgerow features into the site as much as possible and providing a verdant and rural setting to pass through.
- 8.10 **Ecology.** The site comprises an arable field and semi-improved grassland, with some poor hedgerows to field boundaries. Smaller areas of hard-standing and plantation woodland are also present. The majority of the Site is of limited ecological value, with principal interest being the hedgerows, field boundaries and margins. Following a comprehensive programme of ecological survey work the following protected species have been identified as present on or near to the site:
- Bats;
  - Breeding birds (including skylark);
  - Dormice;
  - Great crested newt;
  - Reptiles; and
  - Badger.
- 8.11 Appropriate safeguards and mitigation measures are set out within an Updated Ecological Appraisal in respect as well as ecological enhancement measures. These measures will accord with measures set out within a Landscape & Ecology Management Plan (LEMP), the approval of which will be secured under approval of Conditions 37 and 39 of the OPP. Additionally, habitat creation has commenced within the wider site, with further landscaping to be undertaken, which will deliver wider green infrastructure benefits including along green corridors running through the wider development.
- 8.12 On-Site enhancements are proposed within the housing areas themselves, with the following proposed to provide additional improvement to the biodiversity value of the residential parts of the site:

- Bird Boxes comprising swift ‘S-Boxes’ which provide opportunities for swifts and other species
- Bat Boxes to provide new roosting opportunities absent from the site
- Bee Bricks to provide opportunities for solitary bees and other insects
- ‘Hedgehog highways’ comprising cut outs of fencing allow small mammals to safely cross the site.

8.13 **SUDs Strategy.** A Sustainable Drainage System (SuDS) has been developed in accordance with the principles for the site wide surface water management strategy. The Phase 2 SuDS strategy provides a further means of minimising the impact of the development on the surrounding environment. The surface water management train will ensure benefits such as prevention of water pollution / reduced flow velocities / reduced risk of the occurrence of flooding / enhanced amenity and biodiversity net gain. Surface water flows will be conveyed through a variety of SuDS features including swales, low flow channels, detention & attenuation basins which provide a means of intercepting, capturing, conveying and storing water volumes sustainably.

8.14 The Landscape Officer raised a holding objection and required some amendments to the proposal. These have been largely resolved with just two issues outstanding. The planting in the parking courts and surfacing materials can be secured by condition.

## **9.0 Heritage**

9.1 Historic England and the BMSDC Heritage Team were consulted on the application. Neither consultee wished to provide comments. It is not anticipated that any harm will be created by the Phase 1 development because of the intervening development that has taken place between the application site and the heritage assets.

## **10.0 Impact on Residential Amenity**

10.1 There is a large landscaping strip between the existing residential developments and the proposed. The distances involved are considered to be acceptable in terms of overlooking and overshadowing. The development is not considered to cause a loss of amenity.

10.2 All dwellings have private gardens. Some flats have Juliette balconies, and all of the flats have access to green space outside of the apartment blocks in which to relax or hang out washing. There are six coach houses that do not have gardens, but these are market houses and therefore it will be the choice of the purchaser.

10.3 Construction management through the development is the subject of other conditions on the Outline planning permission and the impact upon incoming residents’ amenity during the construction life of the development will be safeguarded in this way. It is foreseeable that, during normal construction hours as the development proceeds, there may be some foreseeable impacts arising from noise, activity and disturbance from construction, but these are expected to be within the range of acceptable for a new estate development.

## **11.0 Planning Obligations / CIL**

11.1 Planning obligations were secured under a S.106 agreement at outline planning stage.

## **12.0 Parish Council Comments**

12.1 A total of five Parish Councils were consulted on the application and their comments are as follows:

- Chilton Parish Council – no comments received
- Sudbury Town Council – concern over lack of PV cells to the roofs of dwellings
- Long Melford Parish Council – Did not wish to make comment
- Acton Parish Council and Great Waldingfield Parish Council – Both raised the same issues that the materials are not compliant with the Design Code, a public right of way would run through a children’s play area, landscaping is not in line with the Design Code and concerns over dust.

12.2 The Design Code is left quite loose in describing the materials for each character area. In most cases within each phase, there are several colourways depending on the character area in question. These are described above. There is an argument to be had that traditional Suffolk red bricks are a good strong red colour, perhaps some might say dark. These are not used on every house and a buff brick and light-coloured render is also used throughout the development. The proposed materials are considered to be acceptable and locally distinctive within the wider Sudbury area. The same is true of the landscaping issues raised – the Design Code has been left open in terms of the species and gives examples of the type of plants that should be used. The Landscape Officer is largely in favour of the planting scheme with just the parking court areas to be amended. Dust is an issue on any building site and keeping this to a minimum is crucial in protecting residential amenity. Dust was covered in the Construction Management Plan that has been signed off by the Environmental Protection Team. Moving forward, if this becomes a problem the developer will be responsible for ensuring that dust is not a nuisance, if necessary the Enforcement Team will become involved if a nuisance is caused.

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## **PART FOUR – CONCLUSION**

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### **13.0 Planning Balance and Conclusion**

- 13.1 The details of this application have been based on the Design Code and are considered to be compliant with its aims. Any issues raised by the statutory consultees have been resolved with the exception of some further small landscaping details to be amended.
- 13.2 Central to the balancing exercise to be undertaken by decision makers is Section 38(6) of the Planning and Compulsory Purchase Act 2004; which requires that, if regard is to be had to the Local Plan for the purpose of any determination to be made under the Planning Acts, determination must be made in accordance with the plan unless material considerations indicate otherwise.
- 13.3 The level of public engagement between the developer and interested parties has been acceptable. As reported elsewhere the Design Code which informs the consideration of this application has been through public consultation and engagement itself in parallel.
- 13.4 In the round, the application has been measured against the Design Code, the Development Plan and the NPPF and is considered to comply with the relevant requirements.

## **RECOMMENDATION**

That the Chief Planning Officer be delegated to APPROVE these Reserved matters subject to such conditions as he considers fit including: -

- List of Approved documents
- Highways – Refuse bins
- Landscaping details to be amended

## PLANNING HISTORY

<b>REF:</b> DC/20/04763	Application for Non-Material Amendment following approval of B/15/01718 - Revisions to the land parameter plans.	<b>DECISION:</b> GTD 09.11.2020
<b>REF:</b> DC/20/05269	Discharge of Conditions Application for B/15/01718- Condition 29 (Levels) and Condition 38 (Hard and Soft Landscaping Scheme- Part Discharge)	<b>DECISION:</b> GTD 05.05.2021
<b>REF:</b> DC/20/05270	Discharge of Conditions Application for B/15/01718- Condition 9 (Surface Water Drainage Scheme), Condition 10 (Implementation, Maintenance and Management) and Condition 28 (Foul Water Drainage Strategy)	<b>DECISION:</b> GTD 18.06.2021
<b>REF:</b> DC/20/05724	Discharge of Conditions Application for B/15/01718- Condition 38 (Hard and Soft Landscaping Scheme) Part discharge for western boundary.	<b>DECISION:</b> GTD 15.01.2021
<b>REF:</b> DC/21/01166	Discharge of Conditions Application for B/15/01718- Condition 38 (Hard and Soft Landscaping Scheme) (Part discharge for western boundary)	<b>DECISION:</b> GTD 21.04.2021
<b>REF:</b> DC/21/01460	Discharge of Conditions Application for B/15/01718- Condition 8 (Design Code)	<b>DECISION:</b> GTD 13.08.2021
<b>REF:</b> DC/21/02883	Discharge of Conditions Application for B/15/01718- Condition 4 (Phasing Scheme)	<b>DECISION:</b> GTD 15.12.2021
<b>REF:</b> DC/21/03735	Discharge of Conditions Application for B/15/01718- Condition 12 (Construction Surface Water Management Plan), Condition 32 (Phase 2 Geo-environmental risk assessment), Condition 36 (Landscape Management Plan), Condition 39 (Ecological Management Plan), Condition 41 (Light appliances) and Condition 43 (On-site open space scheme) (Part discharge of conditions 12, 32, 39, 41 and 43 for Phase 1 Infrastructure and Residential)	<b>DECISION:</b> GTD 01.03.2022
<b>REF:</b> DC/21/04056	Discharge of Conditions Application for B/15/01718- Condition 30 (Construction Environmental Management Plan)	<b>DECISION:</b> GTD 24.12.2021



<b>REF:</b> DC/22/00324	Discharge of Conditions Application for B/15/01718- Condition 18 (Waste Disposal Strategy) (Part Discharge for Phase 1 Residential)	<b>DECISION:</b> PGR 20.06.2022
<b>REF:</b> DC/22/02327	Application for a Non-Material Amendment relating to B/15/01718 - Amendment to the Land Use Parameter Plan	<b>DECISION:</b> PCO
<b>REF:</b> DC/22/02332	Discharge of Conditions Application for DC/20/05183 - Condition 4 (Ecological Appraisal Recommendations), Condition 5 (Dormouse), Condition 6 (Mitigation Licence for Great Crested Newts), Condition 7 (Construction Environmental Management Plan for Biodiversity), Condition 8 (Farmland Bird Mitigation Strategy), Condition 9 (Biodiversity Enhancement Strategy) and Condition 10 (Wildlife Sensitive Lighting Design Scheme)	<b>DECISION:</b> WDN 22.09.2022
<b>REF:</b> DC/22/02333	Discharge of Conditions Application (Partial discharge for Phase II Residential) for B/15/01718 - Condition 9 (Surface Water Drainage Scheme), Condition 10 (Implementation, Maintenance and Management of Surface Water Drainage Scheme), Condition 12 (Construction Surface Water Management Plan), Condition 28 (Foul Water Drainage Strategy), Condition 29 (Levels) and Condition 38 (Hard and Soft Landscaping Scheme)	<b>DECISION:</b> PCO
<b>REF:</b> DC/22/02406	Discharge of Conditions Application for B/15/01718- Condition 11 (Flood Risk Asset Register) (Part discharge for Phase 1 Infrastructure and Residential)	<b>DECISION:</b> REF 06.07.2022
<b>REF:</b> DC/22/02501	Discharge of Conditions Application for B/15/01718 - Condition 31 (Dormouse License)	<b>DECISION:</b> WDN 14.09.2022
<b>REF:</b> DC/22/03078	Application for the Modification of a Section 106 Planning Obligation - Variation of S106 legal agreement dated 29.03.2018 relating to B/15/01718.	<b>DECISION:</b> PCO
<b>REF:</b> DC/22/03255	Discharge of Conditions Application for DC/20/05183 - Condition 13 (Written Scheme of Investigation)	<b>DECISION:</b> PGR 31.08.2022
<b>REF:</b> DC/22/03256	Discharge of Conditions Application for	<b>DECISION:</b> GTD

DC/20/05183 - Condition 2 (Fire Hydrants)

16.09.2022

**REF:** DC/22/04780

Application for a Non-Material Amendment relating to Reserved Matters Approval DC/21/02764 - Installation of Air Source Heat Pumps for Plots 152 and 153

**DECISION:** PCO

**REF:** B/15/01718

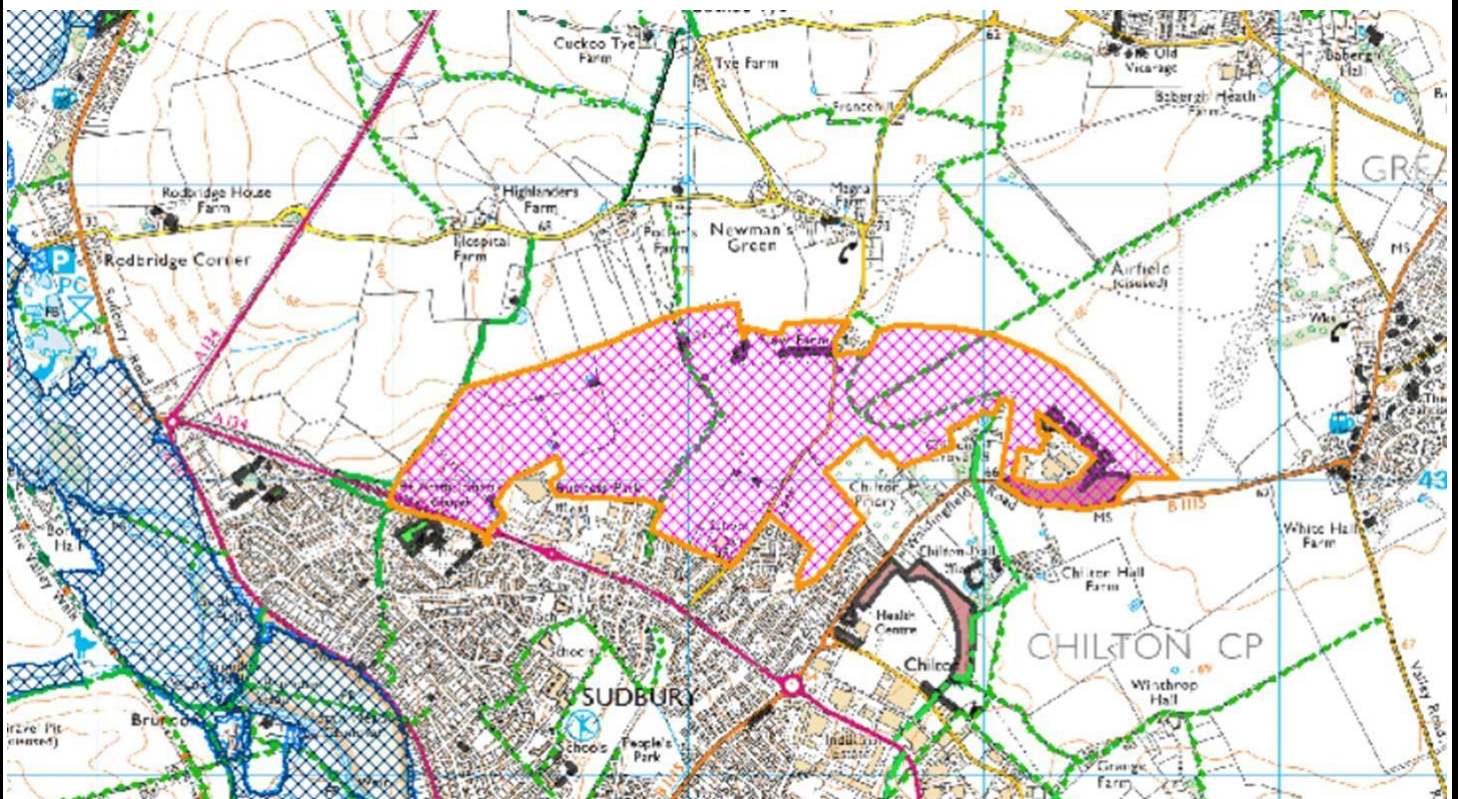
Outline application (with all matters reserved except for access) - Erection of up to 1,150 dwellings (Use Class C3); 15ha of employment development (to include B1, B2 and B8 uses, a hotel (C1), a household waste recycling centre (sui generis) and a district heating network energy centre); village centre (comprising up to 1,000m2 Gross Floor Area (GFA) of retail floor space (A1, A2, A3, A4 and A5), village hall (D2), workspace (B1a), residential dwellings (C3), primary school (D1), pre-school (D1) and car parking); creation of new vehicular access points and associated works; sustainable transport links; community woodland; open space (including children's play areas); sustainable drainage (SuDS); sports pavilion (D2) and playing fields; allotments; and associated ancillary works.

**DECISION:** GTD  
29.03.2018

Application No: DC/22/02336

Parish: Sudbury

Location: Woods Mixed Development to North Of Woodhall Business Park



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# Agenda Item 6b

## Committee Report

**Item No:** 6B

**Reference:** DC/21/05110

**Case Officer:** Elizabeth Flood

**Ward:** Sproughton & Pinewood.

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

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

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### **Description of Development**

Hybrid Application. Outline Planning Application for Interchange 55 comprising predominantly industrial (B2 use) and warehousing (B8 use) and prospective offices, research and light industry (E(g) (i, ii, iii) uses) buildings. Full Planning Application for access to the development and associated landscaping.

### **Location**

Land To The South Of Thompson And Morgan, Poplar Lane, Sproughton, Suffolk

**Expiry Date:** 17/12/2021

**Application Type:** OUT - Outline Planning Application

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

**Applicant:** Poplar Holdings Ltd & Building Partnerships Ltd

**Agent:** Miss Maureen Darrie

**Parish:** Sproughton

**Site Area:** 7.98 hectares

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

**Has a Committee Call In request been received from a Council Member (Appendix 1):** 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: The development involves the erection of industrial building/s with a gross floor space exceeding 3,750sqm.

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

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### **Summary of Policies**

CN01 - Design Standards

CS01 - Applying the presumption in Favour of Sustainable Development in Babergh

CS02 - Settlement Pattern Policy  
CS03 - Strategy for Growth and Development  
CS07 - Strategic Site Allocation - Babergh Ipswich Fringe  
CS13 - Renewable / Low Carbon Energy  
CS15 - Implementing Sustainable Development  
EM01 - General Employment  
TP15 - Parking Standards - New Development

### **Neighbourhood Plan Status**

This application site is within a Neighbourhood Plan Area.

The Neighbourhood Plan is currently at:-

Stage 3: Pre-submission publicity and consultation

Accordingly, the Neighbourhood Plan has limited weight.

### **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**

##### **Sproughton Parish Council**

We object to this application for the reasons set out below but agree in principle that this site is a good site for employment and commercial use.

We agree that a buffer surrounds the residential area but consider it is insufficient as the present plan is presented. Our recommendation to set back warehouses further from the residential areas than the 15m specified in the original consultation appears to have been ignored. We believe this buffer should be wider and densely greener. We recognise that the outline planning application shows more greenery along the buffer and the inclusion of a Gabion Wall, but details of the planting and the Gabion Wall is unclear and therefore its benefit as a visual screen is not guaranteed by this application and significant concern has been expressed to the Parish Council by residents here.

We would therefore propose that the warehouses are set back further from the existing residential area and more details of the Gabion Wall height and planting associated with the wall and buffer area is provided. We would also ask that what is planted between the Warehouses and present Residential area should include trees of sufficient height once mature to visually screen the warehouses.

We are also concerned about the wildlife access around the site, through the site and into and out of the site because of the important wildlife route from the Copdock Interchange and underpass under the A14 linking the countryside to the South into three locally allocated wildlife areas, Chantry Park County Wildlife site, The SEP Nature Area/LNR and The River Gipping County Wildlife Site (downstream of the SEP Park). These are valuable community wildlife sites providing truly nature rich recreational and leisure areas for the expanding population of Ipswich that need support and protection to maintain the health of their diverse

ecosystem. These nature sites have endured and developed because the wide green Chantry Vale and River Valley have provided wildlife with an attractive migratory link to the wider countryside promoting genetic exchange between wildlife populations to prevent harmful interbreeding ensuring healthy wildlife colonies. These wildlife links need to be maintained otherwise significant long term harm will be done to these locally designated wildlife areas that are of significant benefit to the developing Ipswich area and support some rare and endangered species.

The applicants Ecological Assessment identifies the cycle path running beside the London Road as green infrastructure linking Chantry Park with the wider countryside via the Copdock interchange and tunnels. However this is too long and exposed for larger mammals like deer that need secluded green routes with undergrowth and bramble cover adequate for them to move amongst unseen and 'stepping stone' habitat areas along the corridor to rest and hide during the day. The Assessment also only considers species found resident on the site and not the more important occasional or seasonal transit of the species that need to move between the Wildlife Sites and the wider countryside. The assessment suggests biodiversity gains but is misleading as this does not consider the greater potential biodiversity harm that may be done by restricting the movement of species into and out of the Wildlife Sites.

The Havens Gateway project which set out the development proposals for Essex and Suffolk identified this need many years ago and proposed a Country Park in Chantry Vale and a green link across what is now the I55 Site and the Wolsey Grange 1 site into Hadleigh Road in Chantry Vale to ensure the health and vitality of these important wildlife sites for Ipswich. But this seems to be being ignored.

Instead, Along with Wolsey Grange 1 and the proposed Wolsey Grange 2 application half of the wildlife routes into the Chantry Vale particularly those from the Belstead Brook Valley area are being stifled by development leaving some narrow pathways also suitable for wildlife routes. To maintain wildlife routes suitable for some of the larger species it is important that access to these wildlife routes is inviting and as green as possible

The buffer around the existing residential area on the old London Road therefore becomes important as a quiet isolated wildlife route which hopefully will feed into a SUDs basin in WG1 that can act as a Stepping Stone Habitat area. But it pinches quite tightly at its northern end and appears to be fenced off there preventing the likes of deer from taking this route further into the WG1 SUDs area.

We would recommend more width to the buffer at this point and fencing and ground cover that will allow and attract larger mammal movements through the developed area with a realistic green vegetated wildlife route into and out of the buffer strip both to the Copdock interchange underpass area and Belstead Brook Valley and towards the inner wildlife areas.

It is noted that the application now proposes HGV/Vehicle access to the Thompson and Morgan site through the I 55 Site. The existing Copdock Interchange Retail Park has two access routes but only one exit route and all of those must go around the smaller roundabout at the junction of the main Tesco entrance. This is already an extremely congested roundabout and the addition of the I 55 site traffic plus all the Thompson and Morgan Traffic, HGV's and smaller vehicles into and out of both these sites will significantly overload this roundabout. This impact is likely to be even more severe on the smaller Park and Ride roundabout which will be very tight for HGV's. Then add to this the three vacant sites on the Retail Park which will generate additional traffic when re-occupied and the addition of a new Macdonald's that will add even more traffic.

We would propose that this site should not progress without improvements to both these roundabouts being implemented prior to any construction work due to the additional congestion that even site construction will create.

The Copdock (I 55) roundabout/interchange system is also well known to be overburdened and congested as is the A1214 J/W Scrivener Drive roundabout as a satellite of the interchange system. Improvements are required desperately and are a high local priority that we understand are proposed. We would recommend that this site was timed to avoid any major construction work on the rebuilding of the interchange as both projects running in tandem would put too much stress on the road network and the tolerance of road users. In preference the Copdock interchange improvements should be completed before adding additional demand on the road network with this application.

This site sits in the general area of significant archaeological finds. The ancient landscape places this site on a ridge over the line of the old Roman Pye Road close to the area where it would have turned North towards Norwich through what is now Sproughton village. It is a likely point along the road for Roman development and sometime after evolved the Hamlet of Felstead with its own Church or Chapel which disappeared several hundred years ago after having existed for many centuries. The exact position and extent of the potential archaeological evidence is unknown so we believe careful archaeological examination of the site before planning approval and certainly before undertaking any groundwork should be a priority.

Whereas the visual impact of 10 and 15 m warehouses may be limited these buildings will still be visible from some open countryside areas. We would ask that provision for layered or block green or blue sky type camouflage/visual bulk breakdown in the buildings cladding is incorporated to reduce their visual impact on the surrounding countryside or better still living green wall planting.

We would ask that provision for extensive tree, shrubbery and other green infrastructure like green walls and hedgerow dividers, particularly pollinator supporting planting is incorporated around the development. To aid with the Queens Canopy aspirations for a new tree per person to regreen and to regenerate the natural environment for future generations.

No mention is made of energy aspirations of the development. We would ask for some commitment to the use of extensive solar power on roofing, heat pumps for warehouse/office heating and battery systems to store power for overnight use. There is also the opportunity for a Grey water harvesting and/or Rainwater collection system to irrigate the greened areas of the site. An ideal commitment would be to achieve a development harvesting sufficient renewable energy for its own lighting and heating.

### **Copdock and Washbrook Parish Council**

With regards to Highways & Movement:

The development site has the proposal to increase a maximum amount of parking at any one time of 469 spaces + 39 HGV. Over the space of a 10-hour operating period this could increase traffic movements by 1876 vehicles + deliveries.

Access to and from the proposed new development. The existing access road and roundabout to the A1214 to Tesco's is already overloaded by users especially at peak times and certainly Christmas time. With HGV's now joining the queue to get out of the retail site will be even worse.

What also has to be taken into account is the future construction of the McDonalds restaurant which obtained planning permission. The old Toys-R-Us building which unoccupied at present will create more traffic use of the access road together with the opening up of the old Mothercare building.



## Pinewood Parish Council

Traffic from Stoke Park, Belstead Hills and the small local villages passes through Pinewood in order to access the wider road network. A number of commercial developments have been built in the last few years as well as One, the sixth form college which now has up to 2,000 students. In addition, BDC has also granted planning permission to Taylor Wimpey for 475 dwellings, an application for a further 750 is in the pipeline. BDC has granted planning permission for a 65 bed care home with an additional 20 dwellings on the Belstead House site and 155 on the Belstead Meadows site. Some of these developments have already contributed to increased congestion on Scrivener Drive and the access points, including Sprites Lane, to the wider road network, those in the pipeline will cause further difficulties for residents and this proposal will add to further congestion. Pinewood Parish Council has asked BDC to consider the wider implications of a number of these developments on these matters when at the planning stage, but so far it has refused to do so. We ask that this is not the case in this instance.

It is proposed that the greatest proportion of the site will be for B8 warehousing and B2 light industrial use. This is the issue that gives us the greatest cause for concern for the following reasons:

**Traffic and Road Use** It appears that access to the site will be from the A1214 Tesco roundabout, using traffic capacity already consented within the Wolsey Grange development, passing round the back of Tesco and entering the site via a newly designed and constructed roundabout at the Park and Ride site. However, it is likely that traffic coming from Ipswich and the A1071 will access the site via the Tesco/ Scrivener Drive roundabout.

The Travel Plan confirms that all vehicles will exit the site via the Park and Ride roundabout and onto the strategic road network via the Scrivener Drive roundabout.

Therefore, both entering and exiting traffic will place increased pressure on the Scrivener Drive roundabout which is one of the main access points to the wider road network for residents of Pinewood, Belstead and Stoke Park. The Aldi store and One Sixth form College have already caused a great increase in traffic to Scrivener Drive. Traffic already builds up to gridlock proportions whenever there is a problem on the strategic road network, causing delay and frustration to these residents.

The Tesco site already has a number of retail and fast food outlets as well as a large Filling Station and a 24-hour McDonalds will be constructed soon. There are 2 large retail premises, formerly Toys are Us and Mothercare, which are presently empty but will no doubt in the future come back into use. The road from the Park and Ride roundabout to the Scrivener Drive roundabout, which serves all these premises and shoppers is of limited length and would soon become congested at peak times of shopping.

The Travel Plan asserts that the A1214 has a high traffic capacity and can accommodate a large proportion of HGVs. We would claim that it has already reached that capacity, the person who wrote this has obviously not seen the traffic queues between Scrivener Drive and Copdock Mill Interchange at any given hour of the day. Rush hour now seems to begin at mid-afternoon.

The Travel Plan also makes the assumption that workers travelling to the site will find it easy to walk or cycle to the site. It states that the topography is undulating and that it is possible to travel to most parts of Ipswich in 25 minutes by cycle. It may appear undulating when travelling by car, but the town of Ipswich sits in a valley and when travelling from one side to the other it is necessary to negotiate hills of varying steepness. Consequently, despite there being a number of cycle lanes on town routes, cycling is not a widespread activity for travel to work. It is doubtful that the writer of the Travel Plan has actually cycled many of the routes. Therefore, this cannot be considered as a viable option to reduce car use in this case.

Conclusion

Increased traffic movements, many of which will be of HGVs, will result in further congestion and gridlock for the residents of Pinewood and other residential settlements in the area.

The Travel Plan states at present there are 29 parking spaces on the site, the proposed number of 257 will mean an increase of 228 so workers and visitors to the site will increase daily traffic movements greatly.

The majority of units will be for warehousing, storage or distribution, 17347.6sqm compared to 800sqm for offices. This indicates that most vehicular movements will be HGVs and other large vehicles, the site is likely to be operating for 24/7 so the potential implications for the residents of Pinewood are significant in terms of noise and extra traffic on our already congested local road network.

The Design Access statement 3:10 states that the build completion by 2025 is not unreasonable. All potential road improvements will not be in place by then. Even if improvements to Copdock Interchange are approved, funding will not be available until 2025 at the earliest and completion will not be until 2020 at the earliest.

We contend that this application is for a site that is not suitable for its intended use.

The local road system is already overloaded and there are concerns that the strategic road network will not be able to cope with the increased traffic load.

There are already a number of housing developments in close proximity to the site and more are planned. There are already a number of such sites already planned or in operation on the fringe of Ipswich, none of them appear to have the limitations we have described in this submission.

Pinewood Parish Council therefore wishes to register its objection to this application

### **National Consultee**

Natural England: No objections

Historic England: No comments

National Highways: Recommends conditions to agree design details relating to the required scheme for traffic signs queues likely on road ahead warning signage on the A14 Western approach to Copdock Interchange

### **County Council Responses**

Fire and Rescue: Recommends condition relating to fire hydrants

Developer Contributions: does not have any requirements for developer contributions in relation to this application.

Flood and Water Officer: Recommends approval subject to conditions

Archaeological Officer: The site has been subject to archaeological evaluation that includes Desk-Based Assessment, Geophysical Survey and Archaeological Trial-Trenching (reports from GHC Archaeology and Heritage submitted in support of the application).

The works have confirmed that the north-eastern area of the proposed development will affect an historic cemetery that is almost certainly associated with the site of the 'lost' medieval chapel of Felchurch. The

cemetery is present within a 'dogleg' in the field boundary of a larger field that is called 'Chapel' on the 1837 tithe map. References to the chapel appear in medieval documents and it was likely linked to medieval occupation and activity that has been recorded around Poplar Lane as part of the Wolsey Grange development. Given the potential for the chapel site and burial ground to be present (as set out in our letter of 30th November 2021), Suffolk County Council Archaeological Service (SCCAS) advised that trial trenching should be undertaken ahead of a planning decision, in order to confirm whether there was a chapel and cemetery on the site, and to establish the quality, level of survival, extent and significance of any remains.

The field evaluation commissioned by the applicant has addressed these questions, within the parameters of a reasonably targeted sample that gave coverage across the potential area of the church where it lies within the proposed development area. The report confirms that there are burials present within an area in the north-eastern corner of the site that appears to be enclosed by ditches, which is consistent with the map evidence.

Seven burials were identified within a 'churchyard soil' – a soil deposit that builds up in an active churchyard - in evaluation trench 2. The burials recorded were at the top of this soil, where it was first encountered, and there is potential for stratified layers of burials beneath. The full depth of the sequence of burials was not investigated in the trenches, in order to minimise damage to human remains, and there may be a large number of burials in the area. The skeletal remains were shown to be generally well preserved and in good condition.

Regarding the chapel itself, traces of a building were limited to a deposit of tile found within a ditch or other feature (in trench 16), and to finds of tile in other trenches in the vicinity (identified by CFA Archaeology specialists as tile that post-dates the 13th century). A formless concentration of flint pebbles was also observed on the site visit, although this may have been a natural occurrence. Within the evaluation, and the preceding geophysical survey, there therefore did not appear to be clear traces of structural remains relating to a church, although the tile likely does represent demolition material. It would not be unreasonable to suggest that the church site itself may have been impacted by ploughing and agriculture, or that there are remains present of a smaller scale such that they would only be revealed through full excavation of the site - or even that it was within another 'dogleg' area observed on the tithe map adjacent to the one which falls into the site.

To the south of the ditch which appears to be a boundary ditch for the cemetery area, features included a pit in evaluation trench 6 included a loom weight and what appeared to be fragments of a kiln lining, which is indicative of late-Saxon occupation in the area. The area of the burial ground and this area to the south of it comprise the area of interest within the proposed development area.

Across the rest of the site, there were a few sparse remains recorded in the trial trenching, and we would not advise that they require further mitigation work.

### **Relevant Policy and SCCAS Position**

Firstly, we highlight that any disturbance of burials would need a licence from the Ministry of Justice, which is a separate consenting process.

In relation to the planning process, we advise that the site constitutes a significant non-designated heritage asset, as a 'lost' chapel/cemetery site within the hinterland of Ipswich, with the site currently appreciable as occupying a rise over the small valley which runs through the site. The site also has high archaeological research value, as it would provide an example of a cemetery group that could contribute to bioarchaeological questions raised in the regional research framework for East Anglia,<sup>1</sup> and one that could potentially contribute a case study for broader questions.

The National Planning Policy Framework (NPPF), footnote 68, highlights that 'Non designated heritage assets of archaeological interest which are demonstrably of equivalent significance to scheduled monuments should be considered subject to the policies for designated assets.'

The site has not been tested against criteria for designation through a formal process. However, whilst there is latent scientific value in a group of human remains, the criteria for designation of medieval cemetery sites acknowledges that there are a high number of known medieval burial sites and includes the following points which are intended to guide the targeting of sites for scheduling (Historic England 2018, Commemorative and Funerary Scheduling Selection Guide2 p. 24):

- Some examples which ceased to be used for burials at the time of the dispersal of their populations have been scheduled within the designation of larger areas of deserted medieval settlement or the scheduling of ruined church sites – this would not be applicable in this case.
- Newly identified mass burial sites would almost certainly meet the standard for scheduling (meaning large numbers of burials associated with plague or battle, for example, which is not the expected case here).

Given the more ephemeral evidence for the church identified within a reasonably targeted evaluation, SCCAS would not object to the scheme on the grounds of a need to preserve in situ remains that are demonstrably of equivalence to designated sites of national importance.

However, we advise that the site is of local/regional significance and importance, and paragraph 203 of the NPPF is relevant. This says that

'The effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset'.

Policy LP21 of the emerging Local Plan (November 2021) is also relevant and highlights that harm to heritage assets should be avoided in the first instance.

SCCAS advise that an optimum approach to managing remains on the site would be one that preserves it in situ as an open space, which would minimise disturbance and allow some recognition and commemoration of the place of Felchurch. In a housing scheme along different lines to the proposed development, for example, this could be achieved through preservation within a public amenity area, with some interpretative information.

The current plans for employment/office/industrial/warehouse use of the site involve construction over the area of archaeological interest (part of Block 2 buildings, overflow parking, potential access, and parking bays). We advise that decision makers should weigh up the economic and public benefits of the development, and the viability of the scheme as it is designed, against the impact on heritage assets (archaeological remains). Should consent be granted, the use of appropriate conditions to secure archaeological mitigation would be compliant with national and local policy. Therefore, we advise that in accordance with the National Planning Policy Framework (Paragraph 205), any permission granted should be the subject of planning conditions to record and advance understanding of the significance of any heritage asset before it is damaged or destroyed.

There are potential mitigation options available for the scheme which could be secured through suitably worded conditions. These are full archaeological investigation of the site or, potentially, exploration as to the possibility of preserving remains within the parameters of construction design. Both approaches should also be supported by provision of interpretation on the site in design, or other public outreach.

## **Archaeological Requirements**

### *Excavation*

A programme of excavation will allow investigation and recording of the site prior to impacts from development. The costs and timescales of appropriate, robust, and proportionate excavation, analysis, research, archiving, and dissemination of information to enhance public understanding for cemetery sites can be high. We would advise early consideration of costs, timescales, and project design, and appreciate that the applicant's archaeological consultant is advising in this regard. Provision/contingency should be made for large numbers of burials.

A programme of excavation would require a research design proportionate to the significance of the remains. The burials would have special archaeological significance and interest as a medieval group which has not been disturbed by later burial (as is often the case with parish churchyards, for example). A programme of investigation should be informed by the East Anglian Regional Research Framework, and bioarchaeological research frameworks (<https://researchframeworks.org/>). As an assemblage from a rural site, there would be scope for comparison to the medieval urban cemetery excavated at Stoke Quay, within Ipswich (although the population at Felchurch would likely have been smaller).

Ground Penetrating Radar may be applicable as a further evaluation tool to seek to establish depths/numbers of burials and inform a mitigation strategy, subject to specialist advice on the suitability of the site for the particular technique.

The chapel may also have had older origins (the name has been interpreted as a corruption of 'vielle' or 'old' church), borne out by the archaeological evidence for the use of pillow stones noted in the evaluation report, and by the identification of what appears to be Early Medieval/Late Saxon occupation to the south of the cemetery area. The identified area of interest also covers this area of occupation to the south of the cemetery. Together, mitigation should reflect the potential of evidence from the site to contribute to our understanding of the earlier medieval/late Saxon period in the area. The sites are at the top of the higher ground over the small valley that runs through the site, in what would likely have been a prominent location in the landscape.

### *Preservation in Situ*

With regards to the feasibility of preservation within the scheme, we have some concerns that burials are relatively shallow in places and hence vulnerable to development over them, and also that the site occupies and can be appreciated as a slightly raised area (partly perhaps due to the burial soil, and also a shorter history of ploughing), which may present some challenges to burial and preservation.

However, we understand from the applicant's agent that the intended lighter weight garaging/single-storey buildings for block 2 would enable some flexibility for a scheme to raise the ground whilst remaining within the parameters of proposed building heights, which could offer the potential to contain services and foundations within made ground.

As designs/reserved matters applications are progressed, we would need to see the development design over the archaeological remains, along with detailed engineering information. We would also require further information on the depths of archaeological remains in relation to site topography (enhanced illustration in the evaluation report would be ideal) to fully appreciate the size of buffer needed, and to understand the absolute levels of impacts. We advise that the approach would need careful consideration and design to ensure that remains are not damaged through either construction or compaction, as we would seek to preserve skeletal remains in their current condition. There are options that could be explored such as a supported slab or raft. We would also seek to ensure controls on proposed landscaping and preparation for the road and parking areas.

### ***Appropriate Condition Wording***

We recommend the appended suite of conditions (see Appendix), in order to allow the development of an appropriate mitigation strategy at an appropriate point. The conditions would cover excavation and mitigation, and preservation in situ if appropriate, allowing flexibility as design progresses. We would be happy to discuss tailored condition wording and would also be happy to agree the area of the site that should be subject to mitigation, so that it can be referred to in the condition wording. This will focus on the area of the medieval burial ground (northwards of evaluation trench 2 and eastwards of evaluation trench 10), and on the area of Early Medieval/Saxon occupation to the south of it (trenches 2,8,9, 6 and 7 and eastwards).

## **Local Highway Authority**

### **Response 18/08/2022**

Further to the submission of additional plans and documents and subject to confirmation from National Highways that the impact upon the Copdock Interchange (A14 J55) is acceptable (that we understand is imminent), we are satisfied with the proposal subject to recommended planning conditions and a Section 106 contribution as detailed below.

With regard to the traffic impact, we do have some outstanding issues around the methodology in the submitted modelling. However, we are now satisfied that it represents a robust assessment of the *impact* upon the junctions of greatest concern. It is clear from the submitted junction modelling that a significant impact upon the Scrivener Drive/ A1214 roundabout results from the proposal (above the baseline) in both the AM and PM peaks on multiple arms of the roundabout in its current and future (improved) form.

Section 106 Contributions: In order for the proposal to be acceptable to the Highway Authority, we require a S106 contribution towards sustainable travel improvements on the A1214 London Road corridor to further encourage the use of sustainable modes of travel and mitigate the impact of the development on the local highway network. This is identified in the forthcoming Ipswich Transport Strategy and contributions will be sought from this and other large developments in this area to provide a significant improvement scheme.

A S106 contribution of £124,875 (based upon £5 per sq. metre of floor space) is required.

Without this contribution, the proposal would not be in accordance with NPPF 111 due to a severe cumulative impact upon the highway network.

We feel that this request is fully in accordance with NPPF paras 57, 110 and 112 and the relevant local policies as detailed below:

The National Planning Policy Framework (NPPF) [July 2021] paragraph 57 sets out the requirements of planning obligations, which are that they must be:

- a) Necessary to make the development acceptable in planning terms;
- b) Directly related to the development; and,
- c) Fairly and reasonably related in scale and kind to the development.

In terms of priorities for walking and cycling and promoting sustainable transport modes, the NPPF paragraph 110, specifies that in assessing specific applications for development, it should be ensured that:

- a) appropriate opportunities to promote sustainable transport modes can be – or have been – taken up, given the type of development and its location;
- b) safe and suitable access to the site can be achieved for all users.

Whilst paragraph 112 specifies that applications for development should:

- a) give priority first to pedestrian and cycle movements, both within the scheme and with neighbouring areas; and second – so far as possible – to facilitating access to high quality public transport, with layouts that maximise the catchment area for bus or other public transport services, and appropriate facilities that encourage public transport use;
- b) address the needs of people with disabilities and reduced mobility in relation to all modes of transport.

Babergh Core Strategy (2014) Policy CS7 identifies the need for: 'good links and / or the enhancement of existing links for pedestrians and cyclists to local shops and services, schools, employment areas, and public transport routes and services.'

### **Subsequent response 31/10/2022**

Further to our response dated 18/08/22, discussions with the applicant and their representatives have taken place regarding the Section 106 contribution requested by the Highway Authority for sustainable travel improvements.

This request was made to mitigate the impact upon the local highway network of this proposal by encouraging modal shift in line with the ISPA (Ipswich Strategic Plan Area) mitigation approach regarding travel choices (reducing private vehicle use). Whilst in most circumstances, we would look to secure junction capacity improvements where the impact upon a junction is unacceptable, in this instance the junction in question (A1214, Scrivener Drive roundabout) is already subject to a secured capacity improvement as part of the Wolsey Grange highway improvement measures.

The applicant has not accepted the Section 106 contribution request and following further review and consideration, it is accepted that we are not in a position to maintain our objection to the proposal without the contribution. However, we have recommended a further planning condition overleaf regarding the aforementioned junction improvement to ensure that it is delivered at an appropriate time.

It is noted that the proposal will be providing a significant investment in off-site highway improvements that will benefit users of the proposal and others. This will also encourage some modal shift and may also improve the viability of the existing park and ride bus service.

Additional recommended planning condition:

Condition: Prior to the occupation of 25% of the hereby permitted development, the off-site highway improvements to the A1214/ Scrivener Drive/ Tesco roundabout as indicatively shown on Drawing No. 5244 SK-26 Rev C (included in the approved planning documents submitted for planning permission B/15/00993) shall be completed in accordance with details that have previously been submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure that the necessary highway improvements are designed and constructed to an appropriate specification and made available for use at an appropriate time in the interests of highway capacity and safety.

Note: These improvements are secured as part of planning permission B/15/00993 (Wolsey Grange) and are due to provided prior to occupation of the 300th dwelling. This condition will only need to be complied with if not completed by the Wolsey Grange development prior to 25% occupation of this proposal.

### **Internal Consultee Responses**

Environmental Protection- land contamination: No objection and no requirements for further investigations.

Environmental Protection – air quality: Based on the report of Create Consulting and our own knowledge of the site I am satisfied that the development is unlikely to result in a significant adverse impact on air quality in the Babergh district nor is it likely to result in an exceedance of air quality objectives at, and around, the development site

Landscapes: The site area is within the Gipping Valley Special Landscape Area and sits within the Babergh Ipswich Fringe (CS7) Strategic Site Allocation identified in the Babergh Local Plan 2011-2031- Core Strategy and Policies (2014). We have reviewed the submitted LVIA and considered to be in line with the standards set out in the Guidelines for Landscape and Visual Impact Assessment (GLVIA3). We are satisfied with the mitigation recommendations and receptors identified and the identified viewpoints.

We welcome the proposed landscape strategy which has reflected the mitigation measures established in the LVIA; – Retention of the existing landscape features which are strategically important within the wider landscape context. – Proposed 15 metre zone of landform and native woodland and shrub planting along the western (A14) boundary of the site to mitigate the impact of the development in particular in wider views from the west. – Proposed 15 metre set back zone containing native woodland and shrub planting along the southern (London Road) boundary of the site, extending along the northern boundaries of the existing residential properties on London Road. – Careful choice of materials - building elevations to be clad using non reflective materials with recessive matt finishes. Natural lighter and recessive colours will be used whilst stronger brighter colours and tones will be avoided. – Follow the principles set out in the ecological assessment of the site, the landscape strategy will enhance biodiversity. – Integration of the landscape, ecology and sustainable urban drainage.

Previous concerns over the height of the proposed buildings and the potential impact in the skyline in particular to the north of the site where buildings sits on higher ground, can be reflected on Viewpoints 7, 8 10, 12 wireframe models. The current building height for Block 1 and Block 3 is 15m. It is considered that a reduction in height will help to get the proposal absorbed by the existing built form. Visual impact of Blocks 2,4,5 and 6 is less of a concern as these are 10m high and sit on lower ground. We would recommend that the height for Block 1 and Block 3 is reviewed to reduce its impact in the landscape and deliver a scheme that blends better in the landscape. Effort has been made to address the landscape comments made at pre-application stage with regards SuDS, buffer zones and tree planting. We acknowledge the constraint that the existing water main/easement corridor has on the proposal and the impact this has on the proposed buffer zone along the western boundary. The proposed landscaping strategy along the access road to the development is acceptable. We welcome the addition of rain gardens in the outline proposal. Rain gardens should be planted with a wide range of species appropriate to the conditions of each rain garden. Marginal planting might not be the best choice if these areas are anticipated to be dry most of the time. A mix of drought tolerant plants and plants that can withstand occasional flooding will be more suitable. The proposed infiltration basins should be improved by having a range of gradients to create a natural landform - 1 in 4 slopes preferred - and by diversifying the planting to include trees, woody shrubs, and wildflower mixes to provide for biodiversity and habitat creation.

Overall, we consider that the principles shown in the outline landscape proposal have taken regard of Policy CR04 (development in Special Landscape Areas). The introduction of industrial development will create a more urban character, but with the implementation of the proposed landscape mitigation alongside a reduction of building height to softening the skyline, the proposed development could be accommodated and its landscape and visual impact reduced to acceptable levels. The commercial buildings would not be



fully screened but would be viewed in conjunction with trees and integrated with Ipswich's western fridge. Place Services is a traded service of Essex County Council The principles of the landscape proposal would also contribute to the creation of woodland and to biodiversity enhancement at the same time as retaining and enhancing the boundary vegetation. Recommendations If minded for approval, we would recommend the following: – A reduction in height for Block 1 and Block 3. – Improvements to the proposed infiltration basins by diversifying the planting to include trees, woody shrubs, and wildflower mixes to provide for biodiversity and habitat creation. – We would recommend the use of permeable paving on car park areas to reduce water run-off. – Additional native species hedge planting to fill in the gaps along the northern boundary. – The proposed planting scheme should be of native species to reflect the landscape character type and to deliver a varied tree planting palette with long life expectancy trees. A detailed landscape plan, landscape specification (including existing vegetation to be removed and retained), a proposed hard and soft landscaping plan, a boundary treatment plan, SuDS plan and landscape management plan are submitted as part of any reserved matters applications. We recommend the following conditions for consideration:

Environmental Protection- sustainability: No objections recommend conditions relating to a scheme for the provision and implementation of water, energy and resource efficiency measures, during the construction and operational phases of the development.

Heritage: No comments

Arboricultural Officer: I have no objection to this application subject to it being undertaken in accordance with the measures outlined in the accompanying arboricultural report. Although a small number of trees are proposed for removal they are of limited amenity value and/or poor condition and their loss will have negligible impact upon the character of the local area

Environmental Protection – noise and odours:

Environmental Protection have the following concerns.

- Noise from vehicle movements, FLT's Container lift etc may cause loss of amenity or nuisance
- Noise from the handling of materials externally may cause loss of amenity or nuisance
- Noise, Fumes, smoke and odours from a B2 activity may cause loss of amenity or nuisance
- Noise from any externally mounted plant such as air handling units, extract ventilation, refrigeration etc may cause loss of amenity or nuisance
- Lighting may cause loss of amenity or cause nuisance

The applicant has indicated that hours of operation are not relevant to this application. I disagree that hours are not relevant for heavy industrial uses and distribution activities which have a potential high impact depending on the actual use within the B2 and B8 use classes. It is therefore assumed that the applicant is applying for 24 hour use at the site which, as identified, is in close proximity to existing housing and a significant number of new housing currently under construction.

A noise assessment has been carried out by Adrian James Acoustics limited. The assessment is a background noise level survey but in the absence of any actual known occupant for the proposed business units at this stage, a full BS4142 assessment has not been possible. The report suggests setting noise limits using the background noise levels for day and night time hours. The established background levels are as follows.

- Daytime (07:00hrs – 23:00hrs): 42dB LA90,1hr
- Night-time (23.00hr – 07:00hrs): 33dB LA90,15min

I have no objection in principle to setting noise limits for the site. The report proposes + 5 dB above background noise levels, however, there is difficulty with this approach due to there being multiple units

that could potentially be occupied by different businesses. If each business is set a noise level of +5dB above background there will be noise creep (if each business used the full noise allowance) as each unit is occupied which will take the overall noise rating level to +10dB or more above background which BS4142 considers to cause a significant adverse impact on residential dwellings. In addition a +5dB is the point at which the onset of an adverse impacts begins. While this is may be acceptable in quiet rural areas where background levels are very low, in higher noise environments most local authorities to ensure that noise from commercial activities does not exceed background and in some cases require noise to be below background (this is also to minimise noise creep slowly raising overall ambient noise levels, which ultimately can become a risk to health of long term occupants).

Setting levels by planning condition needs to be enforceable as well as practical to provide the protection to off-site receptors. A single noise limit for the site as a whole is unlikely to be practical in its enforceability and difficult for any overall site management company to control. Therefore an appropriate effective condition will need to be agreed with the applicant.

Concerns regarding potential light and fumes/odour effects, these matters can be mitigated via conditions. I therefore have no objection in principle subject Conditions.

Place services: Ecology – No objection subject to conditions.

### **Other Consultees**

Anglian Water: There is sewerage capacity for this development

East Suffolk Drainage Board: I am pleased to see that initial testing shows that a drainage strategy reliant on infiltration is likely to be achievable on the proposed development. If for any reason a strategy wholly reliant on infiltration does not prove viable and a surface water discharge is proposed to a watercourse within the watershed catchment of the Board's IDD then we request that this be in line with the Non-Statutory technical standards for sustainable drainage systems (SuDS), specifically S2 and S4. Resultantly we recommend that the discharge from this site is attenuated to the Greenfield Runoff Rates wherever possible.

Ipswich Borough Council:

#### Employment Need

Information has been provided in the Planning Statement of this outline application that sets out the demand and availability of employment land in the area. There has been a significant level of employment-related commitments, commencements and completions in Suffolk over recent years, particularly along the A14 corridor. This includes developments at the Eastern Gateway (Sproughton), the Port One Business Park (Great Blakenham) and Gateway 14 (Stowmarket).

The Ipswich Economic Area Sector Needs Assessment (2017) identified a combined need for approximately 12.3ha within Babergh and Mid Suffolk District Councils from 2014 – 2036. The identified commitments and developments are likely to substantially exceed the identified land requirement of 12.3ha.

The Council has no objection to the identified over-delivery of employment land in these two districts and supports sustainable economic growth in the wider Ipswich Strategic Planning Area (ISPA). However, it is important that individual proposals, such as this application, consider whether there are more suitable sites in adjoining authorities that may be more sustainably located. As this site is on the Ipswich Fringe, it is recommended that the work undertaken within the Planning Statement considers sites in Ipswich Borough.

This would ensure both that the most sustainable sites are brought forward, and that economic growth is distributed more effectively over the wider ISPA to achieve the sustainable growth of the wider area.

To achieve this, in this case, it is requested that the applicant considers whether the following sites in Ipswich Borough would be suitable for the proposal in question:

Land at Bramford Road 2.26ha  
Former British Energy Site, Raeburn Road South 4.18ha  
Land north of Whitton Lane 6.93ha  
Airport Farm Kennels, South of Ravenswood 7.37ha

Details of the sites above can be found in the adopted Ipswich Local Plan (2017) Site Allocations and Policies Development Plan Document<sup>1</sup>.

In addition, there are also plots available at the Eastern Gateway (Sproughton Enterprise Park) on Sproughton Road within Babergh District. Chapter 11 'Making Effective Use of Land' of the NPPF (2021) requires planning decisions to support the development of under-utilised land and for authorities to take a proactive role in identifying and helping bring forward land that may be suitable for meeting development needs. Similarly, although only limited weight can be placed upon it, the emerging BMSDC Local Plan Policy SP05 requires prioritisation to be given to development on brownfield previously developed sites and for applicants to demonstrate that development cannot be accommodated on existing employment sites. Consequently, it needs to be demonstrated that the applicant has considered all of the available alternative sites, including brownfield land and sites within Ipswich Borough.

#### Transport & Air Quality

To understand the cumulative impact on the highway network of the combined growth proposed through the draft updated Local Plans for Ipswich, Suffolk Coastal Area, Babergh and Mid Suffolk to 2036, assessments have been undertaken using the Suffolk County Transport Model (SCTM). A modelling report published in January 2019 identified that '...the built up area of the Ipswich network comes under particular strain, [and] that in a number of locations the ability to deliver road capacity improvements is highly constrained by available space and could also move the problem 'further down the road'. In addition, Ipswich has four designated Air Quality Management Areas (AQMAS) within the central area of Ipswich, as a result of pollutants from road traffic.

In response, Suffolk County Council prepared a Transport Mitigation Strategy<sup>3</sup> for the ISPA. To achieve the aims of the ISPA Transport Mitigation Strategy and address the issues of growth on Ipswich, it is critical that effective alternatives to private car are offered to people to ensure that sustainable travel modes are prioritised. Page 86 of the ISPA Transport Mitigation Strategy states that one of the implementation measures is to "identify improvements to current park & ride services..." The proposal would involve the loss of 23 park and ride spaces at the Copdock Park and Ride. The loss of these 23 spaces could undermine the ability of this part of the ISPA Transport Mitigation Strategy to be delivered and have a significant adverse impact on the highway network of Ipswich. The loss of these spaces is not supported by Ipswich Borough Council.

With regards to air quality issues, it is noted that SCC Highways have concerns over the adequacy of the Transport Assessment and that it does not adequately assess the impact of the development on the local highway network. Since the current TA is deemed unacceptable, the Air Quality Assessment provided by Create Consulting Engineers should be reviewed and updated once the TA has been updated to the satisfaction of SCC Highways. I would be grateful if IBC could be consulted on any updated Air Quality Assessment so we can comment on the proposal further.

Having reviewed the air quality assessment submitted in support of this proposal, IBC are not sufficiently reassured that the development will not result in unacceptable impacts to air quality in Ipswich. In particular, confirmation is sought upon:

- o The impact of the proposal on diffusion tube site, DT18. IBC are very close to exceeding the annual mean objective level at this site which could result in the declaration of a new AQMA.
- o The impact of the proposal on air quality at the Hadleigh/London Road junction. o IBC are aware that para 5.8 of the AQ assessment states that the traffic loadings associated with the overall Wolsey Grange scheme are also accounted for in full in the modelling scenarios but IBC requires assurance that the sites do not result in unacceptable impacts, particularly to the aforementioned locations.
- o The HDV and LDV flows within/adjacent to IBC's AQMAs and elsewhere.

IBC strongly recommend that in order to avoid detriment to air quality within Ipswich, that the routing strategy for construction vehicles does not pass through central Ipswich. IBC would suggest that a condition is imposed requiring that a Construction Environmental Management Plan is submitted to BMSDC and also to IBC's LPA and Environmental Health Departments for agreement in writing prior to works commencing. In addition, IBC would encourage that BMSDC require a travel plan for construction workers accessing the site.

IBC would suggest that a condition is imposed requiring the Construction Environment Management Plan to include the mitigation measures detailed in table 6.5 of the Air Quality Assessment. Of particular concern for Ipswich will be the routing strategy, but there is also the possibility for residents to be impacted from dust from construction vehicle track-out if the suggested mitigation is not implemented.

IBC support the comments made by SCC Highways relating to pedestrian and cycle access to the site and the requirement for the internal layout of the site to provide high quality segregated pedestrian (including vulnerable road users) and cycle routes.

EV charging and secure cycle and powered two-wheel storage should be provided in accordance with the Suffolk Guidance for Parking (2019).

Ipswich Borough Council objects to the loss of the 23 park and ride spaces that would result from this proposal due to the impact that this would have on the effectiveness of the ISPA Transport Mitigation Strategy, and subsequent detrimental effect this would have on the highway network and air quality in Ipswich. In addition, it is requested that the applicant identifies whether alternative sites in the Borough and at the Eastern Gateway (Sproughton Enterprise Park) in Sproughton could accommodate the proposed development.

Cllr David Busby: My overriding concern is with the increase in traffic that will result and its planned access. The internal roundabouts are extremely busy with existing users. In addition to businesses already trading, we have approved a drive-thru MacDonalDs plus there are the ToyRUs, Mothercare and Majestic Furnishings buildings that will come back into use one day.

There will be an additional 1500 houses who are likely to access the site. I don't believe the access roads will cope with all of this additional traffic. Using the same smaller roundabout are the Park & Ride, the CoVid testing centre plus the small retail site. There is also a footpath from Copdock village which brings pedestrians and cyclists in contact with vehicles. In addition to all of the new businesses that this application will bring, it is proposed to build a link to Thompson & Morgan

In the original plans the employment site was going to be accessed via a new junction on the A1214 - what happened to this? I welcome new employment opportunities for this area but not warehousing.

Cllr Ric Hardacre: I wish to register an objection to this proposal. The plans would generate an unacceptable level of traffic resulting in congestion, noise and pollution on top of the existing oversaturated set of roundabouts within Copdock Interchange, with the A1214 and further afield including Scrivener Drive. These roads are already at capacity even without including the newly approved McDonalds yet to be built, the former Toys-R-Us and Mothercare buildings which may come into occupancy at little notice.

Furthermore this development would represent the final destruction of what remaining green land there is within the enclosure of the A14, when taking the Wolsey Grange developments into account and the allocated employment land adjacent to the Holiday Inn. This land should instead be rewilded, with majority given over to new tree planting to reduce particulate and noise pollution as well as contributing to fighting climate change. This new green woodland would provide recreation space for residents of the new builds and could be tailored as wildlife corridors and links between the old-A12 underpass, the Hadleigh Road bridge, Chantry Vale and onwards to Chantry Park

## **B: Representations**

At the time of writing this report, at least one online comment has been received. It is the officer opinion that this represents one objection. A verbal update shall be provided as necessary.

Views are summarised below:-

- Proposed development should take HGV traffic from Thompson and Morgan as Poplar Lane is not suitable for HGV traffic.
- The proposed heights of the buildings would be detrimental to the amenity of neighbouring properties
- Proposed trees will not be tall enough to screen the buildings.

(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**

No relevant history on the site. The adjacent site has planning permission for employment and residential purposes as part of the larger Worsley Grange site.

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# **PART THREE – ASSESSMENT OF APPLICATION**

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## **1.0 The Site and Surroundings**

- 1.1. The site comprises an agricultural field measuring 7.98ha. Two electricity lines with pylons cross the site. The site slopes steeply from north to south. To the north of the site is an area of informal parking associated with Thompson and Morgan and, beyond this, the buildings and land comprising the Thompson and Morgan employment site. To the east of the site is agricultural land which has outline planning permission for employment purposes as part of the wider Wolsey Grange development. To the south of the site is the London Road Park and Ride Site, London Road and a cluster of seven dwellings. To the west of the site is the A14. Beyond the site are the large warehouse type buildings comprising the Interchange Retail Park and Tesco Extra.
- 1.2 The site is relatively open with some mature trees to the south between the site and the park and ride site.

## **2.0 The Proposal**

- 2.1. The proposal is a Hybrid Application consisting of an Outline Planning Application for Interchange 55 comprising predominantly industrial (B2 use) and warehousing (B8 use) and prospective offices, research and light industry (E(g) (i, ii, iii) uses) buildings; and a Full Planning Application for access to the development and associated landscaping.
- 2.2. The proposed access would be via the park and ride site to the south, the existing exit road out of the park and ride would be widened and lengthened to break through into the site. This would involve the loss of some of the vegetation within the site.
- 2.3. Access to the London Road Park & Ride and onwards to the site is via the A1214/Scrivener Drive roundabout, through the access road to Tesco and The Interchange Retail Park and over two small roundabouts. There is also a potential access from the Thompson and Morgan site for HGVs and emergency access.
- 2.4. The indicative layout for the employment land shows six large blocks of buildings, one located to the east, three in the centre of the site and two to the west. Parking and servicing would be provided for each unit. There would be two infiltration basins located either side of the access road to the south east of the site.
- 2.5. Landscaping would be retained and supplemented especially along the A14 and London Road boundaries. A 15-metre landscape belt would be provided between the new employment buildings and seven dwellings located on London Road.

## **3.0 The Principle Of Development**

- 3.1. Policy CS7 of the Babergh Core Strategy (2014) allocated the site and surrounding land for 26 hectares of mixed use development including approximately 6 hectares of employment land to create a quality gateway business/employment area. The adjacent site has been developed as Worsley Grange for 29.7 hectares of mixed use development including 4 hectares of employment land. The masterplan for Worsley Grange showed the site as employment land to come forward in the future.
- 3.2. The site measures 7.98 hectares. Added to the 4 hectares of employment land at Worsley Grange, this would be above the 6 hectares of employment land required under policy CS7; however, the wording of Policy CS7 states that approximately 6 hectares was required, which allowed for some flexibility over the amount of employment land provided.
- 3.3. The Joint Local Plan currently has little weight; however, the site is located within the settlement boundary of Sproughton – Wolsey Grange within the JLP, although it is not allocated for any specific use.
- 3.4. Policy EM1 of the Babergh Local Plan (2006) states that employment-related development proposals which are not covered by other policies will be judged, in particular, against the expected job creation, the potential effect on residential amenity, environmental quality, traffic generation and road safety, and site accessibility by a range of transport modes. The proposed development, once built out, is expected to provide in excess of 500 jobs in a sustainable location on the edge of Ipswich. The remaining aspects of Policy EM1 will be considered in the report below.

- 3.5 Policy EM20 of the Babergh Local Plan (2006) state that 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. While the site is not strictly an expansion of an existing employment use, site or premises, the site is surrounded by other commercial development, (retail uses to the south, Thompson and Morgan to the North and the new Worsley Grange employment site to the west) and makes a logical expansion of these uses. In addition, the indicative layout includes additional parking and an access from the Thompson and Morgan site, there is also a possibility that Thompson and Morgan will take on buildings within the site. Therefore, some aspects of the scheme involve the potential expansion of an existing employment use.
- 3.6 Taking Policy CS7, EM1 and EM20 in the round it can be considered that the principle of employment use on the site is acceptable. While the comments of Ipswich Borough Council are noted as the site is allocated for employment uses, it should have been included within any calculations of employment capacity for the wider Ipswich area.

#### **4.0 Nearby Services and Connections Assessment Of Proposal**

- 4.1. The site is located on the edge of Ipswich and is well connected via the A12 and A14 to the wider country. The site is easily accessible from the residential communities within the south east of Ipswich, providing employment opportunities for these residents. The site is adjacent to the park and ride site which provides a frequent bus service from Ipswich Town Centre from 7am to 7pm. There is also a bus service to the nearby Tesco. The adjacent retail, cafes and restaurants would all be able to provide facilities within walking distance for the employees within the site.

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

- 5.1. The site would be accessed via the Ipswich Park and Ride site, vehicles would generally access the site via the A1214, the Scrivener Drive roundabout, the internal Tesco roundabout and then a new junction to the site and the Park and Ride. The existing Copdock Interchange site is frequently used by delivery lorries for the retail uses and HGVs accessing the petrol station and the internal roads have designed for HGVs.
- 5.2 The proposal involves significant alterations to the existing access to the park and ride. The mini roundabout would be removed and a priority junction would be created with a junction off to the existing retail units. The scheme would involve the loss of 23 car parking spaces at the Park and Ride and the relocation of another six spaces. The Park and Ride site appears to be over-capacity in relation to parking spaces and there is no concern with the proposed loss of spaces.
- 5.3 Internal road layout within the site would need to be agreed with a full planning application. However the indicative layout includes a link road from the Thompson and Morgan site. This would be one way only and would allow HGV vehicles from Thompson and Morgan to bypass Poplar Lane, which is increasingly frequented by residential traffic as the Wolsey Grange estate is developed
- 5.4 Parking would be provided within the site based on the standards set out within the Suffolk Parking Guidance. The exact amount of parking spaces provided would depend on the size and use class of the individual units which would be determined at Reserved Matters stage. It is considered that the site is large enough to comfortably provide all the required parking spaces.
- 5.4 The introduction of 7.98 hectares of employment land will have a significant impact on the local highway network, including the Scrivener Drive/ A1214 roundabout and the A1214 Copdock

roundabout. The capacity of the Scrivener Drive roundabout is currently proposed to be increased as part of the Wolsey Grange development (once 300 dwellings have been built), and no further junction improvements can be made. It is proposed to include a condition within this application to undertake these junction improvements, should they not have already been undertaken when 25% of the site is occupied.

- 5.5 The junction modelling provided shows that, even with the proposed improvements to the Scrivener Drive roundabout, there will be a negative impact on local junctions, resulting in further queuing of traffic. However, the level of impact is below the 5% threshold on all but one of the junctions, which is the level where the LHA would start to consider there to be a severe impact. Therefore, the overall impact of the proposed development on the highway is not considered severe. It should also be noted that the junction modelling includes the potential effect of traffic from Wolsey Grange 2.
- 5.6 Initially the LHA suggested a s.106 agreement to provide £124,875 funding towards sustainable travel improvements on the A1214 London Road corridor to further encourage the use of sustainable modes of travel and mitigate the impact of the development on the local highway network. It should be noted that this is also the proposed mitigation for the effects of the Wolsey Grange 2 application which is currently being considered. However the LHA have now agreed that such funding would not be justifiable. It is considered that the improvements to the wider highway network (including improvements to the London Road pedestrian/cycle path and Park & Ride junction) would benefit users of the proposal and others.
- 5.7 It is considered that the improvements to the pedestrian/cycle connections would encourage some modal shift and may also improve the viability of the existing park and ride bus service, as employees on the site may use the park and ride bus service (or the alternative bus service to Tesco) to access the site. The location of the site does make it accessible by walking/bike from Pinewood, Copdock and Washbrook and parts of South East Ipswich. In addition there is a frequent bus service to the site.
- 5.8 National Highways have also stated that the development will contribute to queues along the Western approach slip road to the Copdock Interchange (A14/A12 interchange). They have therefore requested a condition requiring a scheme for warning signs to state Queues Likely On Road Ahead on the A14 Western approach to Copdock Interchange.

## **6.0 Design And Layout [Impact On Street Scene]**

- 6.1. Design and layout are reserved matters. Various layouts within the site have been suggested but ultimately this will be based on the unit sizes required by the market. The overhead power lines and the neighbouring properties provide some constraints which will restrict the layout of the development.
- 6.2 Given the strategic location of the site, adjacent to the A14, it is likely that large warehouse units would predominate in the site. These would be a similar use to the adjacent employment site and in keeping with the large retail units which lie to the south.

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

- 7.1. The site is relatively well contained from long distance views, by existing development and landscaping. Although the site may be visible from the A14, the development would be seen in context with other built development on the edge of Ipswich. In addition, the A14 is in a cutting at



this point and it is proposed to provide additional landscaping along the boundary with the A14 which will restrict views from it. The development would also be viewed from London Road but mature trees on this boundary are to be retained, which would help to decrease the impact of the development. In addition, the height of the buildings would be limited to 12.5 metres to decrease the impact of the development.

- 7.2 It may be possible to view the site from long distance views to the south of the A14; however, any views would be seen in context with the A14 in the foreground and prominent development at Copdock Interchange.
- 7.3 The tree officer has not objected to the proposal; most of the mature trees on the edge of the site would be retained and the trees removed are of limited value. Significant additional trees would be provided as part of the landscape belt.
- 7.4 An Ecological Assessment has been provided as part of the proposal; this shows that, subject to conditions including appropriate mitigation, the development would not have a detrimental effect on priority species. In addition, the soft landscape proposals are accompanied by Defra Biodiversity Metric 3.0 calculations undertaken by the applicant's ecologist, which demonstrate 12.79% gain for habitats and a 26.92% gain for hedgerows. Therefore, this assessment clearly demonstrates that measurable net gains for biodiversity will be achieved for this scheme.

## **8.0 Land Contamination, Flood Risk, Drainage and Waste**

- 8.1 The land is currently in agricultural use and there are no land contamination concerns.
- 8.2 The site is within Flood Zone 1 and is at low risk of pluvial flooding, a very small part of the site at the south east end is at risk of surface water flooding.
- 8.3 The planning application is accompanied by detailed drainage proposals and proposes two SUDs basins either side of the access road at the south east corner of the site, where the land is at its lowest and would include the majority of the area which is at risk of surface water flooding. The Flood and Water Officer has considered the proposed SUDs strategy and recommends approval subject to conditions.

## **9.0 Heritage Issues**

- 9.1. The nearest listed building is Poplar Farm, which is located on Poplar Lane, approximately 220 metres from the site. The setting of Poplar Farm has significantly altered with the development of the Wolsey Grange site and the additional development on this site is not considered to have an additional impact on the setting of the listed building.
- 9.2 Archaeology: The site includes an area of high archaeological importance where records suggest the former church of Felchurch was located. During the application process, archaeological trenching was undertaken. 7 separate human remains were found in what was concluded to be the churchyard of the church, but no remains of the church were found.
- 9.3 The Archaeological Officer has stated that the area of high archaeological importance is of local/regional significance and importance, and paragraph 203 of the NPPF is relevant. This states that: "The effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset".

- 9.4 Policy LP21 of the emerging Local Plan (November 2021) is also relevant and highlights that harm to heritage assets should be avoided in the first instance. The Archaeological Officer has stated that the ideal solution would be for the area to be protected as green open space with interpretation boards. The developer has stated that the area is required for development and cannot be given over to open space
- 9.5 An alternative would be removing the remains, but as there is likely to be a significant amount of bodies on the site, this could be a long and expensive process. The developer has provided an alternative indicative plan, showing carparking on the area of high importance. The construction of the car park could be undertaken in such a way as not to disturb the archaeology. While the area would be less easily interpreted, it would protect the archaeological remains.
- 9.6 As the application is at Outline stage it is not possible to determine the solution for the area of high archaeological importance as this stage, the Archaeological Officer is therefore proposing a series of conditions which would be implemented depending on what the developer proposes for the area at Reserved Matters stage i.e. preserve *in situ* or remove.

## **10.0 Impact on Residential Amenity**

- 10.1. The nearest properties to the site are the seven properties located to the south east of the site on London Road which adjoin the site. These properties are located to the rear of the Interchange Retail Park so are already somewhat impacted by large buildings and commercial noise and disturbance. It should be noted that five of the seven dwellings were granted planning permission in 2016 following the publication of the Core Strategy, when the site had been allocated for development.
- 10.2 To the north east of the site, there is Outline Planning Permission for residential development as part of the wider Wolsey Grange site. These dwellings would be located approximately 100 metres from the edge of the site.
- 10.3 The indicative layout shows a 15-metre landscape buffer between the dwellings on London Road and the proposed buildings, which are shown at a height of 10 metres at this location. Much of this landscaping is already in place on the western side of the dwellings, although there is currently an open aspect to the rear. Once matured, it is considered that this level of landscaping would be sufficient to protect the amenity of the occupiers of the dwellings in terms of outlook and to a lesser extent noise. As the site is to the north of the properties, the additional landscaping should not have a detrimental impact on the levels of light to the properties.
- 10.4 With regards to the residential properties on Wolsey Grange, it is considered that there is sufficient distance between the site and these properties to protect them from noise and disturbances from the commercial development.
- 10.5 A noise condition would be required to ensure that the noise from the development did not have a detrimental impact on neighbouring residential occupiers. This would need to be carefully worded to ensure that the cumulative impact of noise from the entire development is considered, while allowing plots to be approved individually.

## **11.0 Parish Council Comments**

- 11.1 The majority of matters raised by Sproughton Parish Council have been considered in the above report, but the following issues have also been raised:

- Detailed design of warehouses - this would be considered at reserved matters stage;
- Wildlife corridors especially for deer - whilst it is likely that Muntjac deer are present within the area, these are an invasive species and given the proximity of the A14 should not be encouraged into the area;
- Energy efficiency of buildings – it is proposed to include a “concurrent with the reserved matters” condition relating to the sustainability credentials of the proposal.

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## PART FOUR – CONCLUSION

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### 12.0 Planning Balance and Conclusion

- 12.1. The site has been allocated for employment purposes within the Babergh Core Strategy (2006) and the development is generally in accordance with Policy CS7. Whilst the overall amount of employment space provided by the site is significantly above that envisaged by Policy CS7, it is considered that the site is capable of this level of development without being detrimental to neighbouring amenity or the wider landscape.
- 12.2 A small area of the site is of high archaeological importance and is considered to be a non-designated heritage asset. The NPPF states that:
- “The effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset”.
- 12.3 The site of Felchurch churchyard is considered to be of local/regional rather than national importance. The development would significantly change the appearance of the site and it would be harder to appreciate the location of the church on the highest part of the site. However, there are no visible ruins, and the remains underground would either be protected *in situ* or excavated and recorded. Therefore, the scale of the harm is considered to be less than significant. As a non-designated asset, the harm does not need to be outweighed by public benefits, but it should be noted that there would be significant public benefits from the overall development in terms of job creation.
- 12.4 There would be a significant traffic impact from the development on local roads, especially the Scrivener Drive/ A1214 roundabout and the A1214 Copdock roundabout and the capacity of these roads/junctions cannot be increased, beyond that which is already proposed under the Wolsey Grange development. However, neither the SCC Highway Authority nor National Highways have stated that the highway impact would be severe and therefore in accordance with the NPPF, the development would have an acceptable level of impact on the highway.

## **RECOMMENDATION**

That the application be GRANTED planning permission and include the following conditions:-

- Standard time limit (3yrs for implementation of Reserved Matters)
- Approved Plans (Plans submitted that form this application)
- Fire hydrants
- Archaeological conditions
- SuDs conditions
- Highway conditions including A14 signage and off-site highway improvements to the A1214/ Scrivener Drive/ Tesco roundabout
- Energy and renewal integration scheme to be agreed
- Construction Plan to be agreed.
- Details of lighting
- Noise restriction condition
- Ecological mitigation and improvement
- No building above 12.5 metres in height
- Development undertaken in accordance with the arboricultural report

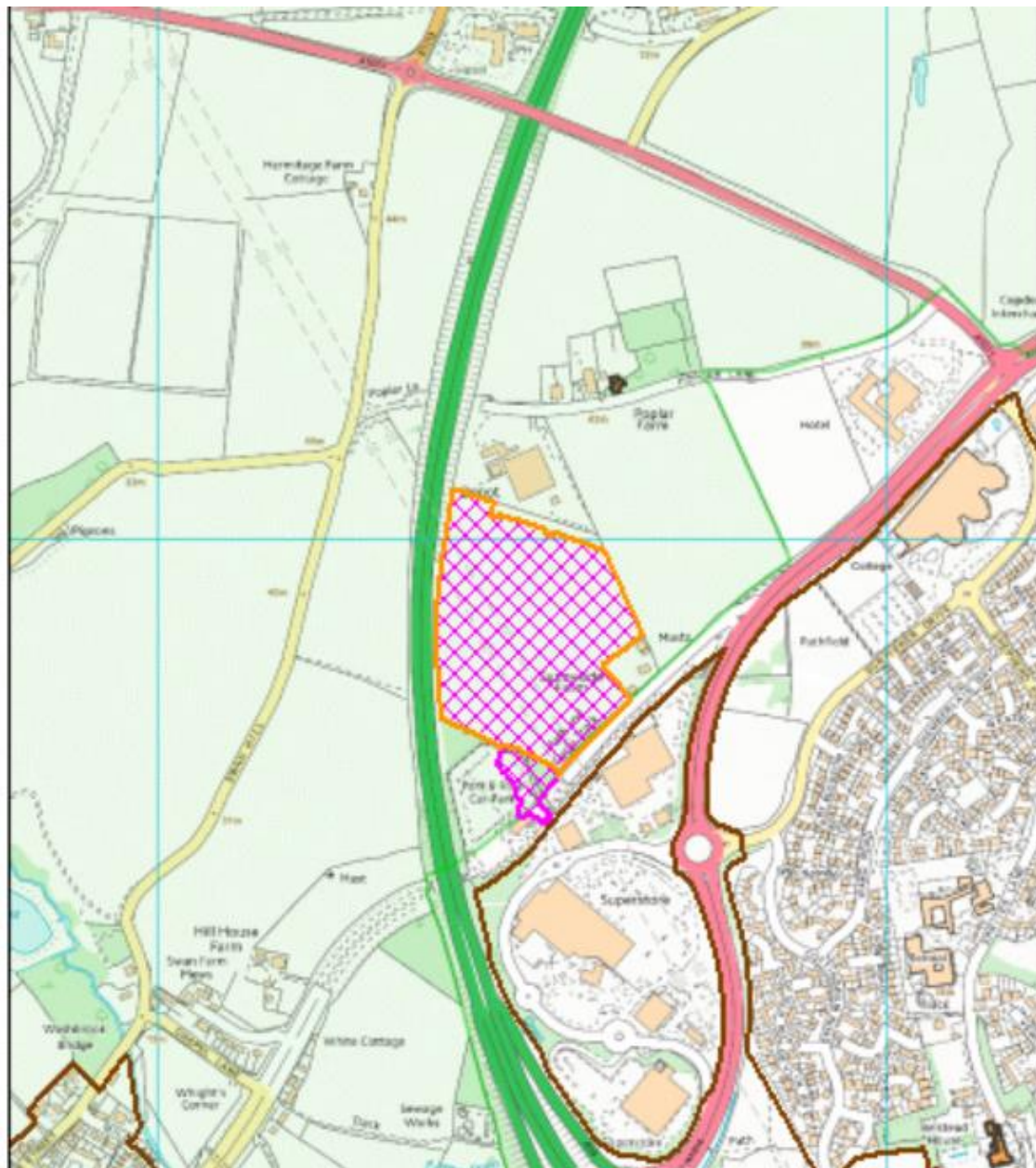
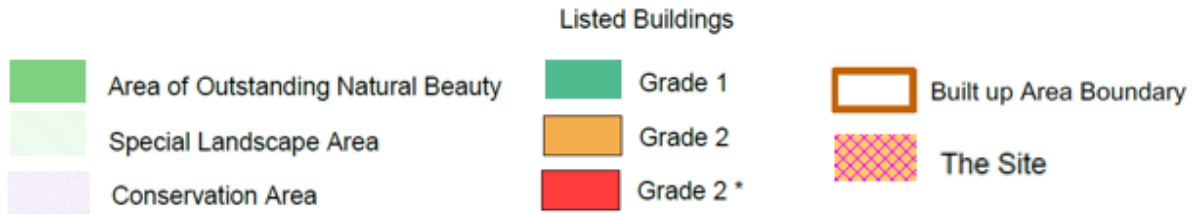
**(3) And the following informative notes as summarised and those as may be deemed necessary:**

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

Application No: DC/21/05110

Parish: Sproughton

Location: Land To The South Of Thompson And Morgan, Poplar Lane



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