

# Public Document Pack



<b>COMMITTEE:</b>	<b>PLANNING COMMITTEE</b>
<b>DATE:</b>	<b>WEDNESDAY, 25 MAY 2022 9.30 AM</b>
<b>VENUE:</b>	<b>KING EDMUND CHAMBER, ENDEAVOUR HOUSE, 8 RUSSELL ROAD, IPSWICH</b>

<b>Members</b>		
<u>Conservative</u> Sue Ayres (Vice-Chair) Simon Barrett Peter Beer Michael Holt Margaret Maybury	<u>Independent</u> John Hinton Alastair McCraw Stephen Plumb (Chair)  <u>Liberal Democrat</u> David Busby	<u>Labour</u> Alison Owen  <u>Green</u> Leigh Jamieson

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

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

## **AGENDA**

### **PART 1**

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

Page(s)

**1 SUBSTITUTES AND APOLOGIES**

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

To receive apologies for absence.

**2 DECLARATION OF INTERESTS**

Members to declare any interests as appropriate in respect of items to be considered at this meeting.

**3 PL/21/32 TO CONFIRM THE MINUTES OF THE MEETING HELD ON 27 APRIL 2022** 5 - 10

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

5 **SITE INSPECTIONS**

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

6 **PL/21/33 PLANNING APPLICATIONS FOR DETERMINATION BY THE COMMITTEE** 11 - 14

An Addendum to Paper PL/21/33 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** 15 - 38

**Notes:**

1. The next meeting is scheduled for Wednesday 15 June 2022 commencing at 9.30 a.m.
2. Where it is not expedient for plans and drawings of the proposals under consideration to be shown on the power point, these will be displayed in the Council Chamber prior to the meeting.
1. The Council has adopted Public Speaking Arrangements at Planning Committees, a link is provided below:

**[PUBLIC SPEAKING AT PLANNING COMMITTEES](#)**

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, 15 June 2022 at 9.30 am.

### **Webcasting/ Live Streaming**

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

[https://www.youtube.com/channel/UCSWf\\_0D13zmegAf5Qv\\_aZSg](https://www.youtube.com/channel/UCSWf_0D13zmegAf5Qv_aZSg)

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

### **Introduction to Public Meetings**

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

### **Domestic Arrangements:**

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

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

If you hear the alarm:

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

# Agenda Item 3

## BABERGH DISTRICT COUNCIL

Minutes of the meeting of the **PLANNING COMMITTEE** held in the King Edmund Chamber, Endeavour House, 8 Russell Road, Ipswich on Wednesday, 27 April 2022 at 09:30am.

### **PRESENT:**

Councillor: Stephen Plumb (Chair)

Councillors:	Peter Beer	David Busby
	John Hinton	Leigh Jamieson
	Alastair McCraw	Mary McLaren
	Adrian Osborne	Alison Owen

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

Councillors: Clive Arthey

### **In attendance:**

Officers: Chief Planning Officer (PI)  
Area Planning Manager (MR)  
Planning Lawyer (IDP)  
Case Officer (JME)  
Governance Officer (CP)

## **128 SUBSTITUTES AND APOLOGIES**

128.1 Apologies were received from Councillor Sue Ayres and Councillor Margaret Maybury.

## **129 DECLARATION OF INTERESTS**

129.1 There were no declarations of interest declared.

## **130 PL/21/30 TO CONFIRM THE MINUTES OF THE MEETING HELD ON 30 MARCH 2022**

**It was RESOLVED:**

**That the minutes of the meeting held on 30 March 2022 were confirmed and signed as a true record.**

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

131.1 None received.

## 132 SITE INSPECTIONS

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

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

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

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

132.5 Councillor Owen proposed that a site visit be undertaken.

132.6 Councillor Beer seconded the proposal.

By a vote of 8 votes for and 1 against

**It was RESOLVED:**

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

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

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

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

**It was RESOLVED**

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

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

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

134.1 Item 6A

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

134.20 Councillor Owen seconded the proposal.

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

**It was RESOLVED:**

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

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



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

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

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

The business of the meeting was concluded at 11.42 am.

.....  
Chair

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## PL/21/33

### BABERGH DISTRICT COUNCIL

### PLANNING COMMITTEE

25 MAY 2022

### SCHEDULE OF APPLICATIONS FOR DETERMINATION BY THE COMMITTEE

Item	Page No.	Application No.	Location	Officer
6A	15-38	DC/21/01802	Land South of Honeysuckle Cottage, Little Orchard, Holbrook, Suffolk	RW

Philip Isbell  
Chief Planning Officer

## BABERGH DISTRICT COUNCIL

### PLANNING COMMITTEE

#### SCHEDULE OF APPLICATIONS MADE UNDER THE TOWN AND COUNTRY PLANNING ACT 1990, AND ASSOCIATED LEGISLATION, FOR DETERMINATION OR RECOMMENDATION BY THE PLANNING COMMITTEE

This Schedule contains proposals for development which, in the opinion of the Acting Chief Planning Officer, do not come within the scope of the Scheme of Delegation to Officers adopted by the Council or which, although coming within the scope of that scheme, she/he has referred to the Committee to determine.

Background Papers in respect of all of the items contained in this Schedule of Applications are:

1. The particular planning, listed building or other application or notification (the reference number of which is shown in brackets after the description of the location).
2. Any documents containing supplementary or explanatory material submitted with the application or subsequently.
3. Any documents relating to suggestions as to modifications or amendments to the application and any documents containing such modifications or amendments.
4. Documents relating to responses to the consultations, notifications and publicity both statutory and non-statutory as contained on the case file together with any previous planning decisions referred to in the Schedule item.

#### DELEGATION TO THE ACTING CHIEF PLANNING OFFICER

The delegated powers under Minute No 48(a) of the Council (dated 19 October 2004) includes the power to determine the conditions to be imposed upon any grant of planning permission, listed building consent, conservation area consent or advertisement consent and the reasons for those conditions or the reasons to be imposed on any refusal in addition to any conditions and/or reasons specifically resolved by the Planning Committee.

#### **PLANNING POLICIES**

The Development Plan comprises saved policies in the Babergh Local Plan adopted June 2006. The reports in this paper contain references to the relevant documents and policies which can be viewed at the following addresses:

The Babergh Local Plan: <http://www.babergh.gov.uk/planning/planning-policy/adopted-documents/babergh-district-council/babergh-local-plan/>

National Planning Policy Framework:

<http://www.communities.gov.uk/documents/planningandbuilding/pdf/2116950.pdf>

## **LIST OF ABBREVIATIONS USED IN THIS SCHEDULE**

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

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# Agenda Item 6a

## Committee Report

**Item No:** 6a

**Reference:** DC/21/01802

**Case Officer:** Rose Wolton

**Ward:** Stour.

**Ward Member/s:** Cllr Mary McLaren.

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## RECOMMENDATION – PLANNING PERMISSION WITH CONDITIONS

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### 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:** No

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## PART ONE – REASON FOR REFERENCE TO COMMITTEE

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

The 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.

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

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### **Summary of Policies**

CN01 - Design Standards  
CR02 - AONB Landscape  
CS01 - Applying the presumption in Favour of Sustainable Development in Babergh  
CS02 - Settlement Pattern Policy  
CS11 - Core and Hinterland Villages  
CS15 - Implementing Sustainable Development  
HS28 - Infilling/Groups of dwellings  
TP15 - Parking Standards - New Development  
NPPF - National Planning Policy Framework

### **Neighbourhood Plan Status**

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

The Holbrook Neighbourhood Plan is at the Reg 14 Pre-Submission consultation stage and is therefore afforded no determinative 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**

##### **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

**Officer Comment:**

***The Holbrook Neighbourhood Plan, the Neighbourhood Plan is not an adopted document, and holds no determinative weight as this time. 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. Other matters are dealt with in the relevant sections below.***

**Councillor Mary McLaren**

Objection on the grounds of:

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

Hyams Lane is one car width, cannot cope with increased traffic

Development will cause an increase in car accidents

Highway safety

**National Consultee**

**Natural England**

No objection, subject to conditions.

**Historic England**

No objection.

**County Council Responses**

**SCC Highway Authority**

No objection, subject to conditions.

**SCC Fire and Rescue**

No objection, subject to a condition.

**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.

Environmental Protection have received a complaint from a nearby dwelling regarding odour from the Anglian Water site. The complaint is still under investigation and the officer is therefore, not in a position to comment further.

The applicant has taken advice from Anglian Water and located dwellings outside the area identified in Anglian Water's Risk Assessment. The entrance to Plot 1 may have the potential for some odour from this site.

## **Environmental Health – Sustainability Issues**

No objection.

## **Heritage Team**

No comment.

## **Strategic Housing**

No objection – no contribution towards affordable housing required.

## **Place Services Ecology**

No objection, subject to conditions.

## **Place Services – Landscape**

No objection, subject to conditions.

*"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, subject to landscaping condition.

*"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". – Received 14.03.2022.*

## **B: Representations**

At the time of writing this report, at least 68 letters/emails/online comments have been received. It is the Officer opinion that this represents 66no. letters of objection from 47no. different properties, and 4no. letters of support from 4no. different properties. A verbal update shall be provided as necessary.

Views are summarised below:-

Objection:-

- 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.
- No visibility.
- 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.

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 variety of houses designs reflecting the individual character of the new owner.
- 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.

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

**PLANNING HISTORY**

<b>REF:</b> DC/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	<b>DECISION:</b> REF 24.06.2020
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Hyams Lane and pedestrian access to Church Hill

<b>REF:</b> DC/21/01802	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.	<b>DECISION:</b> PDE
<b>REF:</b> B//98/01365	Construction of vehicular access from Hyams Lane.	<b>DECISION:</b> REF 27.11.1998
<b>REF:</b> BIE/14/00312	Policy CS11 - Enquiry - Proposal for over 60s Accommodation (9 to 14 units).	<b>DECISION:</b> PCO
<b>REF:</b> B//98/01365	Construction of vehicular access from Hyams Lane.	<b>DECISION:</b> REF 27.11.1998

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

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

- 1.1. The application site is an area of agricultural land, abutting the built-up area boundary of Holbrook. 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 the road 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 the road. And the south boundary abuts an AONB. The site abuts the built-up area boundary of Holbrook to the east.

### **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) and a 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.

### **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 that new development in Babergh will be directed sequentially to the towns/urban areas, and to the Core Villages and Hinterland Villages. 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 a sufficient housing need assessment has been provided, which identified that there is a greater demand for 2 bedroom houses, to cater for an ageing population, as well as dependent children wanting to leave home, and remain in the villages. This is inferred by the Holbrook Development Survey (2013) as well as the updated Holbrook Parish Need Assessment. The self-build element also responds to a national demand for self-build plots. The site will have direct pedestrian access onto Church Hill, which has good footway links to the services within the village. On this basis, the proposal is considered acceptable against this Policy.
- 3.4. 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 are 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”.*

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

- 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 now not considered to cause any adverse harm. During the course of determination, two landscape bodies (The Dedham Vale and Stour Valley AONB Project Officer, and Place Services – Landscape) were consulted, and following the receipt of the additional plan showing the planting around the access, they now raise no objection. 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 location for additional housing in the village, which has a proven need, as discussed further below.
- ii) The proposal is not considered to cause harm to the AONB landscape, 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 are better screened and in a lower part of the land, to not have a dominating effect; as well as 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. The landscaping scheme that has been submitted 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 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.

- iii) The proposal is appropriate in terms of location in the village and (with the new path) will 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 doctors surgery and regular bus services.
- iv) A housing needs assessment has been provided, which identified that there is a greater demand for 2-bedroom houses, to cater for an ageing population, as well as dependent children wanting to leave home, and remain in the villages. This is inferred by the Holbrook Development Survey (2013) as well as the updated Holbrook Parish Need Assessment. The Holbrook Parish Housing Needs Assessment (Jan 2020) states:

*“Holbrook...is dominated by medium and large properties. Properties tend to be larger in the Neighbourhood Area than the wider District with the average number of rooms per household space is 6.5 against 6 in the District. The vast majority of homes are detached and semi-detached homes that consist of 6 rooms or more (this equates to 3 bedrooms or more). It is evident that demand for slightly smaller medium homes may continue to increase significantly in the Neighbourhood Area (2-3 bedroom homes) due to a growing older population. Given the current stock, to avoid any misalignment about 75% of new homes should be between 1 and 2 bedrooms, while 25% should be 3 bedrooms”.* This development is considered to help cater for this identified 2 bedrooms need in the local area.

The self-build element also responds to a national demand for self-build plots. The site will have direct pedestrian access onto Church Hill, which has good footway links to the services within the village. The proposal offers 4 no two-bedroom dwellings which are small and identified as a need in the district, as discussed above. The self-build properties, number of bedrooms and overall size are still reserved at this stage, so we are unable to assess this until the reserved matters stage.

- 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, as it currently is in an overgrown and unkempt state. Holbrook benefits from a doctor's surgery, shops, primary school, high school, two pubs (albeit once 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.

For the reasons discussed above, the proposal is considered to be in accordance with this Policy.

The Supplementary Planning Document (SPD) Adopted August 2014 'The Rural Development & Core Strategy Policy CS11' is also relevant to this 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 built-up area boundaries 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.

To be considered under CS11 proposals must be in or adjacent to a Core Village or a Hinterland Village. This site is adjacent to the built-up area boundary 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 jobs, facilities and services, which also provides 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 and unkempt. 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 of agricultural land.

The availability of and access to local services and facilities is a key 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 Local Transport Note 1/04 recommends:

Desirable – 400m  
Acceptable – 800m  
Preferred Maximum – 1200m.

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

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

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 though 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 through 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”.*

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

- i) The proposal is considered to respect the landscape as it joint to existing development and follows the pattern of development of cul-de-sac built form to the north. Additional landscaping and planting have been provided to the access and throughout the development in order to reduce any urbanising effect on Hyams Lane. The Dedham Vale, Stour Valley and Suffolk Coasts and Heaths AONB Officer raises no objection to this proposal. 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 settlement boundary 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 this proposal the 30mph speed limit would be extended along Hyams lane, which is considered to be a positive contribution to the area, making 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 will 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 the 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) The proposal is not considered to cause any adverse flooding risk. The site is located within Flood Zone 1 and has a limited potential for flooding and a limited history. The topography of the site could lead to water run-off as it slopes down towards Hyams Lane. However, the proposed balancing pond would take any surface water run-off.
- xii) As above.
- 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 wheel chairs 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 the existing footpath on Church Hill, encouraging future occupants to walk to the nearby services in the village and make use of the bus services. Electric vehicle charging points have also been conditioned.

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

3.6. The proposal is a group of eight dwellings; therefore, Policy HS28 (“Infilling or groups of dwellings”) of the Babergh Local Plan is relevant. The proposal is considered to be in accordance with this Policy. The site is not an important feature in visual or environmental terms, being an overgrown and unkempt piece of agricultural land and is not considered to need to remain undeveloped. The proposal is not considered to be an overdevelopment of the site and the dwellings would not appear cramped. The layout follows a pattern of cul-de-sac developments which the site backs onto. The dwellings would have reasonably-sized gardens and the scale and density are considered to be in-keeping with the surrounding clusters of dwellings.

3.7. 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”.*

3.8 The reasons for refusal of the previous application detailed above are considered to be sufficiently addressed in this application, in order to recommend approval. Please see above regarding the accordance with Policies CS11 and CS15 of the Babergh Core Strategy, and please see the relevant section below regarding the highway and AONB.

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

4.1. The site is within reasonable 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 the local services. Services available and within walking distance of the site in Holbrook include: a village hall, a doctor’s surgery, a shop, two pubs (The Swan and The Compasses Inn [it is noted that The Compasses Inn has been closed for an extended period of time]), and a regular bus service which goes 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, as well as noting that Hyams Lane is very narrow. During the course of determination, the SCC Highway Authority was consulted and has raised no concern for highway safety, and raises no objection to the access, visibility splays or parking provision. There would not be a loss of parking, as the site is currently 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 intension 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".*

- 5.3 The recommended conditions by the SCC Highway Authority have been imposed. The conditions relate to a construction management plan, bin storage and presentation, parking and manoeuvring and visibility, as well as the access surface and layout.
- 5.4 Great weight is given to the advice from statutory consultees, such as the 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 departs from the concerns raised by the Parish Council, Ward Member and local residents. The previous application was refused partly because there was a need for a Traffic regulation Order to move the 30mph limit along Hyams Lane.

- 5.5 The developer has now agreed to a Traffic Regulation Order to move the 30mph and this will form part of the S106 obligations. 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 echoes the provision of the NPPF.
- 6.2. The site would comprise four detached dwellings on the north side 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. This will come as part of a subsequent reserved matters application should permission be granted.
- 6.3. Towards the south side of the site would be four terraced dwellings. They would be two-storey and would have two bedrooms. 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 plenty of 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 the 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 any significant character of built form in the direct context of the site. 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. That is located to the south and there has been some concern raised regarding the impact on the landscape. During the course of determination, the Dedham Vale and Stour Valley Project Officer was consulted, and largely supports the measures the proposal has in place to reduce the harm. The Officer recommends conditions - which have been imposed. 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 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 re-siting 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".*

During the course of determination, Place Services – Landscapes 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. The officer states: *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 has been retained. We understand that the retention of this tree is not possible as it sits 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 (RAMS) 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”*.

There has also been 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, 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 Paragraph 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 which has been included.
- 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. In addition to this, the topography of the site slopes down towards Hyams Lane, where a balancing pond has been proposed adjacent to the access, which will take any surface water-run off that may arise.

## **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. In response, the site is not located within or near to a Conservation Area. The nearest listed building is the Grade II\* listed church, which is located to the east, on the opposite side of the road. The listed building is separated from the development site by existing residential properties and a considerable 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 of 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 pollution, smells/odour, light pollution and noise, during the course of determination Environmental Health - Noise/Light/Smoke/Odour were consulted. The officer raises no objection to the proposal and states *"I note the comments regarding advice from Anglia Water and that the site layout has been designed so that habitable areas are outside of the area identified in Anglian Water's Odour risk assessment."*

*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". 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.*

- 10.4 Regarding a loss of light and outlook, the dwellings would be set away from the boundaries, and would not adversely block any light into any neighbouring properties gardens or integral rooms of houses.
- 10.5 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.

10.6 Regarding a concern for an increase in anti-social behaviour and a fear of crime, this is a residential development, which would fit in with 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. Overall, there is not any significant concern about crime.

10.7 The proposal is not considered to cause any adverse harm to residential amenity to warrant refusal.

### **11.0 Planning Obligations / CIL**

11.1. A relocation of the 30mph speed limit further to the west is required. In addition, a RAMS contribution is also necessary.

### **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 with the Holbrook Neighbourhood Plan, this is not an adopted document, and holds limited weight as this time. Regarding the conflict with the Joint Local Plan (JLP); it is noted that the site is not allocated within the JLP. However, the plan is not yet confirmed, is under examination and is therefore subject to change. At this time, the JLP carries limited weight.

12.2 Concern was also raised regarding impact on 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 has also stated that this proposal sets a precedent for future development in the Parish. However, 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 raises no objection, subject to conditions which have been imposed.

12.5 There has also been a concern regarding 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 are not protected and additional planting is proposed to offset and mitigate any loss of trees and plant life. 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

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### 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. The Framework seeks to significantly boost the supply of housing and this development would contribute to housing supply. Whilst it is outside of the built-up area boundary, it does abut the boundary and is not considered to be out of character or isolated.
- 13.3. 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, although these would be limited and temporary and as such are afforded limited weight.
- 13.4. The proposal would offer social benefits in respect of providing housing within a sustainable location, which would not result in the heavy reliance on private motor vehicles to access basic services, such as health care. The proposal should, therefore, be attributed positive weight in terms of the social dimension of sustainable development.
- 13.5. In terms of the environmental pillar 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 imposed. Whilst there are facilities and services within walking distance, it is acknowledged that there would still be some reliance on motor vehicles for some services. The proposal is, therefore, considered to have a neutral impact in terms of the environmental dimension of sustainable development.
- 13.6. The reasons for refusal of the previous application have been overcome. The proposal is now considered to be in accordance with Policies CS11 and CS15 of the Babergh Core Strategy (2014) (Please see paragraphs 3.4 and 3.5 above), and the concern regarding the landscape impact has also been addressed. The landscaping scheme is now considered to be appropriate with this application, and not the previous 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 inappropriate and there was limited landscaping and planting in this area.
- 13.7. 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. Both the AONB officer and Place Services Landscape raise no objection to the proposal now. The developer has also agreed to sign a Traffic Regulation Order to move the 30mph sign to a safer location, which is secured via a legal agreement.
- 13.8. The application proposal is, therefore, considered, on balance, to represent sustainable development and is recommended for approval.

## **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:**

- Financial contribution towards the Suffolk Recreational Disturbance Avoidance Mitigation Strategy
- Relocation of 30mph sign via a Traffic Regulation Order

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

1. Time limit - Reserved Matters
2. Time limit - Full
3. Reserved matters – Outline
4. Approved plans and documents
5. Limiting heights of self-build properties to 1.5 storeys
6. Fire hydrants
7. Landscape Scheme - details
8. Landscape Scheme implement and retain for 10 years
9. Land Contamination
10. Ecological Appraisal Recommendations
11. Biodiversity Enhancement Strategy
12. Lighting design
13. External lighting
14. Access Layout
15. Visibility splays
16. Footway link and highway improvements
17. Parking and manoeuvring provision
18. Bin storage and presentation
19. Construction Management Plan
20. Air Source Heat Pumps
21. Removal of Permitted Development Rights (Schedule 2, Part 3 Classes A to E)

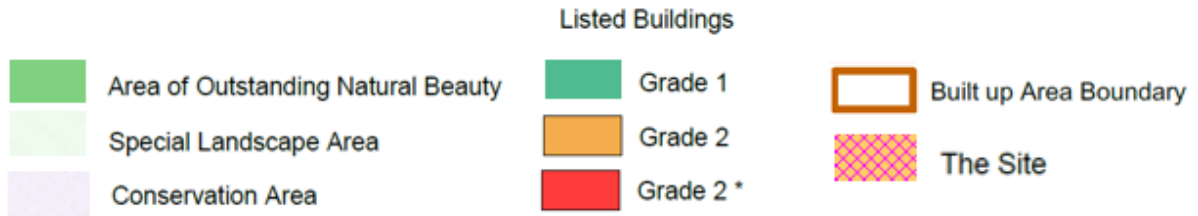
**(2) And the following informative notes as summarised and those as may be deemed necessary:**

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

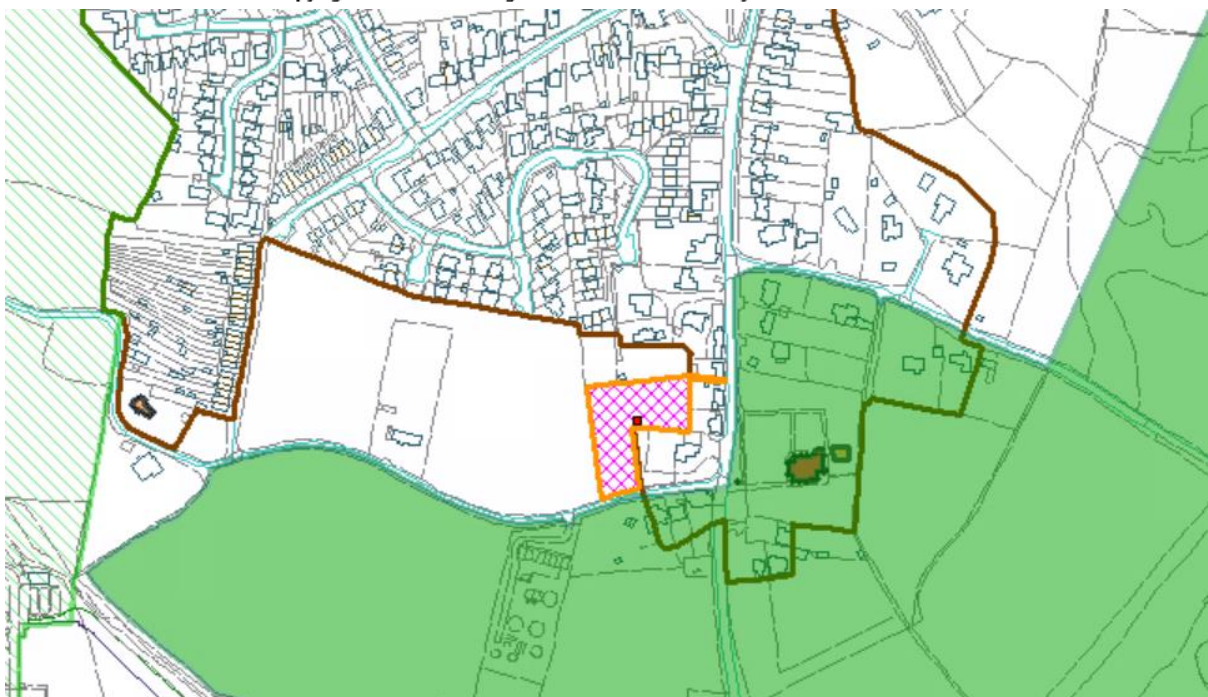
Application No: DC/21/01802

Parish: Holbrook

Location: Land South Of Honeysuckle Cottage, Little Orchard



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