

## **Committee Report**

**Item No:** 2

**Reference:** DC/18/00861  
**Case Officer:** Mark Russell

**Ward:** Claydon and Barham

**Ward Member:** Cllr James Caston and Cllr John Whitehead

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

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### **Description of Development**

Outline planning application (with means of access to be considered) - erection of up to 74 dwellings, public open space and supporting site infrastructure including access.

### **Location**

Land to the east of Ely Road, Claydon Suffolk

**Parish:** Barham

**Expiry Date:** 23/05/18

**Application Type:** Outline planning application

**Development Type:** Small Scale Major Dwellings

**Applicant:** M. Scott Properties Ltd, The St Edmundsbury & Ipswich Diocesan Board of Finance and Mr David Wilson-Young

**Agent:** Strutt and Parker

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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:

It is a 'Major' application for:

- a residential development for 15 or more dwellings.

### **Details of Previous Committee/Resolutions and Member Site Visit**

None.

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

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### **Summary of Policies**

Relevant policies in the Core Strategy Focused Review 2012 and Mid-Suffolk Local Plan 1998:

FC01 - Presumption In Favour of Sustainable Development  
FC01\_1 - Mid Suffolk Approach to Delivering Sustainable Development  
FC02 - Provision and Distribution of Housing  
CS01 - Settlement Hierarchy  
CS02 - Development in the Countryside & Countryside Villages

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CS03 - Reduce Contributions to Climate Change  
CS04 - Adapting to Climate Change  
CS05 - Mid Suffolk's Environment  
CS06 - Services and Infrastructure  
GP01 - Design and layout of development  
HB01 - Protection of historic buildings  
HB14 - Ensuring archaeological remains are not destroyed  
H07 - Restricting housing development unrelated to needs of countryside  
H13 - Design and layout of housing development  
H14 - A range of house types to meet different accommodation needs  
H15 - Development to reflect local characteristics  
H16 - Protecting existing residential amenity  
H17 - Keeping residential development away from pollution  
T09 - Parking Standards  
T10 - Highway Considerations in Development  
RT04 - Amenity open space and play areas within residential development  
RT12 - Footpaths and bridleways  
RT13 – Water based recreation  
CL08 - Protecting wildlife habitats

Suffolk Design Guide  
National Planning Policy Framework (NPPF)

#### Supplementary Planning Documents

Suffolk Adopted Parking Standards (2015)

#### **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**

##### **Barham Parish Council**

Barham Parish Council objects to this development unless our concerns listed below can be clearly mitigated.

1. Roads are very busy with the current population of the village; any additional vehicles will slow traffic flows during busy periods. What plans are in place to alleviate the village from the pressure of additional traffic?
  2. The sewer running through Norwich Road has had its problems over recent years and will need upgrading to cope with the extra demand. Will the sewer be upgraded?
  3. The Slade is a unique in the villages of Claydon and Barham and any development that encroaches will seriously impact this feature. How will the developers protect this area?
  4. Although, often an eyesore, due to rubbish being dumped, the pit in the North East corner of the site is a haven for wildlife. With many residents asking if the burrowing that is currently taking place is a sign of badgers living locally. Will this area be protected and enhanced as part of the development?
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## **Claydon and Whitton Parish Council**

The Parish Council objects to this application for the following reasons:

1. Ely Road will be the only entrance to the development of 74 dwellings and it does get restricted by cars. We are also very concerned regarding the siting of the traffic calming measures and would like to see these within the new development not on the current road. Actually we don't understand why these are required.
2. If the application for 300 dwellings at the bottom of Barham Church Lane goes ahead this, together with Ely Road for 74 dwellings, plus other small developments in Barham, traffic movements through Claydon village will increase dramatically. At present there are approximately 1600 properties in Claydon and Barham so all these developments represent a 30% increase. It is impossible to add infrastructure as the vast majority of traffic goes through filter roads on the estate down to the main road through the village and out to the A14 Junction 52 or off main village road to Great Blakenham.
3. We are very concerned that there will be three storey properties on this development which is out of character for the area, especially so close to properties on Ely Road.
4. There are environmental concerns but this will be covered more fully in other reports.

However, other than the items raised above, the parish council feels if development is required in Claydon and Barham this is the preferred option.

## **SCC Highways Authority**

The access arrangements into the site shown on the drawing received 29/04/18 are acceptable.

No objection subject to standard conditions.

### **Section 106 Requirements:**

Public Transport - There is a desire to upgrade the existing bus stops on Thornhill Road which will benefit residents and visitors to the site. Real time passenger information display screen is requested at a cost of £13,000 for installation.

Travel Plan - On reviewing the Transport Statement (dated February 2018) the proposed Travel Pack that was mentioned in paragraph 4.14 would be suitable to provide some highway mitigation for a residential development of 74 dwellings in accordance with paragraphs 32, 34, 35 and 36 of the NPPF. A planning condition will secure the Travel Pack.

Public Rights Of Way - The proposed development will have a direct impact on the local public rights of way (PROW) network. They are important for recreation, encouraging healthy lifestyles, providing green links, supporting the local economy and promoting local tourism.

The anticipated increased use of the PROW network as a result of the development will require the offsite improvement works by resurfacing and widening of Barham Bridleway 009, Claydon FP13 & FP14 (approx. 750m length) therefore total s106 funding requested from this development, will be a total of £58,125.00.

## **Landscape**

The following points highlight our key recommendations for the submitted proposals:

- 1) The Landscape and Visual Impact Assessment (LVIA) refers to the views from the dwellings on the western boundary as 'highly sensitive', yet little is being proposed in terms of mitigation. Therefore, more information is required within the LVIA to address the relationship and mitigation between the proposed development site and surrounding buildings, in particular Hereford Drive. Specific scaled sections, which identify how the visual impact is mitigated would be useful to justify the analysis within the LVIA.
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2) The LVIA fails to highlight the neighbouring current outline planning application (ref. 1856/17) for up to 300no. dwellings. Consequently, it also fails to provide any analysis of the cumulative impact that the development will have on the landscape and how the proposals will mitigate any negative visual effects of this both within and beyond the village settlement edge.

3) It would be advised that the total dwelling numbers are reduced to allow for a landscape buffer on the northern and north eastern boundary. This would allow for further visual mitigation and landscape enhancements along the PRow and woodland parcel, which in turn will reduce the impact on the existing settlement boundary.

4) A landscape strategy needs to be produced to demonstrate what landscape principles will be applied to the proposal if the application is approved. The submitted landscape strategy should include the following sections:

- a. Context and character
- b. Landscape masterplan (Inc. visuals/perspectives)
- c. Public open space
- d. SUDs strategy
- e. Boundary treatments (Inc. sections)
- f. Hard landscape Strategy
- g. Soft landscape (Trees and Shrubs) Strategy

5) A detailed landscape planting plan, landscape maintenance plan and specification, (which clearly sets out the existing and proposed planting), will need to be submitted, if the application is approved. We recommend a landscape maintenance plan for the minimum of 5 years, to support plant establishment. SuDS features such as attenuation basins should also be built into the landscape management plan to ensure they maintain their functionality as well as aesthetic.

6) A detailed boundary treatment plan and specification will need to be submitted, if the application is approved.

#### **BMSDC Heritage**

No comments.

#### **Suffolk Wildlife Trust**

We consider that as currently presented this application fails to demonstrate that the proposed development will not result in an adverse impact on UK Priority habitats and protected and/or UK Priority species. We therefore object to this application.

UK Priority Habitats - The site is crossed by a hedgerow, hedgerows are a UK Priority habitat under Section 41 of the Natural Environment and Rural Communities (NERC) Act (2006). Whilst the ecological survey report recommends that this hedgerow is retained, the Indicative Layout Plan (3484.05G) appears to show part of the hedgerow lost and the remaining part used to form the boundary between properties. Whilst we acknowledge that this is an Outline planning application, as proposed the level of development appears likely to result in the loss of this hedgerow.

Bats - As identified in the ecological survey report, the site contains habitat suitable for roosting, commuting and foraging bats. The report goes on to state that if these habitats are retained then no further ecological survey or assessment is required, however from the drawings provided it appears that there will be some loss of these habitats (particularly hedgerow) and also the woodland on the eastern side of the site will not be buffered from the proposed development.

Great Crested Newts and Reptiles - The ecological survey report identifies that the site provides some suitable habitat for both great crested newts and reptiles, particularly along the hedgerows and in the areas

of poor semi-improved grassland in the field margins. From the drawings provided it appears that a number of these areas will either be lost or fragmented by the proposal.

**Badgers** - The ecological survey recorded evidence of badgers on site but did not find any evidence of sett building. However, suitable habitat for sett building is present immediately to the north-east of the site within the pit area. Mitigation measures for this species will therefore be required should it be determined that some development in this location is acceptable.

**Greenspace** - Whilst we acknowledge that this application is for Outline planning consent, from the Indicative Layout Plan (3484.05G) provided it appears that the potential development layout only includes a small amount of greenspace in the centre of the site. In order to mitigate for some of the impacts identified above it appears that a greater area of greenspace is required, particularly bordering the existing hedgerows and woodland. Consideration should therefore be given to reducing the number of dwellings proposed on the site to enable a greater proportion of greenspace to be delivered.

### **Natural England**

Statutory nature conservation sites - Further information required: Habitats Regulations Assessment - Recreational Impacts on European Sites

This development falls within the 13 km 'zone of influence' for the Stour and Orwell Estuaries Special Protection Area (SPA) and Ramsar site, as set out in the emerging Suffolk Recreational Disturbance Avoidance and Mitigation Strategy (RAMS). It is anticipated that new housing development in this area is 'likely to have a significant effect' upon the interest features of the aforementioned designated site(s), when considered in combination, through increased recreational pressure. As such, we advise that a suitable contribution to the emerging Suffolk RAMS should be sought from this residential development to enable you to reach a conclusion of "no likely significant effect" whilst ensuring that the delivery of the RAMS remains viable. If this does not occur in the interim period then the per house tariff in the adopted RAMS will need to be increased to ensure the RAMS is adequately funded. We therefore advise that you should not grant permission until such time as this mitigation measure has been secured.

### **County Development Contributions Manager**

Education:

Secondary- Based on existing forecasts SCC will have no surplus places available at the catchment secondary schools for which CIL funding of at least £279,981 (2017/18 costs) will be sought.

Primary - The County Council will require proportionate developer contributions for land and build costs for a new school from this proposed development, which will need to be secured by way of a planning obligation. A proportionate developer contribution, based on the 17 primary age pupils forecast to arise from the proposed development is calculated as follows:

- £6.9m construction cost (excluding land) for a 420 place (2 forms of entry) new primary school.
- £6.9m/420places = £16,429 per pupil place.
- From 74 dwellings it is forecast that 17 primary age pupils will arise.
- Therefore 17 pupils x £16,429 per place = £279,293 (2017/18 costs).

Assuming the cost of the site for the new primary school, based on a maximum cost of £100,000 per acre (£247,100 per hectare), is £494,200 for a 2-hectare site and equates to £1,177 per pupil place. For the proposed development, this equates to a proportionate land contribution of 17 places x £1,177 per place = £20,009.

Libraries - A CIL contribution of £216 per dwelling is sought i.e. £15,984, which will be spent on enhancing provision at the nearest library.

### **County Archaeological Service**

This site has high archaeological potential. It is situated in a topographically favourable location for archaeological activity overlooking the River, and in an area of light, sandy soils which tended to attract early occupation. To the north, in a similar topographic location and soils, Prehistoric, Roman and Anglo-

Saxon settlement has been identified and recently confirmed during archaeological investigations (BRH 016).

Although nothing has to date been recorded from this site itself it has never been the subject of either amateur or systematic archaeological investigation and there is high potential for previously unidentified archaeological remains to be present. The proposed development would cause significant ground disturbance that has potential to damage or destroy any below ground heritage assets that exist.

Given the high potential, lack of previous investigation and size of the proposed development area, I recommend that, in order to establish the full archaeological implications of this area and the suitability of the site for the development, the applicant should be required to provide for an archaeological evaluation of the site prior to the determination of any planning application submitted for this site, to allow for preservation in situ of any sites of national importance that might be defined (and which are still currently unknown). This area cannot be assessed or approved in our view until a full archaeological evaluation has been undertaken, and the results of this work will enable us to accurately quantify the archaeological resource (both in quality and extent). This is in accordance with paragraphs 128 and 129 of the National Planning Policy Framework.

### **County Fire and Rescue Service**

No objection – condition requiring fire hydrants to be installed.

### **Place Services - Ecology**

Holding objection due to

- a) Insufficient information to enable the LPA to prepare a Habitats Regulation Assessment in relation to recreational disturbance on Natura 2000 sites.
- b) Insufficient ecological information to provide certainty of impacts to protected species and priority species/habitat.

### **BMSDC Air Quality**

No objection.

### **BMSDC Land Contamination**

No objection.

### **BMSDC Environmental Health-Noise/Odour/Light/Smoke**

No objection subject to conditions.

### **BMSDC Sustainability**

No objection subject to standard sustainability condition.

### **BMSDC Arboricultural Officer**

I have no objection in principle to this application as there appears to be little conflict between the development, based upon the indicative layout, and any significant trees/hedges on site. The accompanying Tree Survey provides a generally accurate appraisal of existing trees although a detailed Arboricultural Impact Assessment has not yet been undertaken to indicate any specific losses or areas requiring precautionary measures and/or mitigation. This should be provided as part of the application if a final layout design is available.

If you are minded to recommend approval we will also require other information including a detailed Arboricultural Method Statement and Tree Protection Plan in order to help ensure appropriate protection measures for trees scheduled for retention. Ideally this should be submitted as part of the application but can be dealt with under condition if necessary.

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## **NHS England**

There is 1 branch surgery within a 2km radius of the proposed development. This GP practice does not have sufficient capacity for the additional growth resulting from this development and known cumulative development growth in the area. Therefore a developer contribution, via CIL processes, towards the capital funding to increase capacity within the GP Catchment Area would be sought to mitigate the impact.

## **Anglian Water**

The surface water strategy/flood risk assessment submitted with the planning application relevant to Anglian Water is unacceptable. We would therefore recommend that the applicant needs to consult with Anglian Water and the Lead Local Flood Authority (LLFA).

## **SCC Flood and Water**

Approve subject to conditions.

## **Suffolk Police**

Concerns raised regarding detailed design matters such as layout, parking location, perimeter security, treatment of gable end walls, etc.

## **B: Representations**

Objections received on the following grounds (summarised):

- \*Impact of additional vehicles generated from proposed development
- \*Impact on local services, including Claydon Primary School and Barham and Claydon Surgery
- \*Adjacent property amenity
- \*Proposed new footpath
- \*Wildlife and Hedgerows
- \*Flooding
- \*No identified need for housing
- \*Archaeology impacts

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

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

- 1.1 The application site comprises (Grade 3a) agricultural land on the eastern fringe of Claydon, which is designated as a Key Service Centre in the Core Strategy. The site is contained by residential development to the west and woodland to the east. The northern and southern boundaries contain hedgerows that form the field boundaries. The site currently comprises two agricultural fields which are divided by a hedgerow. The site abuts the village settlement boundary on its western side.
- 1.2 The site is not in, adjoin or near any Conservation Area. There are no nearby listed buildings, the closest being the Church of St Mary located on the north side of Church Lane some 280m northeast of the site. The site is not in an area of special character designation such as an Area of Outstanding Natural Beauty or Special Landscape Area. Nor is the site adjoining, or in proximity to, any designated landscape areas of special significance.
- 1.3 The site measures 3.38 ha. The site is located in Flood Zone 1. Public Rights of Way run along the site's northern boundary (linking Thornhill Road to The Slade) and southern and eastern boundaries (linking Exeter Road to The Slade).

## **2.0 The Proposal**

- 2.1. The application seeks outline planning permission with all matters reserved except access for up to 74 dwellings.
- 2.2 An indicative layout has been provided to demonstrate how the site could develop if outline permission is granted. As noted in the supporting Planning Statement, the purpose of the indicative layout plan is simply to illustrate that the quantum of development can be accommodated at the site in an acceptable form. Key elements of the indicative layout are as follows:
- Proposed density of 22 dwellings per hectare.
  - Vehicular access taken from Ely Road.
  - Mix of family housing, bungalows and 1 and 2 bedroom flats.
  - Policy compliant level of affordable housing comprising up to 26 dwellings (35%).
  - A traffic calming feature will ensure slower movement between the proposed development and existing streets.
  - Pedestrian access will be provided to Ely Road but also to several points along the footpaths and bridleways surrounding the site, including The Slade.
  - Existing and proposed dwellings will be separated by natural features in the southern part of the site, and by new planting to the north.
  - A central open space to provide visual amenity, a defined central point, and a functional recreational space, which can include a play space for children.
  - Natural features will be retained wherever possible, with new planting throughout.
  - Boundary features that are important to biodiversity can be retained and, where appropriate, improved from the current condition.
  - Sustainable urban drainage system.

## **3.0 The Principle of Development**

- 3.1 The applicant engaged with Council officers prior to the application being submitted. Pre-application officer advice was positive subject to detailed design matters. The applicant also engaged with the local community, including both Parish Councils.
- 3.2 The Draft Babergh and Mid Suffolk Joint SHLAA, August 2017, identifies the site as being suitable for residential development (reference SS0861).
- 3.3 Council cannot currently demonstrate a five year housing supply. Relevant policies for the supply of housing should not be considered up-to-date if the local planning authority cannot demonstrate a five year housing supply (as stated in paragraph 49 of the NPPF). Where policies cannot be considered up-to-date, the NPPF (paragraph 14) cites the presumption in favour of sustainable development and states that planning permission should be granted unless i) any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF taken as a whole; or ii) specific policies in the NPPF indicate development should be restricted.
- 3.4 The NPPF requires that development be sustainable and that adverse impacts do not outweigh the benefits to be acceptable in principle. Paragraph 7 of the NPPF sets out three dimensions for sustainable development: economic, social and environmental.
- 3.5 The proposed scheme represents sustainable development, responding positively to the three dimensions above, in accordance with the NPPF. The principle of developing the site for residential

purposes is therefore acceptable. The following assessment outlines why this principle is accepted.

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

- 4.1 Paragraph 55 of the NPPF seeks to promote sustainable development in rural areas advising 'housing should be located where it will enhance or maintain the vitality of rural communities', and recognises that where there are groups of smaller settlements, development in one village may support services in a village nearby.
- 4.2 Claydon is a designated Key Service Centre within the Ipswich Fringe area. It serves an important role as a shopping, employment and leisure hub for a wide catchment area. It is located close to strategic employment areas. The Ipswich Fringe Area is recognised in the Core Strategy as a more sustainable location for growth and the Ipswich Policy Area is identified to deliver around half of all dwellings in the district between 2010 - 2025. Claydon is considered one of the most sustainable settlements in the district.
- 4.3 The application is supported by a Transport Assessment (TA). The TA and the Planning Statement contend that the site is highly accessible. Officers agree. The site adjoins the settlement boundary and is served by a very good range of local services and facilities that are within walking distance, including a primary school (480m), secondary school (1.1km), East of England Co-op (800m), two public houses (900m), pharmacy (950m), two health centres, post office (900m), village hall (900m) and church (950m). The site is very well connected to an extensive established footpath network that provides multiple walking routes to the village centre.
- 4.4 There are two bus stops within 140 metres of the site. Bus services are operated by First in Norfolk who operate route 89/89A between Ipswich and Stowmarket via Claydon with an hourly daytime service on weekdays.
- 4.5 In respect to cycling connectivity, National Route Cycle 51 passes through Claydon and will give future residents of the development direct access to the national cycle network.
- 4.6 The site is a highly sustainable location for housing given the conveniently accessible facilities that the village provides.

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

- 5.1 Access is a matter sought for approval. Vehicle access to the site will be via Ely Road.
- 5.2 Paragraph 32 of the NPPF confirms that development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe. This is interpreted as referring to matters of highway capacity and congestion, as opposed to matters of highway safety. The courts have held that paragraph 32 should not be interpreted to mean that anything other than a severe impact on highway safety would be acceptable (*Mayowa-Emmanuel v Royal Borough of Greenwich [2015] EWHC 4076 (Admin)*).
- 5.3 Residents and the parish councils are of the view that this proposal together with other approved schemes in the area will create unacceptable traffic congestion in the village. However, in the absence of any evidence to support this concern, and an absence of objection from the Highways Authority on this point, it is not considered that traffic congestion represents a defensible reason to refuse the application, particularly in light of the 'severe' threshold set out at paragraph 32 of the NPPF.

- 5.4 The Highway Authority raises no objection to the proposed access arrangement. An extension of Ely Road for vehicular access is a logical access arrangement and one that raises no highway concerns. Contributions will be required to resurface and widen the existing local footpaths and bridleway, which will improve pedestrian and cyclist connectivity, a positive planning outcome. Contributions will also be sought to upgrade the nearby bus stops including provision of a real time passenger information display screen. This will not only benefit future residents of the development but also obviously the broader community, another positive planning outcome.
- 5.5 Parking and turning provision together with secure cycle parking for the 74 dwellings can be provided in accordance with the Suffolk Guidance for Parking 2015 (SGP). There is ample scope within the site to ensure that the layout will allow vehicles to manoeuvre within the site and re-enter the highway in a forward gear.
- 5.6 The proposed scheme accords with local Policies T9, T10 and Paragraph 32 of the NPPF.

## **6.0 Design and Layout**

- 6.1 Policy CS5 requires development to be of a high quality design that respects the local distinctiveness and the built heritage of Mid Suffolk, enhancing the character and appearance of the district.
- 6.2 Policy H13 of the Local Plan requires new housing development to be expected to achieve a high standard of design and layout and be of a scale and density appropriate to the site and its surroundings, whilst Policy H15 of the Local Plan similarly requires new housing to be consistent with the pattern and form of development in the area and its setting.
- 6.3 Policy GP1 of the Local Plan states that proposals comprising poor design and layout will be refused, requiring proposals to meet a number of design criteria including maintenance or enhancement of the surroundings and use of compatible materials.
- 6.4 Paragraph 56 of the NPPF attaches great importance to the design of the built environment, stating that good design is a key aspect of sustainable development.
- 6.5 Design, layout and appearance are reserved matters. Notwithstanding, it is clear that these matters, whilst shown as indicative only, have been carefully considered by the applicant. The Design and Access Statement demonstrates how the indicative layout responds to both the constraints and opportunities of the site. Examples include utilising the existing road as the primary access, retention of boundary hedgerows and trees, incorporating multiple non-vehicular access links to the existing village, proposed bungalows responding to local need and incorporation of a traffic calming measure at the new Ely Road access. The low density of development (22 dwellings per hectare) is consistent with neighbouring development and offers substantial landscaping opportunities.
- 6.6 Claydon and Whitton Parish Council is concerned with the potential for three-storey development. Scale is a reserved matter. If three storeys is proposed at the reserved matters stage of the development process it will be carefully assessed at that time and the Parish Council will have further opportunity to comment in this regard.
- 6.7 It is concluded that the indicative design and layout of the scheme reflects the local character of Claydon and is one that is supported by officers.

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

- 7.1 Policy CS5 of the Core Strategy seeks to protect and conserve landscape qualities taking into account the natural environment and the historical dimension of the landscape as a whole rather than concentrating solely on selected areas, protecting the District's most important components and encouraging development that is consistent with conserving its overall character.
- 7.2 Paragraph 109 of the NPPF states that the planning system should contribute to and enhance the natural and local environment by protecting and enhancing valued landscapes, geological conservation interests and soils.
- 7.3 The site is not in an area of special character designation such as an Area of Outstanding Natural Beauty or Special Landscape Area. Nor is the site adjoining, or in proximity to, any designated landscape areas of special significance.
- 7.4 A Landscape and Visual Impact Assessment (LVIA) supports the application and has been reviewed by Council's Landscape Consultant. The Consultant makes a number of recommendations which are largely centred on landscaping, including the need for a detailed landscaping strategy. Landscaping is a reserved matter.
- 7.5 The Landscape Consultant is concerned that the LVIA does not assess the cumulative impact of the scheme together with the 300 dwelling development currently before Council north of Church Lane. There is a considerable separation distance between the site and the 300 dwelling development at Church Lane. Officers do not consider that the absence of a cumulative impact assessment in this regard is fatal to the application.
- 7.6 The Landscape Consultant is also concerned with the interface with the dwellings at the western boundary and suggests more information is required to address the relationship particularly those properties at Hereford Drive. The indicative layout shows a cluster of bungalows opposite Hereford Drive. Whilst it is the rear of the bungalows that will present to Hereford Drive, and is therefore a less fortunate streetscene response, it is not one that is unacceptable. There is ample scope to revisit this upon the submission of the detailed design at the reserved matters stage of the development process. It may be the case that an extensively planted buffer to the rear of these properties would provide for an appropriate visual outcome. Officers agree with the Landscape Consultant that detailed cross sections will be required, however these are not critical to the determination of the outline application and can be submitted to support the relevant reserved matters application.
- 7.7 The Landscape Consultant recommends reducing the density to enable the incorporation of a landscape buffer at the northern boundary. Officers agree that landscape planting is an important treatment for the northern boundary in order to offset the urbanising effect on the eastern woodland. Whether a reduction in density is required to accommodate the necessary planting buffer is again a matter for the detailed design stage of the approvals process.
- 7.8 The site is located in the Rolling Estate Farmlands Landscape Character Area (LCA) which is characterised by gently sloping valley sides and plateau fringes, generally deep loamy soils, and an organic pattern of fields modified by later realignment. There is opportunity for the development to enhance the neighbouring landscape areas whilst also safeguarding the woodland planting. These are matters to be worked through at the time the detailed landscape strategy is worked up, to be undertaken at the reserved matters stage.
- 7.9 It is arguable whether there exists in Claydon a more appropriate extension to the village than the application site. Extension of Ely Road is logical and conventional and raises little in the way of

adverse landscape impact. The site is visually well contained owing to the body of the village immediately west, the Slade to the east and hedgerows to the north and south. The site is well related to the village given it abuts the village's settlement boundary. There will be an urbanising effect, this is inevitable given the current agricultural use, however the effect on the broader landscape will be limited. Development of the site will create a new settlement edge that will adjoin the Slade, an acceptable visual outcome.

- 7.10 Policy CS5 of the Core Strategy requires development to protect, manage and enhance Mid Suffolk's biodiversity.
- 7.11 Regulation 9(5) of the Conservation of Habitats and Species Regulations 2010 (Implemented 1st April 2010) requires all 'competent authorities' (public bodies) to 'have regard to the Habitats Directive in the exercise of its functions.' For a Local Planning Authority to comply with regulation 9(5) it must 'engage' with the provisions of the Habitats Directive.
- 7.12 Paragraph 118 of the NPPF requires planning authorities, when determining planning applications, to seek the conservation and enhancement of biodiversity by ensuring significant harm resulting from a development is avoided (through locating on an alternative site with less harmful impacts), or where not possible to be adequately mitigated, or, as a last resort, compensated for, and if this cannot be secured then planning permission should be refused.
- 7.13 An Ecology Report supports the application. The Council's Ecology Consultant and Natural England require further information, particularly in regard to the potential impact on the Stour and Orwell Estuaries Special Protection Area (SPA) and Ramsar site, as set out in the emerging Suffolk Recreational Disturbance Avoidance and Mitigation Strategy (RAMS). Natural England suggest a suitable contribution to the emerging Suffolk RAMS should be sought from this residential development to mitigate the effect of the increased recreational pressure that will be placed on this asset. This matter can be dealt with by planning condition.
- 7.14 It is evident from the Ecology Consultant and Suffolk Wildlife Trust responses that the indicative layout plan is not consistent with the ecology report, insofar as the ecology report suggests the retention of a number of habitats (e.g. hedgerows) yet the indicative plan shows otherwise. Officers are not unduly concerned with this given the indicative status of the submitted plan. It will be important to ensure at the reserved matters stage that the habitats recommended for retention are indeed shown on the layout plan(s) that support the relevant reserved matters application. If the reserved matters application continues to show the habitats as removed/fragmented, then further surveys and effective mitigation and compensation measures will need to support the application in order to justify the habitat removal. It is not reasonable to withhold outline planning consent on the grounds of an absence of ecology information when detailed design has not yet been determined.
- 7.15 The application is supported by a Tree Survey which has been reviewed by Council's Arboricultural Officer. The Arboricultural Officer does not raise an objection. There will be no loss of significant trees and significant landscape planting will offer enhanced local arboricultural values. An Arboricultural Assessment will need to support the relevant reserved matters application.

## **8.0 Land Contamination**

- 8.1 The application is supported by the necessary contamination assessment. Environmental Health do not raise an objection to the scheme.

## **9.0 Heritage Issues**

- 9.1 Policy HB1 of the Local Plan seeks to protect the character and appearance of buildings of architectural or historic interest, particularly protecting the settings of Listed Buildings. Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 states that special attention shall be paid to the desirability of preserving or enhancing the character or appearance of a Listed Building or its setting.
- 9.2 Paragraph 129 of the NPPF identifies that the impact of a proposal on the significance of a heritage asset should be taken into account, in order to avoid or minimise conflict between the heritage asset's conservation and any aspect of the proposal. Paragraph 134 of the NPPF states that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal.
- 9.3 Council's Heritage Team raise no objection to the scheme. As noted earlier in the report, the site is not in, adjoining or near any Conservation Area. The nearest designated heritage asset, the grade II listed St Marys Church, is located a considerable distance to the northeast, on the opposite side of Church Lane. The separation distance is such that the impact on the significance of this heritage asset will be negligible. The scheme does not present any concerns in respect to built heritage.
- 9.4 The County Archaeological Service (CAS) is concerned with the potential for archaeological harm given the scale of the site and its 'topographically favourable location' overlooking the River, and the fact it is in an area of light, sandy soils which tended to attract early occupation. It is on this basis that the CAS requires a geophysical survey to form part of the application so this can be considered prior to the determination of the application.
- 9.5 Officers acknowledge that an upfront field evaluation is consistent with the approach advocated by paragraph 128 of the NPPF. The applicant has agreed that if the committee are minded to approve the application they would be willing to carry out the upfront field evaluation prior to the formal grant of planning permission and this is considered a reasonable approach given the costs associated with this type of evaluation.

## **10.0 Impact on Residential Amenity**

- 10.1 Policy H13 of the Local Plan seeks to ensure new housing development protects the amenity of neighbouring residents. Policy H16 of the Local Plan seeks to protect the existing amenity of residential areas.
- 10.2 Paragraph 17 of the NPPF sets out a number of core planning principles as to underpin decision-taking, including, seeking to secure a good standard of amenity for all existing and future occupants of land and buildings.
- 10.3 The indicative layout demonstrates the site is readily capable of accommodating 74 dwellings in a manner that will not result in detriment to the residential amenity of future occupiers of the development or occupiers of neighbouring dwellings. Amenity standards will be carefully scrutinised at the reserved matters stage of the approvals process.
- 10.4 Internal amenity for future occupants will be of a sufficient standard, with all dwellings provided reasonable levels of private open space and appropriate aspect/outlook. Solar and daylight access levels are adequate, and whilst there will be a level of intervisibility between properties, appropriate privacy is afforded to each plot. Separation distances between dwellings and carefully sited garages ensures any visual bulk effects will be minimised, safeguarding future occupants' amenity.

- 10.5 Construction hours can be managed by planning condition, to ensure the construction phase of development is carried out in a manner that safeguards neighbouring residents' amenity.
- 10.6 The proposal responds favourably to local Policies H13 and H16 and paragraph 17 of the NPPF.

### **11.0 Flooding and Drainage**

- 11.1 Some residents raise concern regarding surface water run-off and flood risk. The site is located in Flood Zone 1. The application is supported by a Flood Risk Assessment (FRA) that has been reviewed by SCC Flood and Water. SCC raise no objection to the proposal subject to standard conditions which are recommended. The development will include a sustainable urban drainage system that manages water entirely within the site, and with water storage in the centre of the site, beneath the open space. If this is deemed not possible upon detailed engineering investigation and consultation with the relevant authorities, there is sufficient capacity to connect to the existing stormwater network in Ely Road.
- 11.2 The Barham Parish Council raises concern regarding the capacity of the local sewer system on Norwich Road. As confirmed by Anglian Water, there are no capacity issues for water or foul water.

### **12.0 Minerals Safeguarding Area**

- 12.1 The site is in the SCC Minerals Safeguarding Consultation Area. SCC seek to safeguard sites that are identified in the Suffolk Minerals Core Strategy (adopted 2008) for minerals extraction, and advise on applications for sites within 250m of an identified Safeguarded Area. The site is not within 250m of an identified Safeguarded Area.

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## **PART FOUR – CONCLUSION**

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

- 13.1 Mid Suffolk District Council cannot demonstrate a five year housing supply. Local policies relating to the supply of housing, must be considered not up-to-date in accordance with the NPPF.
- 13.2 Where policies cannot be considered up-to-date, the NPPF (paragraph 14) cites the presumption in favour of sustainable development and states that planning permission should be granted unless i) any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF taken as a whole; or ii) specific policies in the NPPF indicate development should be restricted.
- 13.3 Officers conclude that specific policies do not indicate development should be restricted. Therefore, the proposal should proceed to be determined in accordance with the presumption in favour of sustainable development – the 'tilted balance' approach.
- 13.4 The NPPF advises that the environmental aspect of sustainability includes contributing to protecting and enhancing our natural, built and historic environment; economic and social gains should be sought jointly and simultaneously with environmental improvement.
- 13.5 The economic and social gains will be significant, the most notable being the boost to the housing supply and increase in much needed affordable housing stock through the policy compliant level of affordable housing proposed. Other gains include the enhanced pedestrian and cyclist connectivity to the village and recreational and social benefits through public open space provision, including

new play space. Environmental benefits include habitat creation through the introduction of green space and landscaping providing screening and visual amenity benefits.

- 13.6 The site is a highly sustainable location within walking distance of amenities in a key service centre. The proposed development is physically well related to the village, set adjacent the settlement boundary. Visual intrusion into the countryside will be limited with the Slade and backdrop of the body of the village framing future development. There are no above ground heritage related concerns.
- 13.7 The Highways Authority raises no objection. Extension of Ely Road as the principal point of access is logical, conventional and acceptable. Residential amenity levels for neighbouring residents can be maintained. Amenity for future occupants will be to an acceptable standard.
- 13.8 Ecology, tree impacts and sustainable construction methods can be adequately managed by planning condition.
- 13.9 The application is well supported by a comprehensive package of specialist reports that demonstrate how the scheme has been developed in a manner that responds positively to the site constraints. The Design and Access Statement demonstrates that the design has evolved through engagement with the local community and seeking informal pre-application officer advice. There will be a need to undertake some layout/design refinements to respond to concerns raised in the referrals received, however none of these matters are insurmountable and are appropriately managed at the reserved matters stage.
- 13.10 To be considered developable, sites should be in a suitable location for housing development and there should be a reasonable prospect that the site is available and could be viably developed at the point envisaged. All of these statements apply.
- 13.11 The proposal constitutes sustainable development for which the NPPF carries a presumption in favour and therefore the outline application 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 Corporate Manager – Growth and Sustainable Planning to secure:
- Affordable Housing
  - Provision, management and maintenance of public open space
  - Offsite highway (footpath) works.
  - Stour and Orwell Ecological Mitigation
  - Contribution towards new school
- (2) That authority be delegated to Corporate Manager - Growth & Sustainable Planning to grant planning permission subject to resolving the outstanding issues relating to archaeology, subject to conditions including:
- Standard Time Limit Condition
  - Reserved Matters to be submitted and agreed
  - Approved Plans
  - As recommended by Highways
  - Surface water drainage scheme to agree and fully implemented as approved

- Sustainable Urban Drainage System
- Construction surface water management plan detailing surface water and storm water
- Foul water strategy Anglian Water
- Sustainability efficiency measures
- Archaeological work and monitoring
- Details of fire hydrants to be submitted
- Arboricultural Impact Assessment
- Construction management plan
- Detailed hard/soft landscaping to be submitted with reserved matters
- Implementation of landscaping scheme
- Unexpected contamination
- Secure mitigation and ecology enhancement measures
- Lighting scheme – biodiversity

Notes:

Section 38 of the Highways Act 1980

Section 278 of the Highways Act 1980

- (3) That in the event of the Planning obligations referred to in Resolution (1) above not being secured that the Corporate Manager – Growth and Sustainable Planning be authorised to refuse planning permission due to lack of appropriate infrastructure requirements.