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COMMITTEE:	PLANNING COMMITTEE
DATE:	WEDNESDAY, 22 MARCH 2023 9.30 AM
VENUE:	KING EDMUND CHAMBER, ENDEAVOUR HOUSE, 8 RUSSELL ROAD, IPSWICH

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

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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/22/28 TO CONFIRM THE MINUTES OF THE MEETING HELD 5 - 12
ON 22 FEBRUARY 2023**

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

5 **SITE INSPECTIONS**

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

6 **PL/22/29 PLANNING APPLICATIONS FOR DETERMINATION BY THE COMMITTEE** 13 - 16

An Addendum to Paper PL/22/29 will be circulated to Members prior to the commencement of the meeting summarising additional correspondence received since the publication of the agenda but before 12 noon on the working day before the meeting, together with any errata.

a **DC/21/01802 LAND SOUTH OF HONEYSUCKLE COTTAGE, LITTLE ORCHARD, HOLBROOK, SUFFOLK** 17 - 46

b **DC/22/01605 HILL FARM BARN, HILL FARM, OLD LONDON ROAD, COPDOCK & WASHBROOK, IP8 3LE** 47 - 64

Notes:

1. The next meeting is scheduled for Wednesday 05 April 2023 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, 5 April 2023 at 9.30 am.

Webcasting/ Live Streaming

The Webcast of the meeting will be available to view on the Councils Youtube page:

https://www.youtube.com/channel/UCSWf_0D13zmegAf5Qv_aZSg

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

Introduction to Public Meetings

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

Domestic Arrangements:

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

Evacuating the building in an emergency: Information for Visitors:

If you hear the alarm:

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

Agenda Item 3

BABERGH DISTRICT COUNCIL

Minutes of the meeting of the **PLANNING COMMITTEE** held in the Frink Room (Elisabeth)
- Endeavour House on Wednesday, 22 February 2023 at 09:30am

PRESENT:

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

Councillors: Simon Barrett
David Busby
Michael Holt
Mary McLaren
Alison Owen

Peter Beer
John Hinton
Alastair McCraw
Adrian Osborne

Ward Member(s):

Councillors: Derek Davis

In attendance:

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

100 APOLOGIES FOR ABSENCE AND SUBSTITUTIONS

100.1 There were no apologies for absence.

101 DECLARATION OF INTERESTS

101.1 Councillor Barrett declared an other non-registerable interest in respect of application number DC/22/05077 as he was the Cabinet Member for Planning when the previous application at the site was being considered.

102 PL/22/26 TO CONFIRM THE MINUTES OF THE MEETING HELD ON 08 FEBRUARY 2023

102.1 The Planning Lawyer responded to a question from Members regarding the content of the minutes and confirmed that the minutes were a summary of the main points of the meeting.

It was RESOLVED:-

That the minutes of the meeting held on 08 February 2023 were confirmed and signed as a true record.

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

103.1 None received.

104 SITE INSPECTIONS

104.1 None received.

105 PL/22/27 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/22/27 and the speakers responded to questions put to them as provided for under those arrangements.

Application Number	Representations From
DC/21/01802	Item withdrawn
DC/22/05131	Mark Best (Objector) Nigel Ingleton (Applicant) Councillor Derek Davis (Ward Member)
DC/22/05077	Kian Saedi (Applicant)

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/22/27 be made as follows:-

106 DC/21/01802 LAND SOUTH OF HONEYSUCKLE COTTAGE, LITTLE ORCHARD, HOLBROOK, SUFFOLK

106.1 This application was withdrawn from the agenda before the commencement of the meeting.

107 DC/22/05131 ERWARTON HALL FARMYARD, SHOTLEY ROAD, ERWARTON, SUFFOLK

107.1 Item 6B

Application Proposal	DC/22/05131 Planning Application - Conversion, repair and extension of existing agricultural buildings to form five dwellings. Demolition of existing metal clad barns (Resubmission following refusal of planning application DC/20/03083).
Site Location	ERWARTON – Erwarton Hall Farmyard, Shotley Road, Erwarton, Suffolk
Applicant	JRH Veenbaas and Co.

- 107.2 The Case Officer introduced the application to the Committee outlining the proposal before Members including: the planning history at the site, the location of the site, the site constraints, the proposed layout of the site and the previously proposed layout, proposed elevations and floor plans, the listed status of the adjacent buildings, and the officer recommendation of refusal.
- 107.3 The Case Officer responded to questions from Members on issues including: the safety and security of the access to the dutch barn and its contents, the extent of new build proposed at the site compared to existing buildings undergoing conversion, and the amendments to the proposed access to the site since the previous application along with the reasons for the amended response from Suffolk County Council (SCC) Highways.
- 107.4 Members considered the representation from Mark Best who spoke as an Objector.
- 107.5 The Objector responded to questions from Members on issues including: the response from SCC Highways, what they would consider to be an acceptable alternative use of the existing buildings, whether reinstatement to agricultural use would be an acceptable alternative, and when the site was last in agricultural use.
- 107.6 Members considered the representation from Nigel Ingleton who spoke as the Applicant.
- 107.7 The Applicant responded to questions from Members on issues including: the report received from Historic England regarding the listing status of non-designated buildings on the site.
- 107.8 The Area Planning Manager responded to questions from Members on issues including: the Historic England report, and whether the non-designated heritage assets of the buildings were considered to be relevant.
- 107.9 The Applicant, and the Agent Elizabeth Beighton, responded to further questions from Members on issues including: the alternative viable uses for the site, the sustainability of the site, the application of the National Planning Policy Framework (NPPF) policy regarding new buildings in the countryside, the future plans for the site should the application be refused, the target market for the proposed dwellings, public transport provision in the area, and the potential light spill from the proposal.
- 107.10 Members considered the representation from the Ward Member, Councillor Davis, who spoke against the application.
- 107.11 The Ward Member responded to questions from Members on issues including: potential alternative acceptable uses of the site, the number of Electric Vehicle charging points in the adjacent village, the amount of ongoing development in the area, the current healthcare provision and infrastructure,

the potential increase in traffic in the area, and pedestrian access to the site.

107.12 The Area Planning Manager provided clarification to Members of the grade listing of the buildings, and the previous use of the buildings as detailed in the Committee report presented to Committee in August 2022.

107.13 Members debated the application on issues including: the existing condition of the buildings on site, the viability of the site being reinstated to agricultural use, the improvements made to the proposal since the previous application, the lack of public benefit, the impact which restoring the buildings could have on the existing adjacent heritage assets, harm the proposed glazing, the revised response from SCC Highways, the sustainability of the location, the pedestrian access to the site, and the public transport provision.

107.14 Councillor McCraw proposed that the application be refused as detailed in the officer recommendation.

107.15 Councillor Osborne seconded the proposal.

107.16 Members continued to debate the application on issues including: the detrimental effect that the existing buildings have on the existing heritage assets, the potential improved setting, the economic benefit to the local community, the lack of alternative future uses for the buildings, and the amount of new build compared to conversion of existing buildings.

107.17 The Area Planning Manager and the Planning Lawyer responded to questions from Members regarding the application of policy CS15 and policies contained within the NPPF, and confirmed to Members that planning decisions should primarily be in accordance with the Local Development Plan.

107.18 Members debated the application further on issues including: the level of heritage harm and how the classifications of harm are interpreted, the sympathetic restoration of the site proposed by the application, and whether there would be an increase in traffic.

By a vote of 6 votes for and 5 against

It was RESOLVED:

That the application is REFUSED planning permission, based on the following reasons:-

The proposal would cause less than substantial harm to the character, setting and significance of the Grade II* Erwarton Hall, its Grade I Gatehouse and the undesignated heritage asset barns through the fundamental change of use from a working farmyard to residential dwellings.

The proposed unsympathetic glazing, inappropriate materiality, poorly designed and excessive extensions would create harm to these assets as well as to the AONB landscape.

The proposal site is in an unsustainable location, isolated from services, with poor pedestrian access, causing a heavy reliance on the use of private motor vehicles.

The application has also failed to secure a proportionate financial contribution towards visitor management measures for the Stour and Orwell Estuaries as per the Recreational Disturbance Avoidance and Mitigation Strategy (RAMS).

The proposal is, therefore, considered contrary to Policies CR02, CN02 and CN06 of the Babergh Local Plan (2006), as well as Policies CS2, CS15 and CS19 of the Babergh Core Strategy (2014) and paragraphs 80, 176, 177, 199, 202 and 203 of the NPPF (2021).

108 DC/22/05077 LAND NORTH WEST OF, MOORES LANE, EAST BERGHOLT, SUFFOLK

108.1 Item 6C

Application Proposal	DC/22/05077 Application under S73A for Removal or Variation of a Condition following grant of Planning Permission B/15/00673 (as amended by DC/22/03853) dated 23/11/2017. Town and Country Planning Act 1990.- To vary Conditions 2 (Approved Plans and Documents), 17 (Submission Of Renewables Details), 19 (Landscaping Scheme), 21 (Landscape Management Plan), 22 (Ecological Enhancement Measures), 23 (Construction Management), 26 (Open Space Management Plan) and 27 (Provision of Open Space) - to allow for revised house type designs and minor amendments to the site layout
Site Location	EAST BERGHOLT – Land North West of, Moores Lane, East Bergholt, Suffolk
Applicant	David Wilson Homes Eastern Counties

108.2 A break was taken from 11:05am until 11:13am after application number DC/22/05131 and before the commencement of application number DC/22/05077.

108.3 Councillor Beer left the meeting at 11:05am.

108.4 Cllr Hinton confirmed that he would remain on the Committee for the application and would not speak as the Ward Member.

108.5 The Case Officer introduced the application to the committee outlining the proposal before Members including: the updated comments received from East Bergholt Parish Council, the location of the site, the site constraints, the details of the extant permission and the conditions of that permission which would apply to this application, the proposed layout of the site, the proposed

parking plan, the internal road and footpath layout plan, the phasing plan, the height of the buildings, the amendment to the proposal since the previous application was presented to Committee the proposed housing mix, the landscape strategy, the design of the dwellings, and the officer recommendation of approval.

108.6 The Case Officer responded to questions from Members on issues including: whether the previous issues regarding site working hours had been addressed, the surface materials throughout the site, the maintenance plans for non-adopted roads, the proposed plans for installation of solar panels, the plans for the adjacent employment land, and the archaeological works being undertaken.

108.7 Members considered the representation from Kian Saedi who spoke as the Applicant.

108.8 The Applicant, and Ray Houghton also from the Applicant, responded to questions from Members on issues including: the boundary hedging plans, whether the existing oak tree would be retained, the number of affordable homes with solar panels installed, the future plans for the adjacent employment land, the installation of defibrillators on site, the landscaping plans for the attenuation basin, the management of open spaces, the target date for completion of works, and the archaeological works being undertaken.

108.9 Councillor Busby proposed that the application be approved as detailed in the officer recommendation.

108.10 Councillor Barrett seconded the proposal.

108.11 Members debated the application on issues including: the installation of solar panels, the ecological conditions, and the improvements made to the proposal since the previous application.

By a unanimous vote

It was RESOLVED:

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

All conditions (other than commencement) to be carried over from the extant permission as precommencement conditions have only been discharged for Phase 0 of the development. Other phases will need to be discharged prior to commencement in those zones. Additional conditions are required to secure detailing and materials of the dwellings as suggested by the Heritage Officer and also the ecology condition for a walk-over to take place prior to any further works being carried out on the site.

Further informative to be added relating to the Protection of Badgers Act 1992.

That authority be delegated to the Chief Planning Officer to add any further conditions or informatives that may be required following the completion of the Deed of Variation to the s.106 agreement (to change the mix of affordable dwellings).

The business of the meeting was concluded at 12.05 pm.

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Chair

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PL/22/29

BABERGH DISTRICT COUNCIL

PLANNING COMMITTEE

22 MARCH 2023

SCHEDULE OF APPLICATIONS FOR DETERMINATION BY THE COMMITTEE

Item	Page No.	Application No.	Location	Officer
6A		DC/21/01802	Land South of Honeysuckle Cottage, Little Orchard, Holbrook, Suffolk	LB
6B		DC/22/01605	Hall Farm Barns, Hill Farm, Old London Road, Copdock & Wasnbrook, IP8 3LE	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

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

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Agenda Item 6a

Committee Report

Item No: 6A

Reference: DC/21/01802

Case Officer: Lynda Bacon

Ward: Stour.

Ward Member/s: Cllr Mary McLaren.

RECOMMENDATION – REFUSE PLANNING PERMISSION

Description of Development

Hybrid application comprising: Outline planning application for the erection of 4no self-build detached dwellings (all matters reserved except access); full planning application for the erection of 4no two-bedroom dwellings; with associated landscaping, vehicular access off Hyams Lane and pedestrian access to Church Hill.

Location

Land South Of Honeysuckle Cottage, Little Orchard, Holbrook, Suffolk

Expiry Date: 24/08/2021

Application Type: FUL - Full Planning Application

Development Type: Minor Dwellings

Applicant: Scirpus Properties Ltd

Agent: Christophe Spiers

Parish: Holbrook

Site Area: 0.39 Ha

Details of Previous Committee / Resolutions and any member site visit: A committee site visit took place on 27.10.2021.

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

Has the application been subject to Pre-Application Advice: Not this application, but a pre-application was submitted prior to the previous (refused) application DC/20/01474.

PART ONE – REASON FOR REFERENCE TO COMMITTEE

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

The Head of Economy considers the application to be of a controversial nature having regard to the extent and planning substance of comments received from third parties.

PART TWO – POLICIES AND CONSULTATION SUMMARY

Summary of Policies

CN01 - Design Standards
CR02 - AONB Landscape
CR07 - Landscaping Schemes
TP15 - Parking Standards - New Development

CS01 - Applying the presumption in Favour of Sustainable Development in Babergh
CS02 - Settlement Pattern Policy
CS03 - Strategy for Growth and Development
CS11 - Core and Hinterland Villages
CS12 - Design and Construction Standards CS13 - Renewable / Low Carbon Energy
CS15 - Implementing Sustainable Development
CS18 - Mix and Types of Dwellings

Holbrook Neighbourhood Plan

HNP01 – Location of new housing development
HNP02 – Housing Mix
HNP08 – Landscape Protection

NPPF - National Planning Policy Framework

At the current time, the Joint Local Plan (JLP) carries limited weight; however this is expected to change soon and any such change will be reported to Members as relevant.

Neighbourhood Plan Status

This application site is not within an adopted Neighbourhood Plan Area.

The Holbrook Neighbourhood Plan is not an adopted document; however, it is at an advanced stage following receipt of the independent Examiner's Report dated 20 February 2023. The Examiner's Report recommends, subject to modifications to some of the policies in the plan, the Holbrook Neighbourhood Plan should proceed to Referendum.

The Neighbourhood Plan, being at post-examination stage but not yet at the stage where the local planning authority has published notice of a referendum, has increasing weight at this time.

Section 70(2) of the Town and Country Planning Act 1990 (as amended) provides that a local planning authority must have regard to a post-examination draft neighbourhood development plan, so far as material to the application.

For the record, the HNP does not allocate any new sites for housing; instead relying on existing permissions and windfall/infill sites within the Settlement Boundary.

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

Holbrook Parish Council

Objection on the grounds of:

Conflicts with Neighbourhood Plan

Inappropriate building of houses outside the built-up area boundary

Impact to AONB landscape

Sets a precedent for future development in the village

Hyams Lane cannot facilitate the added traffic

Inappropriate access on Hyams Lane

Highway safety to pedestrians and cyclists

Contrary to Joint Local Plan

Concern over construction vehicles and traffic

Fire station drill tower will cause privacy issues for future occupants

Removal of hedge will cause a negative impact on adjacent properties

Insufficient visibility splays

Achieving visibility splays could cause root damage to trees on fire station boundary

Removal of hedge will create a loss of privacy, loss of wildlife and impact to AONB

Removal of Oak tree is unacceptable

Associated works will compromise the roots of hornbeam trees

Road is not wide enough and is very narrow, there is a raised road edge next to Sorrell House

Increased traffic

Road widening

Previous refusal still stands.

Officer Comment:

Regarding the conflict with the Joint Local Plan (JLP), although the site is not allocated within the JLP, the plan is not yet confirmed and is under examination and is therefore subject to change. At this time, the JLP carries limited weight; however this is expected to change soon and any such change will be reported to Members as relevant.

Other matters are dealt with in the relevant sections below.

Councillor Mary McLaren

Objection on the grounds of:

Holbrook have exceeded proposed target for housing as proposed by the emerging Joint Local Plan

Contrary to Joint Local Plan

Proximity to fire station causing light and noise nuisance to future occupants, as well as a loss of privacy

No affordable or single storey dwellings

No CIL monies

Hyams Lane is one car width, cannot cope with increased traffic
Development will cause an increase in car accidents
Highway safety
Harm to rural character and the AONB

National Consultee

Natural England

No objection, subject to appropriate mitigation being secured.

Historic England

Do not wish to offer comments and suggest the views of specialist conservation and archaeological advisers, as relevant, are sought.

Anglian Water Services

The proposed development lies beyond the range at which detectable noise and odour from the Water Recycling Centre (WRC) operation would normally be anticipated. As such it is concluded that the risk of a loss of amenity at the development due to operations at the WRC is low.

County Council Responses

SCC Highway Authority

No objection, subject to conditions and a unilateral undertaking with SCC to create the Traffic Regulation Order (TRO) to extend the 30mph Speed Limit on Hyams Lane to the west by approx. 100 metres.

Note – The Transport Planning Engineer has subsequently advised that the narrow width of the carriageway discourages vehicles to park on-street or overtake vehicles. In circumstances like this, we can accept a Y-Value drawn to the centre line as there is a lower risk of unseen oncoming vehicles. Cyclists will be travelling at lower speeds than a vehicle and therefore, less visibility is required.

SCC Fire and Rescue

No objection, subject to a condition for the installation of Fire Hydrants.

SCC Archaeological Service

No objection, subject to conditions.

Internal Consultee Responses

Environmental Health – Land Contamination

No objection, subject to a condition

Environmental Health – Air Quality

No objection.

Environmental Health – Noise/Odour/light/Smoke

No objection, subject to conditions.

The submitted Noise Impact Assessment (dated 16.12.2022) finds that the noise resulting from the operation of the Anglian Water pumping station, whilst potentially just audible at times, is unlikely to result in loss of amenity at the proposed dwellings, as the noise emanating from the station is below both existing background noise levels during both day and night time periods.

In terms of odour, it is noted that the revised site plan now positions the houses beyond the boundary as identified in Anglian Water's Risk Assessment, although defer to any comments Anglian Water wishes to make on this element.

Environmental Health – Sustainability Issues

No objection, subject to condition.

Heritage Team

No comment.

Strategic Housing

No objection – no contribution towards affordable housing required.

Place Services Ecology

No objection, subject to conditions and a proportionate contribution towards visitor management measures for the Stour and Orwell Estuaries SPA/Ramsar.

Place Services – Landscape

No objection, subject to conditions.

Comments as received 11.10.2022:

“We welcome the amendments to the site access layout including the removal of the widening proposals to Hyams and the reduction in width of the access road to 4.5m. although a minor reduction, it will help to lessen the negative effect of the two-way access entrance on the character of Hyams Lane”.

Previous comments:

“We are satisfied with the proposed landscape strategy and the suggested tree and planting palette. We have noticed an error on the drawings: existing T5 Oak Tree has been identified to be removed but the illustration on page 3 is showing T5 as been retained. We understand that the retention of this tree is not possible as it sites within the visibility splay area and is also not compatible with the widening of Hyams Lane.

No planting plan has been submitted at this stage indicating plant species, number of plants, location and stock sizes. This submission of a planting plan can be dealt with under a landscape condition”. – Received 09.03.2022.

Dedham Vale and Stour Valley Project Officer

No objection.

Comments as received 24.10.2022:

“The AONB team welcome the change removing the need to widen the eastern end of Hyams Lane. The AONB team’s preference would be for a narrower access/bell mouth if this can be achieved and acceptable in highways terms. A smaller bell mouth would be compliant with the LVIA recommendations which recommended a low key access.

If a narrower bell mouth cannot be delivered that meets Highway standards, provided the approaches into the site off the bell mouth are properly landscaped as per the Supplementary Highway and Tree Report dated 7 July 2022, we could accept the bell mouth as proposed. We note and accept the splay line requirements”.

Previous Comments as received 21.07.2022:

“The AONB Team is satisfied with the landscape management approach set out in the supplementary highway and tree information. In our response to application DC/20/01474 the AONB team raised concerns about the proposed widening of the highway, to accommodate the development, which we considered would have an urbanising effect on Hyams Lane at a gateway point into the AONB. This proposal was refused as it was considered that ‘The proposal due to its location, scale, layout and the necessary works which would be required to provide a safe access would be detrimental to the rural character of Hyams Lane contrary to Policies CS11 and CS15’.

The latest Access drawing still includes road widening as part of this proposal. Hyams Lane and the development site sits within the immediate setting to the Suffolk Coast & Heaths AONB. The AONB team maintain that the design and scale of proposed access including the road widening will negatively alter the character of Hyams Lane. Due to these changes this element of the scheme is not considered to comply with paragraph 176 of the NPPF as the design of the access does not conserve or enhance the AONB”.

Previous comments as received 14.03.2022:

“The supplementary landscaping information document dated 15.02.2022 shows the indicative landscape strategy for the site access and boundary with the Hyams Lane frontage.

Following a review of this document, I can confirm that the AONB team is broadly supportive of the proposed landscape approach including the proposed trees and mix to be planted. This addresses concerns raised by the AONB team in our previous responses about the semi-urbanising Hyams Lane. It is important that only the length of hedgerow needed to meet splay line recommendations to the east of the new access is removed. The retention of as much of the road frontage hedge growing to the east of the site is important as it provides a valuable screen to the fire station in views from the AONB to the south.

If minded to the approve this scheme, the need for a detailed landscape scheme should be secured by condition. This should be submitted to the planning authority and approved, in writing, prior to the commencement of any development at this site. The landscape scheme should provide details for both hard and soft landscaping and information on boundary treatments. It should specify plant species, numbers, location and sizes of the proposed planting as well as trees to be retained or felled and the location of new site fencing.

This is being sought to protect local landscape character within the immediate setting to the Suffolk Coast & Heaths AONB”.

B: Representations

At the time of writing this report, at least 97 letters/emails/online comments have been received. It is Officer opinion that this represents 91no. letters of objection from 48no. different properties, and 6no. letters of support from 4no. different properties. A verbal update shall be provided as necessary.

Views are summarised below:-

Support:

- Services can be accessed in the village by foot without needing to cross a road.
- Bus stop outside it.
- Site has no real alternative use.
- There is an appropriate mix of housing.
- With so many amenities accessible by foot safely and quickly by young and old alike means vehicle journeys along Hyams Lane to Church Hill are fewer than would otherwise be the case.
- Design. Uniquely designed to fit the plot.
- The self-build aspect is guaranteed to bring a variety of houses designs reflecting individual character.
- Development looks sympathetic to the environment surrounding it, and would be built on an area of land that is surrounded by other dwellings.
- Only 8 homes being built so no real impact on services.
- As the build is near the end of the road, can't see how this would have any more impact on walkers.
- Once the construction is complete the traffic would settle down quite quickly.
- Housing is needed with our growing population.

Objection:-

- Re-siting of Plot 1 does not mitigate harm
- Compounds on street parking issues.
- Hyams Lane is very narrow.
- Unsustainable.
- Increased traffic.
- Harm to rural character.
- Unsafe road for pedestrians and cyclists.
- Removal of hedgerows and trees.
- Unsafe access.
- Dominating.
- Highway Safety.
- Conflict with Neighbourhood Plan
- Contrary to Joint Local Plan.
- Fire station causing light and noise nuisance and overlooking to future occupants.
- Loss of daylight and privacy.
- Impact to AONB.
- Disruption to tranquillity of area.
- Inadequate visibility; splays to the centre line is not appropriate.
- Unpleasant sewerage odour.
- Effects on wildlife and ecology.
- Building work.

- Design.
- Development too high.
- Overbearing.
- Light pollution.
- Loss of outlook.
- Noise.
- Out of character.
- Overlooking.
- Scale.
- Lack of services.
- Inappropriate in Conservation Area.
- Drainage and increased danger of flooding.
- Fear of crime.
- Inadequate parking provision.
- Inadequate public transport provision.
- Increase in anti-social behaviour.
- Increase in pollution.
- Loss of light.
- Loss of open space.
- Loss of parking.
- Smells/odour.
- Strain on existing community facilities.
- Harm to listed building.
- Potentially contaminated land.
- Landscape impact.

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

PLANNING HISTORY

REF: DC/20/01474	Hybrid Application. Outline planning application (Access to be considered) for the erection of 4no self-build/custom-build detached dwellings and Full Planning Application for the erection of 5no two-bedroom dwellings, with vehicular access off Hyams Lane and pedestrian access to Church Hill	DECISION: REFUSED 24.06.2020
REF: B//98/01365	Construction of vehicular access from Hyams Lane.	DECISION: REFUSED 27.11.1998
REF: B//98/01365	Construction of vehicular access from Hyams Lane.	DECISION: REFUSED 27.11.1998

PART THREE – ASSESSMENT OF APPLICATION

1.0 The Site and Surroundings

- 1.1. The application site is an area of former agricultural land/amenity land, abutting the built-up area boundary of Holbrook, which lies to the east. The site is located within the countryside for development management purposes. There are residential properties located to the east of the site, with a Fire Station to the south east. There are also residential properties to the south on the opposite side of Hyams Lane and one property to the west, which is set away from the site, separated by agricultural land. There is a Grade II* listed church to the east on the opposite side of Church Hill.
- 1.2. The southern site boundary abuts Hyams Lane. Currently there is no access to the site from Hyams lane, which is approximately 1.5 metres higher than the lane. Hyams Lane abuts the Suffolk Coast and Heaths AONB to the south. A Waste Recycling Centre lies to the south and west of the site.

2.0 The Proposal

- 2.1. This is a hybrid application consisting of an outline planning application for the erection of 4no. self-build detached dwellings (all matters reserved except for access) on the northern half of the site, and a full planning application for the erection of 4no. two-bedroom dwellings on the southern half; with associated landscaping, vehicular access off Hyams Lane and pedestrian access to Church Hill.

3.0 The Principle Of Development

- 3.1. The National Planning Policy Framework (NPPF) provides that the NPPF "does not change the statutory status of the development plan as the starting point for decision making. Proposed development that accords with an up-to-date Local Plan should be approved, and proposed development that conflicts should be refused unless other material considerations indicate otherwise".
- 3.2. The principle of the development is considered acceptable in accordance with the policies of the development plan. Planning considerations and other material considerations are detailed where relevant below.
- 3.3. Policy CS2 of the Babergh Core Strategy states new development in Babergh will be directed sequentially to the towns/urban areas, and to the Core Villages and Hinterland Villages. As the site is just outside of the Built-up-Area Boundary of the Core Village of Holbrook, and is therefore classed as countryside, the proposal does not strictly accord with this policy. However, the exceptional circumstances element of CS2, which controls development in the countryside, is not NPPF-compliant and, therefore, Policy CS2 as a whole carries reduced weight.
- 3.4. Holbrook is identified as a Core Village, which acts as a focus for development within its functional cluster. The site abuts the built-up area boundary of Holbrook, and housing needs information has been submitted as part of the application documents, which explains that the proposal will provide a locally recognised need that is in keeping with the Holbrook Development Survey (2013) and the updated Holbrook Parish Need Assessment. The submission explains that the Holbrook Parish Need Assessment reaches the conclusion that a greater number of 2 - 3 bedroom houses will be required to cater for demands not only from a growing older population but also dependent children wanting to leave home. It goes on to explain that the self-build element also satisfies a national

demand for self-build plots and that custom-built housing is a key part of the Government's long term Housing Strategy (2011).

- 3.5. Policy CS11 of the Babergh Core Strategy (2014) states that proposals for development for Core Villages will be approved where proposals score positively when assessed against Policy CS15 and, where relevant, appropriate matters addressed.

Policy CS11 of the Babergh Core Strategy (2014) states:

“Proposals for development for Core Villages will be approved where proposals score positively when assessed against Policy CS15 and the following matters are addressed to the satisfaction of the Local Planning Authority where relevant and appropriate to the scale and location of the proposal:

- i) The landscape, environmental and heritage characteristics of the village;*
- ii) The locational context of the village and the proposed development (particularly the AONBs, Conservation Areas, and heritage assets);*
- iii) Site location and sequential approach to site selection;*
- iv) Locally identified need – housing and employment, and specific local needs such as affordable housing;*
- v) Cumulative impact of development in the area in respect of social, physical and environmental impacts”.*

- 3.6 How the proposal accords with points (i) to (v) in the above Policy is discussed below:

- 3.7 i) The proposal is not considered to adversely impact the landscape, environmental or heritage characteristics of the village. Concerns have been raised regarding the impact to the adjacent AONB landscape; however, with additional landscaping and planting around the access, it is not considered to cause any adverse harm. In addition to this, the original plans to widen Hyams Lane have been amended to now show the road will not be widened, and the proposed access has been reduced in width to further reduce any potential landscape harm. During the course of determination, two landscape bodies (The Suffolk Coast and Heaths AONB Officer, and Place Services – Landscape) were consulted. Following the receipt of the additional plans showing the planting around the access, and retaining the Oak Tree, as well as removing the need to widen the road and reducing the width of the proposed access, Place Services – Landscape raise no objection. The Suffolk Coast and Heaths AONB Officer also raises no objection to the proposal. The development would not cause any adverse harm to any heritage assets either, there are no listed buildings in direct proximity, and the development would not detract from the significance or character of any heritage assets. The site creates a logical extension to the existing settlement, where additional housing would not be out of context with the built form of the village.

- 3.8 ii) The proposal is not considered to cause adverse harm to the AONB landscape to warrant refusal as discussed above, and there is not a Conservation Area in close proximity. Amendments have been made in order to ensure that the design and layout is reflective of the surrounding area, as well as appropriate in terms of the character of the AONB and the rural nature of Hyams Lane. The amendments included moving the dwellings to a more appropriate location, so that they are better screened and in a lower part of the land, to not have a dominating effect; together with a landscaping scheme to show additional planting around the access as well as a change of material to the access and driveway to reduce any urbanising effect; in addition to this the access has been reduced in width with further planting surrounding it. The landscaping scheme that has been submitted as well as the amendments proposed, is now considered to be appropriate with this application (whereas the previous scheme was not) because the dwellings have been moved to more appropriate locations, which allows for much more landscaping detail and planting. The access onto Hyams

Lane on the previous application caused an urbanising effect in this area. This application, however, has amended the materials of the access onto Hyams Lane, as well as reducing its width, which reduces the urbanising effect. More planting and landscaping are shown to further reduce any urbanising effect and landscape impact.

3.9 iii) The proposal is appropriate in terms of location in the village and (with the new path) would have good pedestrian access to the services. It is not isolated from other dwellings and follows a pattern of development of cul-de-sac developments in close proximity. Holbrook offers a variety of services that will be within a suitable walking distance, via footpaths from the site. The services include, a primary school, high school, a shop (co-op), two pubs (albeit one is currently closed), a village hall, a doctor's surgery and regular bus service.

3.10 iv) The proposal is required to demonstrate that there is a locally identified need for the development, and that this should include specific local needs such as affordable housing. Paragraph 3.8 of the Neighbourhood Plan states:

'The emerging Local Plan also identified a minimum housing requirement for the parish of 65 new dwellings over the Plan period to 2037. This housing requirement is already met as it primarily comprises sites that have the benefit of planning permission and were not implemented at 1 April 2018 (58 dwellings) and those granted permission since then and the completion of the preparation of the Neighbourhood Plan (7).

Therefore, the Parish is not compelled to make further allocations to meet this target prior to 2037, although it is recognised that there may be applications for windfall and infill development that will come forward during the Plan period.'

3.11 Note – as mentioned in paragraph 9.3 of the Neighbourhood Plan Examiner's Report, housing provision in Holbrook from April 2018 to March 2022 now stands at 69 dwellings in total.

3.12 Housing need information has been provided with the application, which identifies that there is a greater demand for 2-bedroom houses. This information is scrutinised below:

3.13 - Affordable housing is typically provided and made financially viable by district wide planning policies on developments for 10 dwellings or more. If the majority of new housing is delivered through windfall development on small sites, many of these sites (such as the application site) will not meet the requirement of providing 10 or more dwellings and so the number of affordable housing units will be low (of the 68 dwellings that Babergh District Council indicates should be provided in Holbrook over the NP adopted local policy indicates that 35% (24 dwellings) should be affordable).

3.14 - An 87-unit development in Holbrook that is close to completion is expected to deliver 15 units of affordable rented housing and 12 shared ownership units. This goes some way to meet the affordable housing need for 31 affordable rented units and 64 affordable sale units over the NP period.

3.15 - There is a need to improve affordability in Holbrook across all tenures and that new residential development should focus on smaller entry-level dwellings. Increasing the proportion of smaller homes and more affordable types should help to re-balance the housing stock in favour of options that are both suitable to the population profile as it evolves overtime and that will combat growing affordability challenges.

3.16 The overall weighted conclusion is that to satisfy the requirements of increasingly smaller and older households, but also to enable younger households to remain in the area, it is recommended that

around 50% of houses in new developments should be one-bedroom homes around 25% should be two-bedroom homes and around 25% should be 3-bed homes. Bungalows appeal to older people and this particular type of housing should also be encouraged to meet the needs of a growing elderly population.

- 3.17 It is therefore considered that whilst the proposal, which includes 4no. two-bedroom dwellings, goes part way to meets a general need for smaller dwellings, the proposal does not meet the need for improved affordability in Holbrook across all tenures and fails to target a specific identified need for one-bed homes and bungalows. Furthermore, as the Council has sufficient permissions relating to self-builds for Base Periods 1-3, with a slight under provision for Base Period 4 (2018-19) (likely due to a lag between permission and commencement), it is concluded that the proposal is not wholly compliant with criteria iv) of Policy CS11 in relation to locally identified need. This matter is also covered by Policy HNP 02.
- 3.18 v) The proposal is not considered to have an adverse cumulative impact on the area. Holbrook has a variety of services which can accommodate these additional dwellings. The proposal would not remove any public open space, and would improve the appearance of the site, which is currently overgrown. Holbrook benefits from a doctor's surgery, shops, primary school, high school, two pubs (albeit one is currently closed) as well as good public transport services, which run regularly through the village. This enables future occupants of this site to access services within surrounding villages and towns.
- 3.19 For the reasons discussed above, the proposal cannot be considered to accord with Policy CS11.
- 3.20 The Supplementary Planning Document (SPD) Adopted August 2014 'The Rural Development & Core Strategy Policy CS11' is also relevant to the proposal. The document was produced in order to provide guidance on the interpretation and application of Policy CS11 of the Babergh Core Strategy (which is detailed above). Para.2.8.5.7 of the Core Strategy states that "*the BUABS (Built-Up Area Boundaries) defined in the 2006 Local Plan Saved Policies...provide a useful starting point when considering the relationship of proposed development in relation to the existing pattern of development for that settlement and for defining the extent of its developed area and a distinction between the built-up area and the countryside*". The general purpose of the Policy is to provide more flexibility in the location of new housing development in rural areas. The SPD document states that sites outside the BUABs will need to demonstrate compliance with all the criteria set out in Policy CS11 and provide appropriate evidence as set out in the guidance. In applying the policy, the Council will treat Core and Hinterland Villages in the same way i.e., it will apply to proposals for development 'for' Core and Hinterland Villages rather than 'in'; this has been applied to this application, as detailed above.
- 3.21 To be considered under CS11, proposals must be in or adjacent to a Core or a Hinterland Village. This is adjacent to the BUAB of a Core Village. Proposals should also be well related to the existing settlement. The site will be well connected to the existing settlement, once the footway is provided onto Church Hill, offering connections to services and facilities, and sustainable transport links. The scale, character, and density of the proposal are well related to the surrounding development and existing adjoining development. It reflects the design and layout of the other cul-de-sac developments to the north. The proposal also constitutes a logical extension of the built-up area of the village, infilling a small piece of land, which is currently overgrown. It does not protrude onto the agricultural fields to the west and fits in line with the development to the north and east. The proposal also has logical natural boundaries that separate it from the open countryside and agricultural land.
- 3.22 The availability of, and access to, local services is a main consideration in determining whether a proposal is sustainable. It is the range of services and facilities available as this has a bearing on

the size and scale of the development that can be accepted i.e., a village such as this one, with a wide range of services and facilities is more sustainable and can potentially accommodate a greater amount of development. For walking distances, the Department for Transport Note 1/04 recommends:

Desirable – 400 metres

Acceptable – 800 metres

Preferred Maximum – 1200 metres

3.23 All of the services are well within this threshold and would be accessible via footpaths. The bus stops are approximately 115 metres away; the doctor's surgery is approximately 285 metres; the Co-op, is approximately 440 metres; the Primary School is approximately 645m and the high school is approximately 800 metres away. This is all considered an acceptable distance, considering the above thresholds.

3.24 When assessed against Policy CS15 of the Babergh Core Strategy, the proposal is considered to score positively.

3.25 Policy CS15 of the Babergh Core Strategy (2014) states:

“Proposals for development must respect the local context and character of the different parts of the district, and where relevant should demonstrate how the proposal addresses the key issues and contributes to meeting the objectives of the Local Plan. All new development within the district will be required to demonstrate the principles of sustainable development and will be assessed against the presumption in favour of sustainable development – as interpreted and applied locally to the Babergh context (through the policies and proposals of this Local Plan), and in particular, and where appropriate to the scale and nature of the proposal should:

i) Respect the landscape, landscape features, street scape/townscape, heritage assets, important spaces and historic views;

ii) Make a positive contribution to the local character, shape and scale of the area;

iii) Protect or create jobs and sites to strengthen or diversify the local economy particularly through the potential for new employment in higher skilled occupations to help to reduce the level of out-commuting, and raise workforce skills and incomes;

iv) Ensure an appropriate level of services, facilities and infrastructure are available or provided to serve the proposed development;

v) Retain, protect or enhance local services and facilities and rural communities;

vi) Consider the aspirations and level and range of support required to address deprivation, access to services, and the wider needs of an aging population and also those of smaller rural communities;

vii) Protect and enhance biodiversity, prioritise the use of brownfield land for development ensuring any risk of contamination is identified and adequately managed, and make efficient use of greenfield land and scarce resources;

viii) Address climate change through design, adaptation, mitigation and by incorporating or producing sources of renewable or low-carbon energy;

ix) Make provision for open space, amenity, leisure and play through providing, enhancing and contributing to the green infrastructure or low-carbon district;

x) Create green spaces and/or extend green infrastructure to provide opportunities for exercise and access to shady outdoor space within new developments, and increase the connectivity of habitats and the enhancement of biodiversity, and mitigate some of the impacts of climate change e.g. enhancement of natural cooling and reduction in the heat island effect, provision of pollution

sequestration for the absorption of greenhouse gases, and though the design and incorporation of flood water storage areas, sustainable drainage systems (SuDs);

xi) 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;

xii) Minimise surface water run-off and incorporate sustainable drainage systems where appropriate;

xiii) Minimise the demand for potable water in line with, or improving on government targets and ensure there is no deterioration of the status of the water environment in terms of water quality, water quantity and physical characteristics;

xiv) Minimise waste during construction, and promote and provide for the reduction, re-use and recycling of all types of waste from the completed development;

xv) Minimise the energy demand of the site through appropriate layout and orientation and the use of building methods, materials and construction techniques that optimise energy efficiency and are resilient to climate change;

xvi) Promote healthy living and be accessible to people of all abilities including those with mobility impairments;

xvii) Protect air quality;

xviii) Seek to minimise the need to travel by car using the following hierarchy: walking, cycling, public transport, commercial vehicles and cars thus improving air quality; and

xix) Where appropriate to the scale of the proposal, provide a transport assessment/Travel Plan showing how car based travel to and from the site can be minimised, and proposals for the provision of infrastructure and opportunities for electric, plug in hybrid vehicles and car sharing schemes”.

3.26 How the proposal accords with each of the points in the above Policy is discussed in turn below:

- i) The proposal is considered to respect the landscape as it adjoins existing development and follows the pattern of development of cul-de-sac built form to the north. Additional landscaping and planting proposals to the access and throughout the development in order to reduce the urbanising effect on Hyams Lane, also assist in retaining the landscape character. The widening of Hyams Lane is now no longer proposed, which further assists in reducing in any potential landscape impact. There are no listed buildings or heritage assets in close proximity that would be impacted by this proposal.
- ii) The proposal makes a logical extension to the village, as it abuts the BUAB and fills in an area between developments to the north and east. The design reflects the character of the village and would not be out of keeping. As part of the proposal the 30mph speed limit would be extended along Hyams Lane, which is considered to be a positive contribution to the area, make a safer country road for pedestrians and cyclists.
- iii) The proposal would provide employment through the construction phase. Although this would be for a temporary period of time, the self-build units, offer an extended opportunity for employment through both the design and construction phases of each plot.
- iv) Holbrook has an appropriate level of services to accommodate the additional dwellings, Holbrook benefits from a doctor's surgery, which many villages in Babergh do not, as well as shops, a primary school, high school, pubs and good public transport services.
- v) The additional 8no. dwellings would provide additional support to the village, particularly through the use of the pubs and shops, as well as making use of the public transport services, which intensifies the demand for public transport in rural areas.
- vi) As discussed above, the development site will have good access to services, by offering a footpath through to Church Hill. The proposal offers smaller dwellings, which can be laid out to provide accommodation on the ground floor, to support an ageing population. The self-build properties also allow for individuals to have input into the design of their

- properties, which could result in all ground floor accommodation, thus supporting an ageing population. However, this element cannot be guaranteed.
- vii) The proposal offers sufficient biodiversity mitigation measures, which can be conditioned, and there is not considered to be an adverse risk of land contamination on the site. During the course of determination Environmental Health – Land Contamination were consulted and raise no objection, subject to a condition which has been imposed.
 - viii) The proposal seeks to address climate change by avoiding the use of gas boilers and incorporating solar panels instead.
 - ix) Each of dwellings would have good rear garden provision, and although the size of the development does not require it to provide open space, there is some provision for green space on the site.
 - x) As above, this consideration is not entirely relevant to a development of this size.
 - xi) As above.
 - xii) The site does not lead to any adverse demand for potable water and does not affect water quality.
 - xiii) The site does not lead to any adverse demand for potable water and does not affect water quality.
 - xiv) A construction management plan has been conditioned to ensure that details are provided showing that there are appropriate methods for the disposal of waste during the construction phase.
 - xv) The proposal offers solar panels, which help to reduce the energy demand by using renewable energy.
 - xvi) The proposal offers access to all abilities by providing a pedestrian link to Church Hill. The link would be wide enough for mobility chairs and wheelchairs to allow future occupants to access the services in the village.
 - xvii) The proposal is relatively small and should have little effect on air quality.
 - xviii) The proposal minimises the need to travel by car. There will be good pedestrian access to the services in the village, as well as cycle routes.
 - xix) Car travel to and from the site is minimised by the provision of a foot link to the existing footpath on Church Hill, encouraging future occupants to walk to the nearby services in the village and make of the bus services. Electric vehicle charging points have also been conditioned.

3.27 For the reasons discussed above, the proposal is considered to score positively against Policy CS15.

3.28 The application was scheduled to be presented to the meeting of Planning Committee on 22 February 2023 however, the report was withdrawn from the agenda prior to the meeting due to the publishing of the Holbrook Neighbourhood Plan Examiner’s Report on the 20 February 2023. The Examiner’s Report altered the weight that may be attached to the emerging Holbrook Neighbourhood Plan as (at the time of writing) the Plan is advancing towards local referendum stage and the weight that the decision maker may attribute to the emerging plan is increased accordingly.

3.29 NPPF paragraph 48 advises:

‘Local planning authorities may give weight to relevant policies in emerging plans according to:

(a) the stage of preparation of the emerging plan (the more advanced its preparation, the greater the weight that may be given);

(b) the extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given); and

(c) the degree of consistency of the relevant policies in the emerging plan to this Framework (the closer the policies in the emerging plan to the policies in the Framework, the greater the weight that may be given).'

- 3.30 The Examiner's Report recommends modifications to some of the policies in the plan, including policies that are relevant to the determination of this application. Policy HNP 01 (as modified) is the main relevant policy, this states:

HNP 01: Location of new housing development

The Neighbourhood Plan area will accommodate development commensurate with the designation of Holbrook and Lower Holbrook in the relevant adopted settlement hierarchy and taking into account the specific environmental characteristics of the Plan area.

The focus for new development will be within the defined Settlement Boundaries, as defined on the Policies Map.

Within these defined boundaries, proposals for small windfall sites and infill plots of one or two dwellings (which are not specifically identified in this Plan) will be supported where they are in accordance with other policies in this Plan.

Outside the defined settlement boundaries, proposals for new housing development including the conversion of existing buildings, such as barns and farm buildings, self-build properties, and replacement dwellings will only be permitted where they are in accordance with national and district level policies.

All infill proposals will also need to satisfy the policy objectives in Policy HNP03.

Developers are encouraged to consult with Holbrook Parish Council prior to the submission of any application.

- 3.31 The NP is at an advanced stage. The Examiner's report finds that, subject to modifications, Policy HNP01 has regard to national policy, contributes towards sustainable development and is in general conformity with strategic policy and that Modified Policy HNP 01 meets the Basic Conditions for adoption. Policy HNP 01 is therefore afforded great weight.

- 3.32 The examiner's report (paragraph 52) states 'BDC is yet to publish a revised Part 2 to the emerging JLP, or to publish any revised supporting documentation. I recognise that the figure of a minimum of 65 dwellings does not address the affordable housing need identified in the Holbrook Parish Housing Needs Assessment (January 2020). However, 65 is a minimum figure. Policy HNP 01 does not set a minimum housing figure and is not required to do so. Neither is it required to allocate sites for new housing development. Seeking to focus new housing development within the settlement boundaries is the correct approach to achieving a sustainable pattern of development in order to contribute towards the environmental objective of sustainable development. In addition, allowing some development outside the settlement boundaries where it accords with national and development plan policies, ensures that Policy HNP 01 is a housing strategy for the Parish that contributes towards the achievement of sustainable development.'

In addition, the examiner's report (paragraph 59) explains that Paragraph 9.5 of the NP is written as policy but the requirements in this paragraph are not the same as those in Policy HNP 01. In the interest of precision, paragraph 9.5 should be deleted.

Paragraph 9.5. of the NP states:

All new housing development proposals must be located within the settlement boundary. Proposals for development located outside the settlement boundary will only be permitted where it can be satisfactorily demonstrated that there is an identified local need for the proposal and that it cannot be satisfactorily located within the settlement boundary. All new proposals are subject to meeting the conditions set out in the policies of the Holbrook Neighbourhood Plan below.

- 3.33. When assessed against modified Policy HNP 01, and with the Neighbourhood Plan Examiner's Report published and the consequent weight that should be attributed to the policies identified, together with the conflict with development plan Policies CS11 (iv), regarding locally identified need, it is the view of Officers that the scheme as proposed is contrary to Policy HNP 01 (as modified), and that unless there are other material considerations which would outweigh this conflict with the NP, there is no clear basis to approve the application.
- 3.34. In the context of the application, Policy HNP 01 only supports self-build housing outside the defined settlement boundaries if it is in conformity with other national and local policies. As proposed, 50% of the eight dwellings are not self-build and therefore, notwithstanding the current housing land supply and housing delivery positions, and whether or not there is considered to be any conformity with other policies, the proposal is contrary to Policy HNP 01 and cannot be supported.
- 3.35. A previous planning application (DC/20/01474) was refused for the following reasons:

"The proposal due to its location, scale, layout and the necessary works which would be required to provide a safe access would be detrimental to the rural character of Hyams Lane contrary to Policies CS11 and CS15".

"The proposed development by virtue of its location, form and scale will have a detrimental impact on the setting of the Suffolk Coast and Heaths AONB, contrary to Policy CR02 of the Babergh Local Plan".

"In the absence of a signed unilateral agreement to fund a Traffic Regulation Order to move the 30mph speed limit to the west, the development will result in an unacceptable impact on the users of the highway, contrary to the NPPF".

- 3.36. The reasons for refusal of the previous application detailed above are considered to be sufficiently addressed in this application. However, the progression of the NP, which was held not to be a determinative issue previously, now attracts significant weight and is an important material planning consideration in the determination of this application such that a recommendation of refusal is warranted.

4.0 Nearby Services and Connections Assessment Of Proposal

- 4.1. The site is within a safe walking distance of the services within the village of Holbrook. Although Hyams Lane is narrow and unlit with no footpaths, the proposal offers a pedestrian access into and out of the site onto Church Hill that allows a pedestrian to walk along a footpath to attend local services and to use a regular bus service, which travels to Manningtree, Chantry, Ipswich, Shotley Gate and East Bergholt. All of these services are within a suitable walking or cycling distance of the site, accessed via a footway.

5.0 Site Access, Parking And Highway Safety Considerations

- 5.1. The NPPF identifies at Paragraph 108 that, in assessing specific applications for development, it should be ensured that, *inter alia*, significant impacts on the transport network and highway safety can be cost effectively mitigated to an acceptable degree.
- 5.2. Concern has been raised by the Parish Council and local residents regarding the proposal having an inadequate access, which has no visibility; highway safety, increased traffic, construction traffic, a loss of parking, inadequate parking provision, whilst also noting that Hyams Lane is very narrow. During the course of determination, the SCC Highway Authority were consulted, and have raised no concern for highway safety, and raise no objection to the access, visibility splays or parking provision. There would not be a loss of parking, as the site is former agricultural land that is not used for parking purposes, and there would not be parking along the roadside.

The SCC Highway Officer states

"We have reviewed the data supplied with this application, the summary of our findings are as follows:

- *The proposed visibility splays for the development are sufficient for this application.*
- *The proposal for 8 dwellings would create approximately 6 vehicle movements within the peak hour (1 vehicle every 10 minutes) therefore, the development will not have an impact on the capacity of the highway network in the area.*
- *The closest bus stops are approximately 4 minutes walk from the centre of the site which is within walking distance to catch public transport, there are good frequent bus services.*
- *Hyams Lane is a narrow rural road with good visibility at its junction with Church Hill.*
- *The plans show a pedestrian link to the footway on Church Hill creating a safe route for the vulnerable user.*
- *The applicant is proposing highway improvements such as minimal widening and moving the speed limit.*

We consider the proposal would not have an impact on the public highway with regard to congestion, safety or parking. This development can provide safe and suitable access to the site for all users (NPPF Para 108) and would not have a severe impact on the road network (NPPF Para 109) therefore we do not object to the proposal.

The works within the public highway will be required to be designed and constructed in accordance with the County Council's specification. The applicant will also be required to enter into a legal agreement under the provisions of Section 278 of the Highways Act 1980 relating to the construction and subsequent adoption of the highway improvements. Amongst other things the Agreement will cover the specification of the highway works, safety audit procedures, construction and supervision and inspection of the works, bonding arrangements, indemnity of the County Council regarding noise insulation and land compensation claims, commuted sums, and changes to the existing street lighting and signing. There is also an intention for the developer to enter into an agreement with Suffolk County Council to create the Traffic Regulation Order (TRO) to extend the 30mph speed limit on Hyams Lane to the west by approx. 100m".

A new access plan has been submitted to show more accurate measurements of Hyams Lane, and where the existing hedgerow and trees on the northern edge of Hyams Lane would need to be cut back to facilitate this. It has also been confirmed that the Oak Tree will remain in place. In addition to this, the widening of Hyams Lane is no longer proposed, and the access width has been reduced. Following the submission of the amended access plan (received on 28.09.2022) the SCC Highways Officer states:

“We are satisfied with the revised drawings regarding visibility splays and are happy for the revised drawings to be referenced in the previously recommended highway related planning conditions dated 15.04.2022, 16.03.2022 and 29.07.2022”.

The proposal also offers the relocation of the 30MPH speed limit sign further to the east, to slow the oncoming traffic on Hyams Lane, thus reducing highway safety risks.

- 5.3. The recommended conditions by the SCC Highway Authority have been imposed.
- 5.4. Great weight is given to the advice from statutory consultees, such as SCC Highway Authority, and the highways officer has provided reasonable and rational reasons as to why the proposal is acceptable, and why the SCC Highway Authority depart from the concerns raised by the Parish Council, Ward Member and local residents. On this basis, the proposal is considered acceptable and does not cause any adverse harm to highway safety, parking, increased traffic or use of the highway to warrant refusal.
- 5.5. The developer has agreed to a Traffic regulation Order to move the 30mph speed sign and this can be secured by legal agreement or condition, as appropriate. On this basis, the proposal is considered acceptable and does not cause any adverse harm to highway safety, parking, increased traffic or use of the highway to warrant refusal.

6.0 Design And Layout [Impact On Street Scene]

- 6.1. Section 12 of the NPPF refers to design, it provides that good design is a key aspect of sustainable development it should contribute positively to making places better for people. Decisions should aim to ensure that development will function well and add to the overall quality of the area, establish a strong sense of place, create attractive and comfortable places to live, work and visit, optimise the potential of the site to accommodate development, create and sustain an appropriate mix of uses and support local facilities and transport networks. Furthermore, it provides that development should respond to local character and history, and reflect the identity of local surroundings and materials, while not preventing or discouraging appropriate innovation. In addition, Policy CN01 of the Babergh Local Plan provides that *“All new development proposals will be required to be of appropriate scale, form, detailed design and construction materials for the location”* and echo's the provision of the NPPF.
- 6.2. The site would comprise four detached dwellings on the northern half of the site, which would be self-build and are subject of the outline planning application element of this application. Therefore, no details of their overall scale, size and appearance have been submitted. These will come forward as part of a subsequent reserved matters application should permission be granted.
- 6.3. Towards the southern half of the site, would be four terraced dwellings. They would be two-storey in height with two bedrooms each. Plot 1 would be closest to the access and would have two first floor windows, one high-level small window beneath the gable, two ground floor windows facing the front (east); one roof light, two first floor windows, one high-level ground floor window and a glazed porch with an access door facing the side (south); and one first floor window, one Juliet balcony, one ground floor window and one glazed double door facing the rear (west). Plots 2-4 would have one access door, two ground floor windows, two first floor windows and one high-level small window beneath the gable facing the front (east); no windows facing the side (north); and one first floor window, one Juliet balcony, one ground floor window and one glazed double door facing the rear (west). The walls would be finished in a mix of vertical timber boarding and fair face red brick; and the roof would be finished in clay plain tiles.

- 6.4. The vehicular access to the site would be on the south off of Hyams Lane, and there would be a pedestrian access through to Church Hill. There would be a retention pond on the south side of the site, and new planting around. The western boundary would have the existing hedgerow retained and enhanced, and the northern boundary would also have a hedgerow. The eastern boundary would be a 1.8-metre fence. However, a condition has been imposed to ensure that planting is incorporated to all boundaries to soften the appearance of the site. An additional drawing has been submitted in order to show additional planting around the access to soften the appearance onto Hyams Lane, and not cause an urbanising effect. This planting is supported by the landscape officers.
- 6.5. The proposed design, materials, form and scale are considered to respect the character of the host site, not constitute overdevelopment and not harm local distinctiveness.
- 6.6. Concern has also been raised regarding scale; the development being out of character, being overbearing and dominating, as well as the development being too high. The scale of the four terraced dwellings is considered reasonable and to reflect the two-storey dwellings surrounding the site. The scale of the self-build properties is not confirmed, as that would come through a reserved matters application and would be assessed for acceptability at that stage.
- 6.7. The development is not considered to be out of character with the area. The pattern of the layout follows a similar pattern of cul-de-sac development which the site backs onto. The design is also both modern and respectful of the existing development of Holbrook. There is not considered to be a significant character of built form in the direct context of the site. The proposed dwellings are also not considered to be too high, as they are set away from the boundaries, and would not block any views, outlook or light. The two-storey design reflects what is surrounding. The self-build properties would be limited to 1.5 storeys on the eastern side of the site, near to the existing residential properties and fire station.

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

- 7.1. Whilst noting the comments made by the Parish, Members are advised that the site is NOT within the AONB. The AONB is located to the south and there has been some concern raised regarding the impact on the landscape. During the course of determination, the Suffolk Coast and Heaths AONB Officer was consulted, and largely supports the measures the proposal has in place to reduce the harm. The AONB Officer recommends conditions - which have been imposed. The AONB Officer had previously raised some concern regarding the widening of the road, and the urbanising effect that it may have. The proposed widening, however, has now been removed from the application, and the road width is to remain as it is currently; there would, however, be some trimming back and maintenance of the existing roadside bushes. The harm to the AONB landscape is considered to be neutral and is not of a significance to warrant refusal.
- 7.2. In the original comments, the AONB Officer states *"The number of terrace houses has been reduced from 5 to 4 which has allowed the smaller dwellings in the scheme and the proposed parking to be pushed deeper into the site and away from the Hyams Lane frontage. The site falls within the Rolling Estates Farmlands Landscape Character Type (LCT) (Suffolk Landscape Character Assessment) which is characterised by gently sloping valley sides and an organic pattern of fields modified by later realignment. The Guidance Note for LCT highlights the important of maintaining the existing pattern of settlement clusters on the valley sides and minimising visual intrusion on the highly sensitive landscapes on the valley floor, which is the AONB.*

As well as falling within the setting to the AONB, it is also located within the Additional Project Area to the AONB. The Valued Landscape Assessment for the Suffolk Coast & Heaths Additional Project

Area (Page 37) for Holbrook concludes that the land to the south is visually sensitive and forms a setting to the AONB and reinforces the connection of the village with the river valley; it therefore has a particular value in terms of local distinctiveness. The reduction in the number of terrace houses, their resisting back into the site and the changes to the parking layout are positive changes which has created additional space for landscaping and the provision of a sustainable drainage pond (SUDs) along the Hyams Lane frontage. The proposed frontage landscaping and SUDs will help provide a softer, greener and less abrupt edge to the proposed development which will go some way towards maintaining the perception of a green buffer between the village edge and the AONB boundary to the south. The AONB team was consulted prior to the submission of the revised planning application, in our response we recommended planting holly along the Hyams Lane frontage as it grows locally in hedgerows and will provide year-round screening, which is important given the sensitivity of the location and elevated nature of the site. We welcome that holly has been included in the indicative landscape plans.

Enhancing the existing hedge line to create a 2m landscaped boundary between the development site and the farmland to the west is essential in any scheme at this location. It is necessary to create a logical boundary to the southwest of Holbrook village and to provide a clearly demarked separation between the village edge and the farmland to the west. The agricultural fields to the west, as evidenced in the AECOM's Site Assessment Report for the Holbrook Neighbourhood Plan and in the Valued Landscape Assessment Report for the Additional Project Area, make a valuable contribution to the rural setting of Holbrook village and provide an important buffer between the southern village edge and the AONB. Strengthening the western landscaped boundary will be important to ensure that the function of this green buffer is maintained, to help screen views of the development from the west and to provide a vegetated backdrop to frame the development in views from the south and south east".

Following the submission of an additional drawing showing more planting around the access, the officer has updated the comments copied in above, and now states *"The supplementary landscaping information document dated 15.02.2022 shows the indicative landscape strategy for the site access and boundary with the Hyams Lane frontage. Following a review of this document, I can confirm that the AONB team is broadly supportive of the proposed landscape approach including the proposed trees and mix to be planted. This addresses concerns raised by the AONB team in our previous responses about the semi-urbanising Hyams Lane. It is important that only the length of hedgerow needed to meet splay line recommendations to the east of the new access is removed. The retention of as much of the road frontage hedge growing to the east of the site is important as it provides a valuable screen to the fire station in views from the AONB to the south. The need for a detailed landscape scheme should be secured by condition. This should be submitted to the planning authority and approved, in writing, prior to the commencement of any development at this site. The landscape scheme should provide details for both hard and soft landscaping and information on boundary treatments. It should specify plant species, numbers, location and sizes of the proposed planting as well as trees to be retained or felled and the location of new site fencing.*

This is being sought to protect local landscape character within the immediate setting to the Suffolk Coast & Heaths AONB".

Following the submission of an amended access plan, received on 28.09.2022, the AONB Officer now raises no objection. The officer states:

"The AONB team welcome the change removing the need to widen the eastern end of Hyams Lane. The AONB team's preference would be for a narrower access/ bell mouth if this can be achieved

and acceptable in Highways Terms. A smaller bell mouth would be compliant with the LVIA recommendations which recommended a low key access.

If a narrower bell mouth cannot be delivered that meets Highway Standards, provided the approaches into the site off the bell mouth are properly landscaped as per the Supplementary Highway and Tree Report dated 7 July 2022, we could accept the bell mouth as proposed. We note and accept the play line requirements”.

The additional planting, change of surface material, reduction in width of the access, omission of the road widening, as well as the retention of the Oak Tree are considered to reduce the urbanising effect significantly.

During the course of determination, Place Services – Landscaping were also consulted regarding the potential impact to the landscape, and any urbanising effect to Hyams Lane. The officer raises no objection to this proposal, following the submission of a drawing showing additional planting and landscaping around the access.

Following the submission of the amended access plan, received 28.09.2022, the officer states:

“We welcome the amendments to the site access layout including the removal of the widening proposals to Hyams and the reduction in width of the access road to 4.5m. although a minor reduction, it will help to lessen the negative effect on the two-way access entrance on the character of Hyams Lane”.

Prior to the submission of the amended access plan, the officer still raised no objection and stated:

“We are satisfied with the proposed landscape strategy and the suggested tree and planting palette. We have noticed an error on the drawings: existing T5 Oak Tree has been identified to be removed but the illustration on page 3 is showing T5 as been retained. We understand that the retention of this tree is not possible as it sites within the visibility splay area and is also not compatible with the widening of Hyams Lane.

No planting plan has been submitted at this stage indicating plant species, number of plants, location and stock sizes. This submission of a planting plan can be dealt with under a landscape condition”.

- 7.3 The landscaping scheme is now considered to be appropriate with this application (whereas the previous scheme was not) because the dwellings have been moved to more appropriate locations, which allows for much more landscaping detail and planting. The access onto Hyams Lane on the previous application caused an urbanising effect as the materials were seen as inappropriate and there was limited landscaping and planting in this area. This application, however, has amended the materials of the access onto Hyams Lane, which reduces the urbanising effect, as well as incorporating a lot more planting and landscaping details to further reduce any urbanising effect and landscape impact.
- 7.4 During the course of determination, Place Services Ecology were consulted, and have raised no objection to the proposal subject to securing a proportionate financial contribution towards visitor management measures for the Stour and Orwell Estuaries SPA/Ramsar, as well as ecological mitigation and enhancement measures. These have been secured via condition.

- 7.5 The officer states “*We are satisfied that there is sufficient information available for determination. This provides certainty for the LPA of the likely impacts on protected and Priority species/habitats and, with appropriate mitigation measures secured, the development can be made acceptable*”.
- 7.6 Policies HNP06 (Protection of Important Views) and HNP08 (Landscape Protection) of the NP revisit and in places replicate the above landscape considerations. Similarly, the application is not held to offend either of these policies.
- 7.7 There has also been a concern raised by the Parish Council for the loss of trees on the site. It is acknowledged that some trees are due for removal as part of the scheme. However, these trees do not offer any arboricultural value and additional planting is proposed. A condition has also been imposed to ensure that there is sufficient planting along all boundaries of the site to soften its appearance.

8.0 Land Contamination, Flood Risk, Drainage and Waste

- 8.1. The NPPF at Para.183 identifies *inter alia* that planning decisions should ensure that a site is suitable for its proposed use. In addition, Paragraph 183 makes it clear that, where a site is affected by contamination, responsibility for securing a safe development rests with the developer and/or landowner.
- 8.2 During the course of determination, Environmental Health – Land Contamination were consulted and raised no objection to the proposal, subject to a condition should permission be granted.
- 8.3. In relation to flood risk and drainage, the NPPF identifies at Paragraph 155 that “*...Inappropriate development in areas at risk from flooding should be avoided by directing development away from the areas at highest risk....*”. In regard to this, it is noted that the entire site for the proposed development is located within flood zone 1. Therefore, the site is not considered liable to unusual flooding events and, in that regard, accords with the identified requirements of the NPPF and development plan policy in this regard.

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

- 9.1. Concern has been raised regarding the potential impact on listed buildings in the vicinity and the development being inappropriate in a Conservation Area. Firstly, the site is not located within or near to a Conservation Area, so there is no harm arising. Secondly, the nearest listed building is the Grade II* listed church which is located to the east, on the opposite side of Church Hill. The listed building is separated from the development site by existing residential properties and an acceptable distance. The development site is not considered to read directly within the context of the listed building. The heritage team was consulted and offered no comments on the proposal.
- 9.2 The proposal is not considered to cause any adverse harm to any heritage assets to warrant refusal.

10.0 Impact On Residential Amenity

- 10.1 Policies within the adopted development plan require, *inter alia*, that development does not materially or detrimentally affect the amenities of the occupiers of neighbouring properties. Concerns for overlooking, loss of privacy and loss of outlook are acknowledged; however, the proposal is not considered to cause any adverse harm to residential amenity in terms of a loss of privacy or a loss of outlook.

- 10.2 Concern has been raised regarding smells/odour, loss of open space, loss of light, increase in pollution, increase in anti-social behaviour/fear of crime, overlooking, noise, loss of outlook, light pollution, loss of privacy, as well as the fire station causing light, noise and overlooking issues towards the potential future occupants of the site.
- 10.3 Regarding smells/odour, light pollution and noise, the Environmental Protection Team were consulted during the course of determination. The officer raises no objection to the proposal and states *"The NIA finds that the noise resulting from the operation of the Anglian Water pumping station, whilst potentially just audible at times, is unlikely to result in loss of amenity at the proposed dwellings, as is the noise emanating from the station is below both existing background noise levels during both day and night time periods. In terms of odour, I note that the revised site plan now positions the houses beyond the boundary as identified in Anglian Water's Risk Assessment, although I would defer to any comments they wish to make on this element."*

Environmental Protection have also stated *"With regard to the fire station and drill tower training, I note this takes place on a weekly basis from 19.00 - 21.00hrs. I note that the layout of plot 8, which is at outline stage, has been oriented so that gable end, which will have no windows, faces the drill tower. As per my previous comments, there may inevitably be a degree of loss of amenity at properties due to noise from training (although this is unlikely to be at times where sleep would be disturbed) as well as noise from fire engine call-outs, but given that there are already properties in a similar proximity to the fire station, this would be a planning decision and I am unable to give you any quantitative guidance on this. The comments regarding the use of blue lights/sirens in the document are noted."*

Section 2.3 gives further details of the Air Source Heat pumps for plots 1-4. The model detailed would result in a noise level of 35dB at 5metres, or 39.8dB accounting for cumulative effect of the 3 units operating in relatively close proximity. It is likely that the noise from the pumps will be audible in plots 1 -4, particularly in plots 2 -4 where the ASHPs will be located below the main bedroom window. I note that triple glazing is proposed and with a partially-open window the internal noise level is likely to be between 25 - 30dB which is within BS8223 guidance levels to avoid sleep disturbance. I would therefore recommend that a condition be attached to any permission to the effect that the Air Source Heat pumps for plots 1 -4 should be the WP17 Stiebel Eltron Classic and should be installed and thereafter maintained in accordance with manufacturer's instructions

In terms of plots 5-8, which are closer to existing dwellings, I would recommend that a condition be attached to any permission to the effect that "The applicant shall provide full details of all Air Source Heat Pump plant associated with the proposed development. A full acoustic assessment relating to the air source heat pump noise from the site shall be undertaken in accordance with "MCS 020 - MCS Planning Standards for permitted development installations of wind turbines and air source heat pumps on domestic premises and "BS8223 - Guidance on sound insulation and noise reduction for buildings". This assessment shall be carried out by a competent person and confirmation of the findings of the assessment and any recommendations shall have been submitted to the Local Planning Authority and agreed prior to the commencement of the development".

- 10.4 As the fire station is already location directly adjacent to existing residential properties, it is not considered to cause any adverse harm to residential amenity of the future occupants. The recommended conditions have been imposed. The fire station currently has drill nights on Thursdays, as per the Suffolk County Council website states ([Holbrook fire station | Suffolk County Council](#)). In addition to this, the Station Watch Manager advises that the Holbrook Fire Station is primarily used on a Thursday evening between 18:00 -21:00 hrs and this is their main training night.

Holbrook fire station does conduct other training days also, however, these take place during the day and are not considered to cause disturbance in terms of adverse noise or overlooking as the dwellings are set away and angled so as to not be directly overlooked by the drill tower, which is not used every day. In addition to this, the fire station is used for four vehicles that return from calls, these are cleaned and re-stowed ready for use, this happens approximately 100 times per year, and varies on times of the day/night. The cleaning and re-stowing of the four vehicles are not considered to cause any adverse disturbance to the proposed dwellings to warrant refusal.

- 10.5 Regarding a loss of open space, the land the site is located on is former agricultural land and is not public open space. Regarding a loss of light and outlook, the dwellings would be set away from the boundaries, and would not adversely restrict light into any neighbouring properties gardens or integral rooms of houses.
- 10.6 Regarding overlooking and a loss of privacy, the four terraced properties would not share a boundary with any residential property. Although they have first floor windows and Juliet balconies looking towards the west, the existing residential property on the western side is a significant distance away so as to not be overlooked. The existing residential properties to the east would share a boundary with the self-build plots, which are to be a maximum of 1.5 storeys on this side. The dwellings would also be set away from the boundary. As the matters are reserved on these dwellings at this time, we are unable to comment on any windows that may or may not overlook these existing properties. This would come as part of the reserved matters application.
- 10.7 Regarding a concern for an increase in anti-social behaviour and a fear of crime, this is a residential development, that would fit in within an existing cluster of built form. There are no activities proposed in this development that give concern for a rise in crime. The dwellings are orientated to overlook the parking areas, so there is not any significant concern of crime.
- 10.8 The proposal is not considered to cause any adverse harm to residential amenity to warrant refusal.
- 10.9 A potential issue that may give cause for concern for future occupiers of the proposed dwellings is the use of high pressure fire hoses during training exercises as water spray aimed at the drill tower may encroach onto the application site. However, this potential scenario would be subject to the 'agent of change' principle. Para 187 of the NPPF advises that *'where the operation of an existing business or community facility could have a significant adverse effect on new development (including changes of use) in its vicinity, the applicant (or 'agent of change') should be required to provide suitable mitigation before the development has been completed.'* To this end a condition is suggested to assess and secure mitigation for this concern.

11.0 Planning Obligations / CIL

- 11.1. Agreement of relocation of the 30mph speed limit further to the west.

12.0 Parish Council Comments

- 12.1 The matters raised by Holbrook Parish Council have been addressed in the above report. Holbrook Parish Council raised a number of concerns relating to this development. Regarding the conflict the Joint Local Plan; although the site is not allocated within the Joint Local Plan, the plan is not yet confirmed and is under examination, and is therefore subject to change. At this time, the Joint Local Plan carries limited weight.

- 12.2 Concern was also raised regarding impact to the AONB. The site itself is not located within the AONB, however it does abut the protected landscape to the south. The Dedham Vale and Stour Valley Project AONB Officer largely supports the mitigation measures that the proposal includes, and has recommended conditions to reduce the impact further, which have been imposed. Further details on impact to the AONB can be found below in the relevant section.
- 12.3 The Parish have also stated that this proposal sets a precedent for future development in the Parish. Each proposal is considered on its own merits, and applications cannot be determined based on possible future applications that may or may not come forward. At this moment in time, this location is considered sustainable and appropriate for this development.
- 12.4 Many of the concerns raised by the Parish are in relation to highway safety along Hyams Lane, as well as inadequate access and increased traffic. The SCC Highway Authority has not identified any harm to highway safety from this proposal, and raise no objection, subject to conditions which have been imposed. Although Hyams Lane is a narrow road, the access is wide enough to allow for the cars to exit and enter safely.
- 12.5 There has also been a concern for the loss of trees on the site. It is acknowledged that some trees are due for removal as part of the scheme. However, these trees do not offer any arboricultural value and additional planting is proposed. A condition has also been imposed to ensure that there is sufficient planting along all boundaries of the site to soften its appearance.
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PART FOUR – CONCLUSION

13.0 Planning Balance and Conclusion

- 13.1. In order to achieve sustainable development, the Framework identifies that economic, social and environmental gains must be sought jointly and simultaneously.
- 13.2 Paragraph 11 of the Framework sets out the presumption in favour of sustainable development, which, for decision making, means approving development proposals that accord with an up-to-date development plan without delay.
- 13.3 Paragraph 12 states that ‘where a planning application conflicts with an up-to-date development plan (including any neighbourhood plans that form part of the development plan), permission should not usually be granted. Local planning authorities may take decisions that depart from an up-to-date development plan, but only if material considerations in a particular case indicate that the plan should not be followed.’
- 13.4 The Framework goes on to advise (Paragraphs 29 and 30), that neighbourhood plans can shape, direct and help to deliver sustainable development, by influencing local planning decisions; that neighbourhood plans should not promote less development than set out in the strategic policies for the area, or undermine those strategic policies and that once a neighbourhood plan has been brought into force, the policies it contains take precedence over existing non-strategic policies in a local plan covering the neighbourhood area, where they are in conflict; unless they are superseded by strategic or non-strategic policies that are adopted subsequently.
- 13.5. The Framework seeks to significantly boost the supply of housing. Babergh District Council considers it can demonstrate a 7.13-year supply (Draft Five-Year Housing Land Supply Position
-

Statement 2022 – dated Dec 2022). Furthermore, the NP states that the emerging Local Plan identifies a minimum housing requirement for the parish of 65 new dwellings over the Plan period to 2037 and that this housing requirement is already met. Whilst the development would contribute to housing supply in general terms thorough provision of 4 No. two-bed dwellings and 4 No. self-build plots, this proposal does not target the specific housing need of the village, identified through the emerging NP and the Holbrook Parish Housing Needs Assessment (January 2020).

- 13.6. The proposal fails to address a locally identified need to improve affordability in Holbrook across all tenures and a locally identified need for increasingly smaller and older households. AECOM recommends that around 50% of houses in new developments should be 1-bedroom homes, around 25% should be 2-bedroom homes and around 25% should be 3 bed homes and this need is not met by the proposal. Furthermore, the AECOM recommendation to encourage bungalows to meet the needs of a growing elderly population is not explicitly addressed by the proposal either.
- 13.7. Failure to address the specific local housing need for the village, identified through the NP and AECOM housing needs assessment, results in non-compliance with Policy CS11(iv). The Framework is clear that where a proposal conflicts with an up-to-date development plan (including any neighbourhood plans that form part of the development plan), permission should not usually be granted, unless material considerations indicate that the plan should not be followed. There are no such material considerations to indicate otherwise in this case.
- 13.8. In terms of the overarching objectives for sustainable development (economic, social and environmental objectives), whilst the site is outside the defined built-up area boundary, it abuts the boundary and is not considered to be out of character or isolated.
- 13.9. The proposed development would provide economic benefits. Those benefits being the contribution to housing supply in the district and relating to employment during the construction phase and local spending by future occupiers, although some of these would be limited and temporary and as such are afforded limited weight.
- 13.10 The proposal would offer social benefits in respect of providing general needs housing within a sustainable location, that would not result in the heavy reliance on private motor vehicles to access basic services, such as schooling and health care. However, the proposal does meet the specific identified housing needs of the village and as such the proposal cannot be attributed positive weight in terms of the social dimension of sustainable development.
- 13.11 In terms of the environmental objective of sustainable development, the impact on character and appearance of the area, biodiversity and flood risk is considered to be neutral. Whilst the proposal would not result in environmental benefit, proposed mitigation measures are proposed. The proposal is, therefore, considered to have a neutral impact in terms of the environmental dimension of sustainable development.
- 13.12 To conclude, there are elements of this proposal that accord with an up-to-date development plan and others that are not. On balance, the application proposal cannot be considered to represent sustainable development and cannot therefore be supported because of the conflict identified between the proposal and Policy CS11 (iv) and emerging Policy HNP 01.

RECOMMENDATION

That the application is REFUSED planning permission, based on the following reasons:-

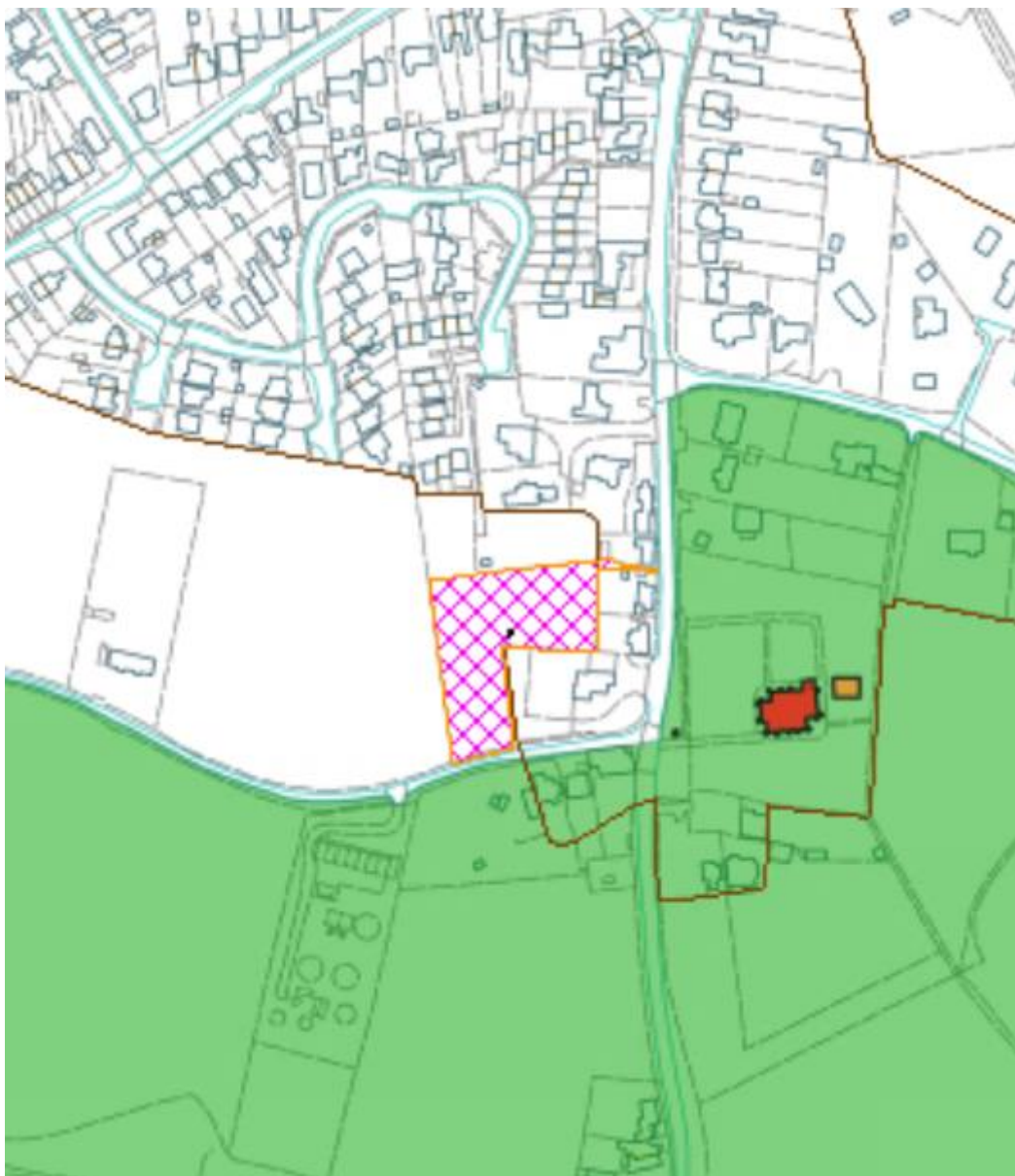
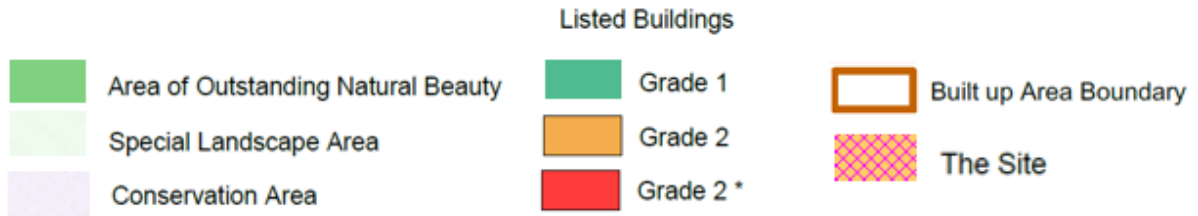
The site is located outside of the defined built up area boundary for Holbrook village and is therefore located within the countryside for development management purpose, wherein Core Strategy Policy CS11(iv) and emerging Neighbourhood Plan Policy HNP 01 apply. Policy CS11(iv) states proposals will be approved where, inter alia, a locally identified need for the development is demonstrated and Emerging Policy HNP 01 states that, outside the defined settlement boundaries, proposals for new housing development will only be permitted where they are in accordance with national and district level policies. In addition, HNP 02 states “All future housing development must contribute to meeting the existing and future needs of the Parish in order to facilitate a cohesive community”. This hybrid proposal, comprising 4 No. two-bed dwellings and 4 No. self-build plots, fails to address a locally identified need to improve affordability in Holbrook across all tenures and a locally identified need for increasingly smaller and older households, as identified through the emerging Holbrook Neighbourhood Plan Submission draft and the Holbrook Parish Housing Needs Assessment (January 2020), resulting in social harm that outweighs the economic benefit and environmental neutrality arising from the proposal.

The proposal therefore does not deliver sustainable development, contrary to Policies CS11(iv) of the Babergh Core Strategy (2014), Policies HNP 01 and HNP 02 of the emerging Holbrook Neighbourhood Plan Submission draft and the National Planning Policy Framework.

Application No: DC/21/01802

Parish: Holbrook

Location: Land South Of Honeysuckle Cottage, Little Orchard



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Agenda Item 6b

Committee Report

Item No: 6B

Reference: DC/22/01605

Case Officer: Elizabeth Flood

Ward: Copdock & Washbrook.

Ward Member/s: Cllr David Busby.

RECOMMENDATION – GRANT PLANNING PERMISSION WITH CONDITIONS

Description of Development

Application for Outline Planning Permission (Access to be considered) - Demolition of existing redundant farm buildings and erection of up to 19 No dwellings. Creation of a new vehicular & pedestrian access off The Marvens.

Location

Hill Farm Barns, Hill Farm, Old London Road, Copdock And Washbrook, IP8 3LE

Expiry Date: 28/10/2022

Application Type: OUT - Outline Planning Application

Development Type: Major Small Scale - Dwellings

Applicant: Suffolk County Council

Agent: Concertus

Parish: Copdock And Washbrook

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

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

Has the application been subject to Pre-Application Advice: Yes DC/21/06425. Positive pre-application advice subject to Policies CS2 and CS11 and constraints.

PART ONE – REASON FOR REFERENCE TO COMMITTEE

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

Residential development above 15 dwellings.

PART TWO – POLICIES AND CONSULTATION SUMMARY

Summary of Policies

CN01 - Design Standards
CR04 – Special Landscape Areas
CS01 - Applying the presumption in Favour of Sustainable Development in Babergh
CS02 - Settlement Pattern Policy
CS15 - Implementing Sustainable Development
CS11 - Core and Hinterland Villages
CS19 - Affordable Homes
TP15 - Parking Standards - New Development
TP04 - New Cycle Links

National Planning Policy Framework

At the current time, the Joint Local Plan (JLP) carries limited weight; however this is expected to change soon and any such change will be reported to Members as relevant.

Neighbourhood Plan Status

This application site is within a Neighbourhood Plan Area.

The Copdock and Washbrook Neighbourhood Plan failed at referendum. The Parish Council is currently considering a revised Neighbourhood Plan. The Neighbourhood Plan therefore has little 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

Town/Parish Council

Copdock and Washbrook Parish Council.

Whilst the Parish Council recognises this site sits outside of the current development area, in their opinion, the proposal will add value to the current derelict land .

Additionally, the Parish Council have further considered the development and highways road layout and make the following comments for consideration:

1. Approach from Chapel Lane to Old London Road junction. Replacement of Give Way sign with Stop sign. To reduce potential T bone accidents at junction due increase of traffic accessing new Marvens site. It will also reduce speed of vehicles travelling east bound in Chapel Lane to make it safer when pedestrians are trying to cross Chapel Lane at the junction.
2. De-regulate existing section of Old London Road, opposite development site. Replace existing 70mph signs with 30mph signs. Northbound carriageway, junction with Whights Corner and Marvens access road. To reduce traffic speed using this section of the existing carriageway from 70mph to 30mph.

3. New No Entry signs, together with a kerbed island in existing carriageway to accommodate the sign Facing south on northbound carriageway at junction of Old London Road and Chapel Lane To avoid vehicles travelling southbound on wrong side of Old London Road dual carriageway.
4. New No Entry signs Facing south on northbound carriageway at junction of Old London Road and Marvens access road To avoid vehicles travelling southbound on wrong side of Old London Road dual carriageway.
5. New public footpath On west side of northbound carriageway, from Marvens access road up to barrier. To provide a safe, segregated pedestrian / cycle route on the redundant section of dual carriageway, which could be subject to two way cycle used route.
6. No Motor Cycles sign Northbound carriageway, at junction with Old London Road and Marvens access road. At location of new bollards on carriageway.
7. Existing note on drawing, suitable signage confirming vehicle access only & resident parking only to White Cottage, to be implemented. Southbound carriageway, at junction Old London Road and Marvens access road. To prevent random parking on road outside White Cottage.
8. None drive over kerbing To centre of existing dual carriageway, to southbound carriageway. To prevent vehicular access over central reservation and beyond bollards to redundant section of Old London Road

Subsequent response

The latest Ardent report REF 2003381-03A of September 2022 sets out a proposed off site London Road cycle scheme drawing no 2003381-004 Rev A. This proposal should be a condition of the proposed development.

With regards to the road layout scheme, we ask for the following items to be considered to reduce unwanted antisocial behaviour adjacent to neighbouring residents along the Old London Road.

1. Installation of a new barrier on the central grass verge of the Old London Road to prevent cars driving around the new bollards or over the grass area.
2. Signs displaying Parking for residents only
3. Parking bays marked with road linings on the south side of the Old London Road designated for residents only.
4. Improved footpath access on the north side of Old London Road, leading to Pinewood.

These items should be financed by the main contractor/ developer.

BMSDC Public Realm Consultation outlines.

- a. the quantity of open space would appear sufficient as a proportion of the development as a whole assuming that the potential attenuation basin is on the whole expected to be dry for most of the year. If it is not the case, then more public open space should be provided to ensure a minimum of at least 10% of the total area.
- b. The quantity of houses is just under the threshold and consideration should be made for on-site provision of play areas; a contribution should be sought (via CIL?) towards facilities in the parish.
- c. Primarily the open spaces will serve the development and perhaps a local solution to the maintenance and management of the open space and attenuation basin, through a management company or similar.

We would suggest details Open Space plans and confirmation of its management be finalised by S106 agreement at the details stages. The above aspects should be a condition of the proposed development.

The Parish Council APPROVE this application

National Consultee

Highways England: No objection

County Council Responses

Archaeology: This site lies in an area of archaeological potential recorded on the County Historic Environment Record (HER), situated in a topographically favourable location for early occupation, evidence to suggest this can be seen in the HER with the find spot of a Neolithic leaf shaped arrowhead (HER ref no. WSH 004) close to the site. Furthermore, the proposed site is close to an early crossing point of the river, where the projected line of a Roman road (WSH 009) crosses at Washbrook Bridge.

As a result, there is high potential for the discovery of below-ground heritage assets within the site. As a result, there is high potential for the discovery of below-ground heritage assets of archaeological importance within this area, and groundworks associated with the development have the potential to damage or destroy any archaeological remains which exist.

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

Highways: Recommend approval subject to conditions. Site would be served by stop on Chapel Lane which is within easy walking distance. A S106 contribution of £10k for an RTPI screen is requested to encourage the use of sustainable transport in accordance with the NPPF.

Flood and water officer: recommend approval subject to conditions.

Infrastructure team: Summary of infrastructure requirements split between CIL/S106:

Service Requirement Capital Contribution

CIL Education

- Secondary School expansion @£25,253 per place £101,012

- Sixth form expansion @ £25,253 per place £25,253

CIL Libraries improvements @ £216 per dwelling £4,104

CIL Waste improvements @£130 per dwelling £2,470

S106 Primary school new build @ £21,774 per place £108,870

S106 Early years new build @£21,774 per place £43,548

S106 Monitoring fee (per trigger point) £412

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Internal Consultee Responses

Place services Heritage: The proposed site is not relevant to any designated heritage asset. The existing buildings on the site: a farmhouse, two barns and an ancillary outbuilding have limited local interest, however, do not qualify to be considered as Non-Designated Heritage Assets. Therefore, having considered the current state of the buildings, I have no objection to their demolition. Proposal for a residential development on the site would alter the character of the site towards urbanisation, yet I cannot suggest this to have such adverse impact upon the local character and distinctiveness as to warrant an objection on the grounds of built heritage.

Arboricultural Officer: I have no objection in principle to this application subject to it being undertaken in accordance with the preliminary measures outlined in the accompanying arboricultural report. The 4 TPO oak trees on site appear adequately accommodated within the layout design to avoid damage during construction and post-development pressure for pruning. If you are minded to recommend approval, we will also require a detailed Arboricultural Method Statement, including an auditable monitoring schedule, and Tree Protection Plan, in order to help ensure harm is not caused to the trees during development - this can be dealt with under condition.

Environmental Protection - Noise: With regards to the environmental noise assessment by Ardent Consulting Engineers Report Ref: No 2003381-02 Project No: 2003381, February 2022. The assessment has identified adverse impact caused by road traffic noise. Mitigation has been shown in the report to ensure that a good acoustic environment can be achieved. Paragraphs 5.4 to 5.9 show minimum glazing specification, paragraphs 5.10 to 5.12 show suitable passive ventilation requirements and paragraph 5.15 and Appendix C show a close boarded fence to ensure that suitable noise levels in amenity spaces can be met. The report also makes recommendations concerning noise from the construction phase which should be considered and incorporated into the site construction management plan I therefore have no objection in principle subject to the following conditions being applied

Environmental Protection - Land Contamination: No objection to the proposed development subject to conditions.

Strategic Housing: Adopted and emerging policy is for 35% of the site to be affordable housing. For 19 dwellings, this equates to 6.7 affordable units. This should be provided for by way of 6 units on site and a commuted sum for the residual 0.7, currently calculated to be £53,155. The applicant has committed to this approach in principle (planning statement paragraph 3.3).

The applicant, on the Indicative Site Layout document (Aug 2020), has proposed an affordable housing mix. The proposed affordable housing mix does not include any 3-bed affordable rent units. Given the mix of demand on the Housing Register, it would be preferred to have the following mix of affordable rented units: 1 x 1b2p house @ 58m² 2 x 2b4p house @ 79m² 1 x 3b5p house @ 93m² The proposed mix of shared ownership units is acceptable.

Public Realm:

- 1) The quantity of open space would appear sufficient as a proportion of the development as a whole . This is assuming that the potential attenuation basin is on the whole expected to be dry for most of the year. If it is not then it may be more public open space should be provided to ensure a minimum of at least 10% of the total area.
- 2) Whilst the quantity of houses is just under the threshold where we would wish consideration to be made for on-site provision of play areas, a contribution should be sought (via CIL?) towards facilities in the parish.
- 3) Finally we believe that primarily the open spaces will serve the development and perhaps a few houses at its entrance in the MARvens. As this is the case we would expect a local solution to the maintenance and management of the open space, through a management company or similar We would suggest details Open Space plans and confirmation of its management be finalised by S106 agreement at the details stages

Place service Landscaping: From a desktop review, the site appears to be well screened from the south and eastern boundaries with trees and hedgerow. The western boundary contains some planting but only towards the south part, leaving the northern part open. The northern boundary is of a semi-open character with some groups of trees and scrub planting; however, this vegetation has been identified for removal leaving the site exposed to views from the north.

We welcome the intention to retain of the TPO trees and boundary planting. The existing vegetation within the site is proposed to be removed and any proposal should provide mitigation for tree loss and new planting should be within public domain to guarantee their establishment and longevity. In addition, this will assist in softening the built form and filtering views of roof tops.

The proposed green open spaces should be of high quality and provide for a varied range of users. The proposed swales and attenuation areas have the potential to provide ecological enhancements as well as amenity value. The attenuation area, if not permanently wet, should be designed as a multifunctional green open space, with planting of various sizes and areas for natural/informal play.

We welcome the proposed hedgerow planting and hedgerow trees to the west and northern boundaries. The location of the hedgerow trees should be planned carefully to provide optimum mitigation, filtering views of the development. Additional planting strengthening the existing hedgerow along the eastern boundary and around the proposed footpath/cycle link will be required. Species should reflect those on existing on site where these contribute towards preserving the local landscape character.

With regards access road, the proposed vehicular access into the site will use the existing access road to the Marvens development. This is welcome as it will not be adding new urbanised features that will have a negative impact in the local rural character. The existing site access along Old London Road will be used for pedestrian/cyclist only. In the interest of preserving and enhancing the rural character of the area, the access will need to be redesigned to a pedestrian access - reduce width and remove junction. Additional planting around the new pedestrian/cyclist access will be required.

In principle, the proposed site area could have the capacity to accommodate some development, but its acceptability will be subject to:

- Complying with Policy CR04 of the Babergh Local Plan Alteration No.2 (June 2006). – Delivering appropriate landscape mitigation to compensate for tree loss.
- Delivering appropriate landscape mitigation to integrate the development into the existing landscape character.
- Providing green open space areas of high quality.

Place services Ecology: No objection subject to securing: a) a proportionate financial contribution towards visitor management measures for the Stour and Orwell Estuaries SPA/Ramsar; and b) ecological mitigation and enhancements for protected and Priority species.

The Ecological Impact Assessment (agb Environmental Ltd, August 2022) identified a 'low population' of Slow Worm being present within the site. Therefore, as a suitable receptor site was not available within the red line boundary, we note that the developer has received permission in principle to translocate the reptiles to Belstead Country Park. This site is a large area of suitable habitat for reptiles but is known to already contain Slow Worm within the wider landscape area and other reptile translocations have been undertaken to the country park. As a result, it is indicated that we support this option, but indicate that some enhancement measures (e.g. hibernacula, brush piles, basking sites or habitat management) will need to be undertaken to ensure that the existing Slow Worm population can support the additional individual species.

Therefore, a finalised reptile mitigation strategy should be secured as a pre-commencement condition of any consent for this application. The mitigation measures identified in the Ecological Impact Assessment (agb Environmental Ltd, August 2022) should be secured and implemented in full, as this is necessary to conserve and enhance protected and Priority Species. Therefore, as the bat surveys have confirmed that the former farmhouse supports an occasionally used day roost of low conservation significance, we support that the site will be registered under Natural England's Bat Mitigation Class Licence by a registered consultant. As a result, evidence that this has been undertaken should be provided to the LPA

prior to commencement of any works on the farmhouse. We also recommend that a Wildlife Friendly Lighting Strategy is implemented for this application. In addition, we support the proposed bespoke biodiversity enhancements, which have been recommended to secure net gains for biodiversity,

At the time of writing this report at least 5 letters/emails/online comments have been received. It is the officer opinion that this represents 3 objections, and 2 general comments, this includes significant correspondence from the nearest neighbour White Cottage. A verbal update shall be provided as necessary.

Views are summarised below:-

- Access of The Marvens would be dangerous
- The Marvens is too narrow for an additional access
- Access may block access to individual properties
- Air quality
- Land contamination
- Loss of trees and shrubs will impact biodiversity
- Lack of village infrastructure
- Preventing vehicles using north bound carriageway will be beneficial but won't stop motorbikes
- Need to make south bound carriageway 30 mph as residential area
- Need further markings/restrictions to prevent parking and access on south bound carriageway.

(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

None relevant

PART THREE – ASSESSMENT OF APPLICATION

1.0 The Site and Surroundings

- 1.1 The site comprises the derelict former farmhouse and agricultural barns/outbuildings of Hill Farm Barns and the surrounding land, which have been subject to extensive fly tipping and burning of vehicles. The site also includes a small agricultural field to the south. The land slopes down North to South. Within the site is a TPO Oak Tree and along the boundaries of the site are three other TPO Oak Trees. The site and surrounding farmland is within the ownership of Suffolk County Council, the applicant of the planning application.
- 1.2 To the north of the site is further grassland with some significant trees and then the A14. To the East of the site in London Road/Old London Road. This is the former A12 and comprises an unrestricted dual carriageway without footways. Opposite the site on London Road is White Cottage, which is accessed off London Road and then further dwellings along London Road which comprised Wrights Corner. The current access to the site is off London Road which is closed to vehicular traffic after the access, but provides a pedestrian/cycle way under the A14 to the Copdock Interchange.

- 1.3 To the East of the site are agricultural fields and then Swan Hill. To the south of the site is The Marvens, a small residential estate of approximately 18 dwellings which was originally a rural exception scheme which has subsequently expanded.
- 1.4 The site is located within the Countryside and a special landscape area. Part of the site is at risk of surface water flooding.

2.0 The Proposal

- 2.1. The proposal is for Outline Planning Permission (Access to be considered) - Demolition of existing redundant farm buildings and erection of up to 19No dwellings. Creation of a new vehicular & pedestrian access off The Marvens.
- 2.2. The site would be accessed via a new access from The Marvens, close to the junction with London Road. The indicative layout shows the access going up the east side of the site, with a SUDs basin in the Eastern edge. Most of the dwellings would be located to the West of the spine road, either accessed off the road or via a private drive. The spine road would end with a hammer head with dwellings to the north. The existing access from London Road would be redesigned as a pedestrian and cycle track onto London Road.
- 2.3 The indicative layout shows a range of detached, semi-detached, terraced and bungalows. 35% affordable housing would be provided which would include six dwellings within the site.
- 2.4 Public open space would be provided north of the SUDS basin with the TPO tree within the centre of this area and on the western boundary of the site, providing protection for the TPO tree on the boundary.
- 2.5 Existing boundary trees and hedging would be retained on the east, west and south side of the development with a new hedge with trees located on the northern edge of the development. The area at risk of surface water flooding would be used as garden land.

3.0 The Principle Of Development

- 3.1. Babergh benefits from a five-years plus land supply position as required by paragraph 73 of the NPPF. The tilted balance at paragraph 11(d) of the NPPF is not engaged in that respect. There is no requirement for the Council to determine what weight to attach to all the relevant development plan policies in the context of the tilted balance test, whether they are policies for the supply of housing or restrictive 'counterpart' policies, such as countryside protection policies. That said, there is a need for Council to determine whether relevant policies of the Core Strategy generally conform with the aims of the NPPF. Where they do not, they will carry less statutory weight.
- 3.2 Policy CS1 'Applying the Presumption in favour of Sustainable Development in Babergh' is in-step with paragraph 11(d) of the NPPF, even though the policy's wording was based on the earlier 2012 NPPF. This policy is therefore afforded full weight. Policy CS11 is considered to be consistent with the aims of the NPPF, in particular with regard to the need for development to respond positively to local circumstances, which is consistent with paragraph 77 of the NPPF, and therefore has full weight. Policy CS15 sets out desirable characteristics for development which are based upon the principles of sustainable development which is also consistent with the NPPF and given full weight. Both policies CS11 and CS15 accord with the NPPF, particularly in relation to paragraphs 77 and 78 of the NPPF relating to rural housing, locally identified needs and promoting sustainable development in rural areas; paragraph 103 relating to limiting the need to

travel and offering a genuine choice of transport modes; paragraph 127 to achieve well-designed places and paragraph 170 to contribute to and enhance the natural and local environment.

- 3.3 Policy CS2 'Settlement Pattern Policy' designates Copdock as a hinterland village. Policy CS2 requires that outside of the settlement boundary, development will only be permitted in exceptional circumstances subject to a proven justified need. This blanket approach is not entirely consistent with the NPPF, which favours a more balanced approach to decision-making. The NPPF does contain a not dissimilar exceptional circumstances test, set out at paragraph 79, however it is only engaged where development is isolated. For the reasons set out in this report, the development is not isolated. Paragraph 79 of the NPPF is not engaged.
- 3.4 In the absence of an up to date allocations document and given the delay in the settlement boundaries review since the last local plan was adopted in 2006, coupled with the fact that its exceptional circumstances test is not wholly consistent with the NPPF, the policy cannot be given full weight. However its overall strategy is appropriate in taking a responsible approach to spatial distribution, requiring the scale and location of new development to take into account local circumstances and infrastructure capacity. These elements are considered to be consistent with the NPPF and therefore the policy is given substantial weight.
- 3.5 As noted in the Core Strategy, delivery of housing to meet the district's needs within the framework of the existing settlement pattern means there is a need for 'urban (edge) extensions' as well as locally appropriate levels of growth in the villages. Policy CS11 responds to this challenge, setting out the 'Strategy for Development in Core and Hinterland Villages'. The general purpose of Policy CS11 is to provide greater flexibility in the location of new housing development in the Core and Hinterland Villages.
- 3.6 The site is located within the Countryside outside of the built up area boundary (BUAB) of Copdock. As such the principle of development will be accessed under Policies CS2 and CS11 of the Babergh District Core Strategy 2006. Policy CS2 states that (inter alia) *the scale and location of development will depend upon the local housing need, the role of settlements as employment providers and retail/service centres, the capacity of existing physical and social infrastructure to meet forecast demands and the provision of new / enhanced infrastructure, as well as having regard to environmental constraints and Hinterland Villages will accommodate some development to help meet the needs within them. In the countryside, outside the towns / urban areas, Core and Hinterland Villages defined above, development will only be permitted in exceptional circumstances subject to a proven justifiable need.*
- 3.7 Policy CS11 states (inter alia) that *the following matters are addressed to the satisfaction of the local planning authority (or other decision maker) where relevant and appropriate to the scale and location of the proposal:*
- i) *the landscape, environmental and heritage characteristics of the village;*
 - ii) *the locational context of the village and the proposed development (particularly the AONBs, Conservation Areas, and heritage assets);*
 - iii) *site location and sequential approach to site selection; locally identified need - housing and employment, and specific local needs such as affordable housing;*
 - iv) *locally identified community needs; and*
 - v) *cumulative impact of development in the area in respect of social, physical and environmental impacts.*

Development in Hinterland Villages will be approved where proposals are able to demonstrate a close functional relationship to the existing settlement on sites where the relevant issues listed

above are addressed to the satisfaction of the local planning authority (or other decision maker) and where the proposed development:

- i) is well designed and appropriate in size / scale, layout and character to its setting and to the village;
- ii) is adjacent or well related to the existing pattern of development for that settlement;
- iii) meets a proven local need, such as affordable housing or targeted market housing identified in an adopted community local plan / neighbourhood plan;

The cumulative impact of development both within the Hinterland Village in which the development is proposed and within the functional cluster of villages in which it is located will be a material consideration when assessing such proposals.

- 3.8 The development is considered to be well designed. The access of The Marvens allows the Old London Road to be closed off to vehicular traffic and also provides a cohesive development extending an existing settlement. The indicative layout shows the built development following the pattern and density of development within The Marvens and the TPO trees retained within the public open space.
- 3.9 The site is located 180 metres from the BUAB which is on the opposite side of Belstead Brook. However, Copdock and Washbrook is a dispersed settlement with three main settlement areas each with their own BUAB. With the development of The Marvens, originally as a rural exception site, The Marvens/Wright's Corner has become another settlement area. This was reflected in the draft JLP which included The Marvens within a settlement boundary. The development would be adjacent to a cluster of approximately 18 dwellings. As such it is considered the site demonstrates a close functional relationship to the existing settlement.
- 3.10 The location of the development, including the access from The Marvens would allow the existing vehicular access to Hill Farm to be removed and approximately 82 metres of the north bound carriageway London Road to be closed to vehicular traffic. London Road at this point is subject to a 60mph speed limit and has no pavements. Although the road is lightly trafficked it is also used heavily by pedestrians and cyclists from Copdock and Washbrook as it provides direct access to the retail facilities at Copdock Interchange and regular buses into Ipswich. This part of London Road is also subject to anti-social behaviour including fly tipping.
- 3.11 Closing this part of London Road to vehicular traffic would improve pedestrian and cyclist safety, in particular pedestrians will have a continuous footway from Washbrook and Copdock to Copdock Interchange. This is likely to encourage greater use of this route by pedestrians, improving the sustainability of the villages. In addition, access to the south bound carriageway would be restricted, by signage. This should decrease the vehicle- based anti-social behaviour and improve the amenity of White Cottage by reducing cars from passing this property. It would support the aspiration for a Copdock to Capel St Mary cycle lane along London Road by creating 82 metres of traffic free route. The benefits of the closure of London Road is considered to be exceptional circumstances which would support the development and therefore complies with Policy CS2.

4.0 Local Housing Need

- 4.1 Copdock is classified as a Hinterland Village, within the functional cluster of both Ipswich and Capel St Mary, within Policy CS2 of the Babergh Local Plan. This policy states that (inter alia) *Hinterland Villages will accommodate some development to help meet the needs within them.*

- 4.2 In relation to housing need Policy CS11 states that (inter alia): *Development in Hinterland Villages will be approved where proposals meets a proven local need, such as affordable housing or targeted market housing identified in an adopted community local plan / neighbourhood plan.*
- 4.3 A local housing needs assessment has been provided with this application, which concludes that depending on the analysis used, there is an additional local housing need with Copdock and Washbrook parish of between 71 and 108 dwellings and the total committed supply is 43 dwellings. As such there is a shortfall of between 28 and 65 dwellings. With the failure of the neighbourhood plan at referendum there are no current allocations to provide for this local need. It can be concluded that the development would therefore meet a proven local need in accordance with CS11.

5.0 Nearby Services and Connections Assessment Of Proposal

- 5.1. The development is well served by services, it is within walking distance of the retail and other facilities within Copdock Interchange, where there is a very regular bus access to Ipswich Town Centre via the Park & Ride or Tesco. Copdock Primary School is around at 750 metre walk and Suffolk One college is also within walking distance. The new primary school at Wolsey Grange will be approximately 1.7km away from the site but there will be safe cycling links to this school. The facilities at Copdock Interchange will be more easily accessed by walking/cycling than car which will encourage use of non-motorised vehicles. The closure of London Road will also improve the connections of the remainder of Copdock and Washbrook with the facilities at Copdock Interchange.

6.0 Site Access, Parking And Highway Safety Considerations

- 6.1. Access to the site would be via The Marvens, which is accessed off Old London Road. Access onto the site would be close to the entrance of The Marvens and opposite an area of public open space. The land at this point is on a steep bank which would require significant regrading. The Highway Authority has not objected to the proposals subject to conditions.
- 6.2 Within the site the indicative layout shows a spine road through the development with a pedestrian/cycle path to replace the existing vehicular access into Hill Farm Barns, allowing access onto the Old London Road.
- 6.3 The application also includes significant off site works to allow the north bound carriageway of London Road to be converted to pedestrian/cycle traffic only. This consists of the introduction of wider kerbs and bollards to prevent vehicles accessing the north bound carriageway. As the top of the London Road further bollards would be located, to prevent vehicles accessing the south bound carriageway from the east. The proposed bollards would be removable to allow for maintenance and access for highway authority vehicles. It is also proposed that there would be some soft landscaping of the verges
- 6.4 On the south bound carriageway it is not possible to close the road as the road provides vehicular access to White Cottage. It is proposed that the south bound carriageway will become two way to access White Collage only with appropriate white lines and signage to be included to try and restrict the use of this carriageway. This area of London Road is currently used for ad hoc parking and while the retention of the south bound carriageway will not prevent such parking in its entirety it is hoped that the signage will deter parking on this section of carriageway.
- 6.5 Comments have been provided by neighbouring properties who wish for further restrictions on the use of the south bound carriageway. There is a limit on what can be done to prevent use of the

south bound carriageway without preventing access to White Cottage. The proposed scheme is considered a compromise and further restrictions on parking could be considered by the Highway Authority in the future should it continue to be a problem.

- 6.6 The indicative layout shows that there would be sufficient space for parking in accordance with the Adopted Suffolk Parking standards as a mix of on plot and along private drives. Given the unique location of the development, with local facilities as Copdock Interchange being more easily accessible by walking/cycling than driving the development should encourage these forms of transport. At reserved matters stage it will be important to ensure that the materials used for the access roads allow for cycling and that every dwelling has a secure, covered area for cycle parking.

6.0 Design And Layout [Impact On Street Scene]

- 6.1. Detailed design and layout would be subject to a reserved matters application. The indicative layout shows that 19 dwellings could be located on the site at a similar density to the development at The Marvens, while retaining space for the TPO trees, SUDS basin and public open space. The development would be inward looking with the extensive boundary landscaping on London Road being retained as is the case with The Marven's development (this is likely to require some additional planting). This would protect the rural character of the area.

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

- 7.1 The landscape officer has stated that in principle, the proposed site area could have the capacity to accommodate some development, but its acceptability will be subject to:
- Complying with Policy CR04 of the Babergh Local Plan Alteration No.2 (June 2006).
 - Delivering appropriate landscape mitigation to compensate for tree loss.
 - Delivering appropriate landscape mitigation to integrate the development into the existing landscape character.
 - Providing green open space areas of high quality.
- 7.2 The site along with a large area of land on both sides of the A14 is designated as a Special Landscape Area. CR04 therefore applies which states that development will only be permitted when it:
- maintain or enhance the special landscape qualities of the area, identified in the relevant landscape appraisal.
 - are designed and sited so as to harmonise with the landscape setting.
- 7.3 Parts of the site currently detract from the landscape value of the immediate area due to the derelict nature of the building and the poor condition of the land. The site is also impacted by the proximity of London Road, A14 and the Marvens. Given the scale and layout of the development it is considered that the development will maintain the special landscape qualities of the area. In addition the development has been designed and sited to retain the most valuable landscape elements of the site including the boundary landscaping and TPO trees.
- 7.4 The indicative layout shows the loss of trees and shrubs within the site although those of the boundaries will be retained. It is proposed that a hedge with trees is planted on the northern boundary, this along with additional infill planting on the other boundaries, plus street trees would compensate for tree loss. It may also be possible to retain one additional tree within the site.

- 7.5 The development would not be particularly visible from outside the site, especially along London Road which will help to integrate the development into the existing landscape character. The development is likely to be visible from Swan Hill, although it will be viewed in conjunction with the development within The Marvens. Landscape mitigation in terms of good quality boundary hedging and trees should help integrate the development into the existing landscape.
- 7.6 The purpose of the two green open spaces are to provide root protection zones for the TPO trees. The trees will dominate these spaces but also be an attractive feature of them. The developer has confirmed that the attenuation basin would not be fenced so will be available as additional public open space and can be appropriately landscaped. In addition the developer is looking at the possibility of some small scale timber play equipment with the public open space.
- 7.7 Although the development will significantly change the immediate landscape of the site, given the strong boundary features it is considered that the landscape impact of the development is acceptable.
- 7.8 There is one TPO oak tree within the site and three additional TPO oak trees on the boundaries of the site. An arboricultural assessment accompanies the application and confirms that these trees are healthy and should be retained. The parameters plan shows that these trees will be retained and the route protection zone protected from development. The indicative layout shows that three of the trees would be located within public open space and the fourth overhanging the gardens of plot 10 and 11. Both these gardens are of a good size and the tree would not dominate this space. It will be important to ensure that T7 oak tree remains within public open space at reserved matters stage to ensure that there is no pressure to fell it. The arboricultural officer has not objected to the proposal subject to conditions.
- 7.9 There are also other groups of trees which ideally will be retained. These are generally on the boundary of the site and the indicative layout shows these retained. One B grade ash tree within the centre of the site is currently shown as being removed, although with a small change to the layout at reserved matters stage it is likely that this could also be retained.
- 7.10 There is a low level population of slow worms within the site, a habitat for these cannot be provided within the developed site so it is proposed that these are translocated to Belstead Country Park (Belstead Meadows) which is located on the opposite side of the A14. The Council's ecologist has accepted this proposal subject to improved habitat as Belstead County Park.
- 7.11 The bat surveys have confirmed that the former farmhouse supports an occasionally used day roost of low conservation significance, therefore the site will need to be registered under Natural England's Bat Mitigation Class Licence by a registered consultant.

8.0 Land Contamination, Flood Risk, Drainage and Waste

- 8.1. A small part of the north east corner of the site is within a medium risk of surface water flooding. It is proposed that this part of the site is not developed and this is shown on the parameters plan. Much of this land is also constrained by TPO trees. The Flood and Water Officer has not objected to the proposal subject to conditions. A SUDs basin is proposed on the south east corner of the sites to manage surface water from the site.
- 8.2 Parts of the site may be contaminated as there has been fly tipping and vehicle fires on the site. A land contamination survey has been provided and the Land Contamination officer has not

objected to the development subject to conditions for further investigation and remediation of the land.

9.0 Impact On Residential Amenity

9.1. The nearest neighbours to the site are located on The Marvens, with the closest dwelling 19 The Marvens, located approximately 15 metres from the site boundary. The indicative layout provides a layout which would provide sufficient space to ensure that the amenity of the neighbouring properties would be protected. The site slopes down towards The Marvens and the proposed properties will be sited significantly above the dwellings on The Marvens. It is proposed to retain the existing hedging on the hedge of the site and this plus the fact that the properties directly opposite the site are located on the opposite side of the road, approximately 35 metres from the site, will protect the privacy of the neighbouring properties.

9.2 Given the proximity of the A14 the site is subject to traffic noise. A noise assessment has been provided which shows that subject to an acoustic barrier comprising a closely boarded fence on the norther boundary (which will have hedging and trees behind) and selective glazing and ventilation the amenity of the occupiers can be protected. The indicative layout shows that 19 dwellings can be located on the site with sufficient privacy and private amenity space.

10.0 Planning Obligations / CIL

10.1. A s.106 agreement will be required to ensure that the 35% affordable housing and public open space within the site is provided. In addition, Suffolk County Council have confirmed that it is anticipated that Copdock Primary School will not have sufficient space for children from the development. The County has therefore request £102,540 s.106 funding towards new primary school places, which will help to fund places at the new school at Wolsey Grange. In addition £41,016 is required for new pre-school places which is also likely to be used at Wolsey Grange.

10.2 Suffolk County Council has also requested CIL funding towards expansion of libraries and secondary schools.

11.0 Parish Council Comments

11.1 The Parish Council supports the application, they acknowledge that the development is outside the settlement boundary but consider that the proposal will add value to the current derelict land. The Parish Council has requested additional road signs and traffic restrictions on the South bound carriageway. It is considered that the Highway Authority should decide the details of the traffic signage which maybe controlled by other legislation, while the report explains that there is a limit to how much the South Bound carriageway can be restricted. The request for a reclassification of the London Road to 30mph at this location is clearly logical but would require a Traffic Regulation Order. This is currently being considered by the Highway Authority. As explained in the report, there is a limit to how far traffic can be restricted on the South bound carriageway. While the Parish Council requests that pedestrian and cycles are segregated on the North bound carriageway, given the width of the carriageway this is considered unnecessary.

PART FOUR – CONCLUSION

13.0 Planning Balance and Conclusion

- 13.1. The site is within the Countryside and not adjacent to the built up area boundary of Copdock. As such residential development would not normally be in accordance with Policies CS2 and CS11 of the Babergh Core Strategy. However as set out in the report the development will allow for the closure of the north bound carriageway of London Road to vehicles. This will provide a safe pedestrian and cycle access to the facilities at Copdock Interchange as well as the wider Ipswich cycle network and buses into Ipswich. This will benefit the whole of Copdock and Washbrook and is considered an exceptional circumstance which would support development within the Countryside.
- 13.2 In addition there is a local need for additional dwellings within Copdock and Washbrook, the site is well related to development within The Marvens and is in character with the dispersed pattern of development which characterises Copdock. The development is therefore in accordance with Policy CS11. Some of the site is brownfield land with derelict buildings which are subject to anti-social behaviour. As such there would be environmental and social benefits of the proposal.
- 13.3 The site is within a very sustainable location within walking distance of the significant facilities and public transport at Copdock Interchange. The location of the A14 means that it is quicker to walk/cycle than drive to these facilities which will help to produce a less car dependent development.
- 13.4 The indicative layout clearly shows that the constraints on the site including the TPO trees and surface water flooding risk can be provided for within the scale of the development.
- 13.5 The development will have a minor negative impact on the Special Landscape Area due to the urbanising of a countryside site. However the boundary landscaping will help to mitigate this impact. It is considered that the benefits of the scheme particularly in relation to closure of London Road to vehicular traffic outweigh the minor landscape impact.

RECOMMENDATION

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

- Affordable housing
- Public open space
- Contribution to new primary school places
- Contribution to new secondary school places
- Bus stop improvements
- RAMs payment
- Off-site reptile mitigation

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

- Standard time limit
- Approved Plans (Plans submitted that form this application)
- Phasing Condition (To allow phasing of the development and allows spreading of payments under CIL)
- Arboricultural method statement including tree protection plan
- Programme of archaeological works
- Acoustic barrier and glazing and ventilation measures
- Hours of constructions and demolition
- Construction management plan
- Land contamination investigation
- As recommended by the Flood and Water Officer in relation to SUDS
- As recommended by the Highway Authority including off-site improvements to London Road and 30mph signage for The Mavens
- As recommended by the Council's Ecologist including bat licence, reptile mitigation and biodiversity enhancement

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

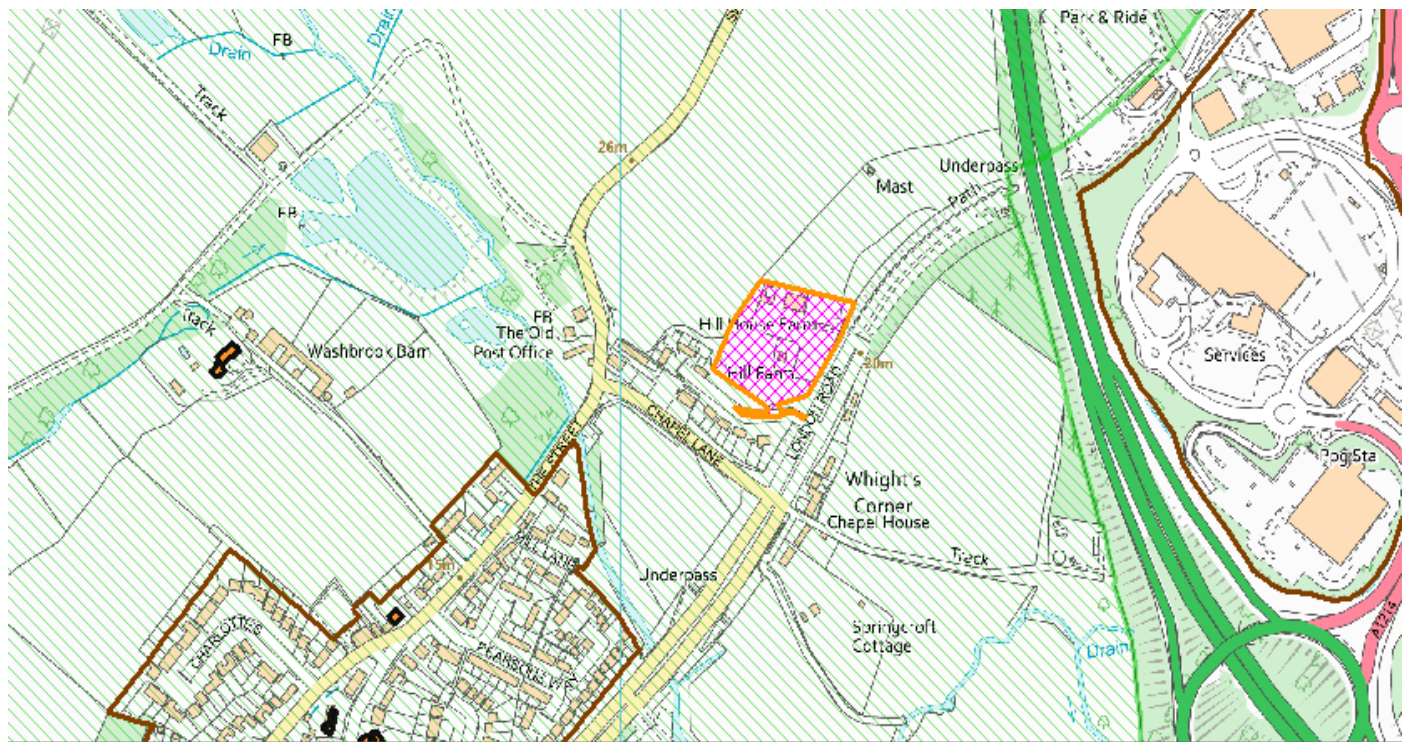
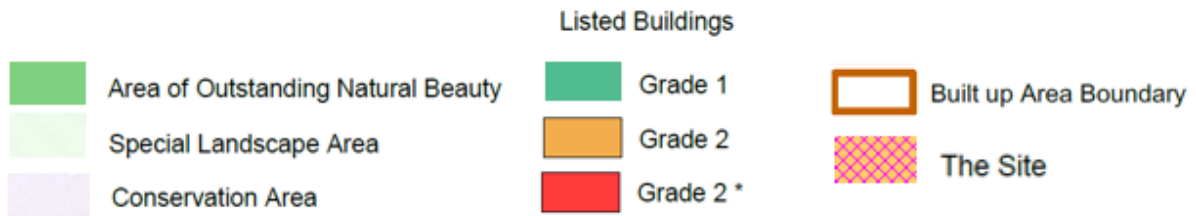
- Proactive working statement
- SCC Highways notes
- Support for sustainable development principles
- Bats

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

Application No: DC/22/01605

Parish: Copdock and Washbrook

Location: Hill Farms Barns, Hill Farm, Old London Road, Copdock and Washbrook, IP8 3LE



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