

Committee Report

Item No: 4

Reference: DC/17/05204

Case Officer: Gemma Pannell

Ward: South Cosford

Ward Member: Cllr Alan Ferguson

RECOMMENDATION – GRANT OUTLINE PLANNING PERMISSION SUBJECT TO CONDITIONS

Description of Development

Erection of up to 18 dwellings, erection of commercial nursery and creation of vehicular access, and demolition of existing buildings.

Location

Land at Shrubland Nursery, Whatfield Road, Elmsett, Ipswich Suffolk IP7 6LZ

Parish: Elmsett

Expiry Date: 25/04/18

Application Type: Outline Planning Permission

Development Type: Small Scale Major Dwellings

Applicant: Mr N Monk

Agent: LAP Architects & Interior Designers

PART ONE – REASON FOR REFERENCE TO COMMITTEE

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.

PART TWO – POLICIES AND CONSULTATION SUMMARY

Summary of Policies

NPPF National Planning Policy Framework

Babergh Core Strategy 2014:

- CS1 Applying the Presumption in favour of sustainable development in Babergh
- CS2 Settlement Pattern Policy
- CS3 Strategy for Growth and Development
- CS11 Strategy for Development for Core and Hinterland Villages
- CS15 Implementing Sustainable Development in Babergh
- CS18 Mix and Types of Dwellings

- CS19 Affordable Homes
- CS21 Infrastructure Provision

Saved Policies in the Babergh Local Plan (2006):

- CN01 Design Standards
- CR07 Landscaping Schemes
- HS28 – Infilling or groups of dwellings
- TP15 Parking Standards – New Development

Supplementary Planning Documents

- Suffolk Adopted Parking Standards (2015)
- Rural Development and Policy CS11 (2014)
- Affordable Housing (2014)

Elmsett Neighbourhood Plan (Stage 3 - Pre-submission Consultation phase)

Planning History

The subject site forms part of site SS0232 allocated in the Draft SHELAA (August 2017). In respect to development suitability the Draft SHELAA states:

‘Site is potentially suitable, but the following considerations would require further investigation: Highways – regarding access, footpaths and infrastructure required.

Heritage- impact upon listed buildings adjacent to site.

Flood risk - surface water flooding identified on site.

The site is potentially considered suitable for residential development, taking identified constraints into consideration. However, part development is recommended to avoid disproportionate development to the existing settlement.’

The estimated yield recommended in the Draft SHELAA (August 2017) is 20 dwellings.

The site immediately north of the subject land, fronting Whatfield Road, benefits from recent planning permission B/16/00447 for a seven dwelling development (permission granted 15/11/17). The permission includes a planning obligation for the construction of a footway across its site frontage as well as along the southern side of Whatfield Road from the pond (east of the subject site) to the Hadleigh Road junction.

A non-material amendment to B/16/00447 was sought in December 2017 (DC/17/06077) seeking approval of the introduction of a new central access road to provide vehicle access to the subject land. The non-material amendment was refused in February 2018 as the scope of change went beyond what could be reasonably considered as minor.

The original scheme that was subject to public consultation showed an access arrangement that relied on a central access through the approved northern development, consistent with the layout submitted in support of the non-material amendment DC/17/06077 application that was refused in February 2018.

The application was amended by the submission of a revised scheme in June 2018. The principal change relates to the shared access arrangement, with the proposed shared accessway relocated to the eastern end of the approved northern development, located west of The Malting.

The revised scheme was re-referred to all referral parties who made comment on the original application.

Consultations and Representations

During the course of the application consultation and representations from third parties have been received. The below is a summary of the responses received in respect to the revised scheme lodged with Council in June 2018.

A: Summary of Consultations

Elmsett Parish Council

We refer to and reiterate the recommendation of refusal that we submitted to you on the 21 February 2018. There is no reason for the Parish Council to change or detract from that recommendation but we would add additional reasons below in the light of the revision and developments regarding the District Council's five year land supply. This objection should be taken alongside that of the 21st February 2018. We continue to recommend refusal of the application as it represents an overdevelopment for the village where the infrastructure serving the existing community is substandard and overstretched and where there is no identified need for the development.

Additional Detailed Comments

There is a real complication in respect of this application and application B/16/00447 that abuts this site immediately to the north.

The existing permission for B/16/0047 shows a central private drive access from Whatfield Road for the seven dwellings and it also shows land ownership at the north east corner of the site at right angles to Whatfield Road. At the time of considering that application we pointed out that the layout would leave a difficult access and substandard visibility for the existing Nursery site.

A revision to the access arrangements from Whatfield Road for the 7 dwellings was submitted to you on the 9th March 2018 under the same application number. That revision sought a central access to the seven units that would also give access to the land at the rear (the nursery site). It also pushed the seven units across the existing access track to the nursery at the eastern end of the site.

When planning application DC/17/05204 for 18 dwellings and a new Nursery site was first submitted it showed a central access to the site from Whatfield Road. The latest application consultation (same number) shows a revised scheme with amended access from Whatfield Road. This now claims land ownership over that parcel of land in the north east corner of application B/16/0047 previously shown in their ownership. They cant both be correct so that needs to be resolved one way or the other.

In addition the access road is now narrower than previously shown and with the sharp bends and substandard turning area it is not suitable for use as sole access to commercial property especially when the use of HGVs is needed and as there is no margin to the east side of the road to allow for overrunning. The visibility from the access to the west is now restricted and visibility to the centreline of Whatfield Road is unacceptable.

The parish council has received no rebuttal regarding our previous comments about the flawed Transport Statement. We also note that no new Design and Access statement has been submitted even though the applicant proposes major changes to both. No doubt you have requested revised copies.

We now turn to the subject of need. We say that need has patently not been demonstrated, amongst all the submitted documents you have received there is not one shred of evidence that points to the need to build houses in this Hinterland Village. In fact we can demonstrate there is no need, a simple investigation of houses for sale in Elmsett from the internet revealed that there are currently 5 houses for sale, plus a barn conversion in Elmsett; ranging from a 2-bed at £125k to a 6 bed at £600k many of which have been for sale for the last 6 months. We also know of 3 others which were for sale and have now been taken off the market because of a lack of interest. If you widen the search radius by 1 mile you can add in another 7 properties for sale.

Another area of concern is ecology and we are concerned that the whole of the site has not been covered in the ecological study.

The last, and possibly the most important point we now make relates further to need and that is that Babergh District Council can now demonstrate a five year housing land supply meaning that you no longer need to approve this type of speculative development that is outside of policy and outside Elmsetts Built Up Area Boundary

Conclusions

We say that this proposed development should be refused because it is simply not sustainable, is not in scale with the settlement, it does not comply with any of the core strategy policies, it is too large for the capacity of our rural road network and transport infrastructure and it is outside Elmsetts Built Up Area Boundary. Although there are numerous documents supporting this application we could see none that identified the need for the development. The approval and subsequent occupation of 18 new dwellings will lead to road safety dangers on a daily basis over the life of the development. The parish council requests that prior to consideration in committee that there be an accompanied site inspection by all the planning committee that will, importantly, include a proper detail tour of the road network serving Elmsett.

Response to original proposal:

Policy Objection including extracts from Babergh Core Strategy

Your planning policy team has published a joint local plan consultation document. In that document Elmsett is wrongly described as a Core Village. When the evidence spreadsheet is interrogated it can clearly be seen that Elmsett does not attract the 20 points needed to be a Core Village as certain categories are wrongly included. We do not have a daily peak hour bus service to/from a higher category settlement and we do not have allotments. This confirms our position as a Hinterland Village. We would not wish your committee to be swayed by incorrect evidence and will be writing in more detail to your policy team as part of our consultation reply to get this matter corrected.

When considering planning applications there is a need to consider how the application sits within the planning policies that pertain. Babergh Core Strategy and Policies 2011-2031 should be your guidance until your new plan is adopted. Reference to Section 2, the Strategy for Growth reveals that your own adopted strategy includes Elmsett as a Hinterland Village.

Policy CS2: Settlement Pattern Policy

The development strategy for Babergh is planned to a time horizon of 2031. Most new development (including employment, housing, and retail, etc.) in Babergh will be directed sequentially to the towns / urban areas, and to the Core Villages and Hinterland Villages identified below. In all cases the scale and location of development will depend upon the local housing need, the role of settlements as employment providers and retail/service centres, the capacity of existing physical and social infrastructure to meet forecast demands and the provision of new / enhanced infrastructure, as well as having regard to environmental constraints and the views of local communities as expressed in parish / community / neighbourhood plan within the Core Strategy there is a section (CS3) which outlines the planned "Distribution of Growth" in Babergh. In the 20 years 2011 - 2031. This states that the plan is for 1050 dwellings in the Core and Hinterland villages, of which there are 10 and 43 respectively. Although it would be incorrect to say there should be an equal division between each, because most should go to the Core villages, if this were done this would equate to 20 dwellings. Thus this development of 18 plus the approved 7 and recently approved development of 41 would be well in excess of our fair share".

Equally we should not consider this development on its own we need to take a more holistic view. That is to say, those dwellings already built within the timeframe, and those of which we have knowledge going forward:

Church View - 8 dwellings (completed)

Maltings development - 7 dwellings (planning permission granted)

Hadleigh Road - 41 dwellings (planning approved but not yet issued)

Fisons The Street - 15/20 dwellings (outline scheme briefed to Parish Council) Heathpatch - 22/42 dwellings (outline scheme briefed to Parish Council)

Others - ?

This development - 18

Total could be at least - 136+ which is getting on for a 40% over 327 existing

There is also at least one obvious Brownfield Site that might yield at least 10 dwellings that is yet to come forward.

The core strategy says Hinterland Villages will accommodate some development to help meet the needs within them. All proposals will be assessed against Policy CS11. Site allocations to meet housing and employment needs may be made in the Site Allocations document where circumstances suggest this approach may be necessary.

2.8.5 Core and Hinterland Villages

2.8.5.5 .. In all cases and of paramount importance will be to ensure that overall development throughout the plan period, in any settlement, is in scale with that settlement.

2.8.5.6 It will also be important to ensure that any development in the Core and Hinterland Villages is supported by an appropriate level of infrastructure. As with the larger strategic sites, provision of adequate infrastructure to serve developments will be required. In considering the cumulative impact, the findings from monitoring the impacts of previous planning applications in respect of the social, physical and environmental impacts and the effects on quality of life within the village will be considered and reflected in the assessment of new proposal

Policy CS11: Strategy for Development for Core and Hinterland Villages Development in Hinterland Villages will be approved where proposals are able

i) is well designed and appropriate in size / scale, layout and character to its setting and to the village;

ii) is adjacent or well related to the existing pattern of development for that settlement;
iii) meets a proven local need, such as affordable housing or targeted market housing identified in an adopted community local plan / neighbourhood plan;
iv) supports local services and/or creates or expands employment opportunities; and v) does not compromise the delivery of permitted or identified schemes in adopted community / village local plans within the same functional cluster. The cumulative impact of development both within the Hinterland Village in which the development is proposed and within the functional cluster of villages in which it is located will be a material consideration when assessing such proposals. All proposals for development in Hinterland Villages must demonstrate how they meet the criteria list above.

It should be noted that Elmsett has commenced work on a Neighbourhood Plan and are making good progress.

We cannot see how this development complies with any of your core strategy policies for hinterland villages. There is scepticism in the village about the planning process in that with the failure of Babergh to maintain a 5 year housing supply you are willing to disregard written policy and accept opportunistic development which does not meet the needs of the local population.

We still say that this proposed development should be refused because it is not sustainable, is not in scale with the settlement, it does not comply with any of the core strategy policies and it is far too large for the capacity of our rural road network and transport infrastructure. The approval and subsequent occupation of 18 new dwellings in addition to the existing plant nursery use will lead to road safety dangers on a daily basis over the whole life of the development.

Drainage

Concern was raised at our meeting about the safety and efficiency of the on site lagoon.

Highways and Transport

The applicant has provided a Transport Statement that, unsurprisingly concludes that the transport and traffic effects of the proposed developed are acceptable. However, that document is seriously flawed and misleading.

Section 3.5 states Vehicular access to the development would be taken directly from the access point on Whatfield Road that will serve the residential units permitted under planning application B/16/00447. The revised central access has not yet been approved.

Section 5.8 this section on the existing highway network states that Elmsett is located at the convergence of several minor roads including Whatfield Road, Hadleigh Road, Ipswich Road and The Street. The report is silent on the real fact that the miles of roads that provides access to Elmsett are narrow, single track in places and often have long distances between passing bays without intervisibility. There are frequent near collisions and some collisions, thankfully these are mostly non injury and therefore not reported and would not appear on Crashmap it is good fortune and there have been no serious collisions but there is no guarantee that the good fortune will continue.

Section 5.9 this section seeks to mislead as there is a fundamental error in that there is no longer (and hasn't been for some time) a daily bus service to Ipswich, the main employment town and major shopping outlet. There is only one a week, In addition the Monday to Friday bus to Hadleigh leaves at 09:19 and returns at 13:19, it is of no benefit for regular employment use. Anyone living in Elmsett will require their own transport to go to work and therefore it cannot be said that this is a sustainable development.

Section 8 this section attempts to deal with trip generation and uses the TRICS database. Again the data sets used to produce a trip rate for this development is flawed because of the chosen sites. A brief look at the appendix E will inform you that the consultants has chosen surveyed sites on the edge of towns and conurbations, which are not comparable with the highly rural nature of Elmsett and its environs. The days of edge of town survey data sites are in Darlington, Marefield, Braunstone Frith, Speke nr Liverpool, Chapel House Newcastle, Kings Norton Birmingham, West Horsham, Chichester and Aldwick Bognor Regis. Three of these sites have a population of between 250000 to 500000 within 5 miles and 6 of them have car ownership of 0.6 to 1.0 per dwelling. This is just not similar to Elmsett and produces a predictably low vehicular trip rate.

18 new dwellings represents a serious increase in the size of our village and such an increase of housing stock will result in a material increase of traffic on these roads and, because of the nature of the roads will result in a proportionately higher increase in risk.

The last point to reiterate is that there should be no form of street lighting on this site. Should there be any other submissions or comments we reserve the right to comment further.

Education

Whilst we may satisfy ourselves that Suffolk County Council will obtain the funding for the estimated increase in children for the development we support some of Elmsett residents' concerns of pressure on education if all this potential building takes place.

Detail Highway Considerations should the District Council be minded to set aside our objection and approve the application that should become recommended conditions.

When application B/16/00447 erection of 7 no. dwellings and associated works, including the construction of a new vehicular access was approved a section 106 agreement was entered into to table the development to proceed. That agreement provided for the applicant to make a highway contribution in the sum of £26,000 and for the highway authority to use the Highway Contribution towards the provision of a footway from the pond as identified on the Plan to the existing sections of footway near the Hadleigh Road junction. If the 18 units are approved then the applicant should enter a further S106 to provide such contributions that are needed to provide the missing footway link over the pond on land owned by the applicant and shown outlined blue on the application plan

There should be no road or footway lighting on the site

Because of the number of additional HGVs and builders traffic that will be generated by the construction of these dwellings and on the road network, to say nothing of the provision of utility services we recommend that there should be a properly considered construction management plan that should be adhered to with penalties for breaches.

Conclusions

We say that this proposed development should be refused because it is simply not sustainable, is not in scale with the settlement, it does not comply with any of the core strategy policies and it is too large for the capacity of our rural road network and transport infrastructure.

Although there are numerous documents supporting this application we could see none that identified the need for the development.

The approval and subsequent occupation of 18 new dwellings will lead to road safety dangers on a daily basis over the life of the development. The parish council requests that prior to consideration in committee that there be an accompanied site inspection by all the planning committee that will, importantly, include a proper detail tour of the road network serving Elmsett.

SCC Highways – No objection – subject to conditions.

BMSDC – Heritage Team

This site is located behind a recently approved development on Whatfield Road, on land previously associated with the nursery. The issues of heritage concern are the impact of the development on The Chequers, which is a listed timber framed building that sits perpendicular to the road, to the west of the site, and on The Maltings located to the east of the site, which is considered to be a non-designated heritage asset. The proposal is for up to 18 dwellings. Due to the position of the site, and the development in between it and the assets, at least in the west, the impact of the development on the significance of The Chequers is nil, and on the Maltings to the east, limited, irrespective of the final arrangement and planform of development – and as such the Heritage Team has no concerns over the scheme, though for the sake of aesthetic cohesion standard conditions should be applied to all external cladding materials.

SCC - Flood and Water - Approval subject to conditions.

Anglian Water

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

The sewerage system at present has available capacity for these flows. If the developer wishes to connect to our sewerage network they should serve notice under Section 106 of the Water Industry Act 1991. We will then advise them of the most suitable point of connection.

From the details submitted to support the planning application the proposed method of surface water management does not relate to Anglian Water operated assets. As such, we are unable to provide comments on the suitability of the surface water management

SCC Strategic Development - Contributions will be sought through CIL funding bid for education and libraries.

BMSDC – Infrastructure

This development site lies within the high value zone of the BDC CIL Charging Schedule and would, if granted planning permission, be subject to CIL at a rate of £115m² (subject to indexation). The CIL Liability is calculated on final approval of details submitted under Reserve Matters. The Developer should ensure they understand their duties in relation to compliance with the CIL Regulations 2010 (as amended).

Environmental Health - Land Contamination - No objection.

SCC Fire Officer - No objection.

SCC - Archaeological Service

No objection subject to standard condition.

Environment Agency

No objection.

BMSDC Strategic Housing

This proposal offers a good mix of dwelling types, sizes and tenures, with a mixture of 1, 2, 3, and 4-bedroom homes. The scheme recognises the need for smaller homes for sale on the open market and therefore meets identified housing need.

Preferred housing mix as follows:

Rented – 4 homes required: -

- 2 x 1- bed 2-person flats @ 50 sqm
- 1 x 2-bed 4-person house @ 79 sqm
- 1 x 3 bed 5-person house @ 93 sqm

Shared Ownership – 2 homes required:-

- 2 x 2-bed 4-person houses @ 79 sqm

BMSDC – Arboricultural Officer

No objection.

Place Services - Ecology

No objection subject to securing:

- a) a financial contribution towards visitor management measures for the Stour and Orwell SPA/Ramsar site
- b) biodiversity mitigation and enhancement measures.

Natural England

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.

Suffolk Wildlife Trust

We have read the ecological survey report (Practical Ecology Ltd, March 2018) and we are satisfied with the initial findings of the consultant.

We note that the consultant has recommended further surveys for great crested newts in order to inform a European Protected Species Mitigation licence. We request that these surveys are undertaken prior to the determination of this application.

As mentioned in our previous letter, dated 20th February 2018, the site also appears to lie within the area covered by the emerging Recreation Disturbance Avoidance Mitigation Strategy (RAMS). Further consideration must therefore be given to the requirement for the proposed development to contribute to this strategy.

Notwithstanding the above, we request that the recommendations made within the report are implemented in full, via a condition of planning consent, should permission be granted.

BMSDC Environmental Health – Other

No objection.

Essex and Suffolk Water

Our records show that we do not have any apparatus located in the proposed location, as this area is not covered by Essex & Suffolk Water.

B: Representations

Objections received based on the following grounds (summary):

- *Highway safety concerns.
- *Impact on character and appearance of the area
- *Impact on the village setting
- *Impact on the setting of nearby listed building
- *Impact on wildlife including bats, owls and deer
- *Loss of privacy and noise to neighbours
- *Costs of infrastructure connection
- *Lack of visitor parking.
- *Exacerbates flooding problem.
- *Errors in Transport Report – no daily bus service to Ipswich
- *High car dependency, unsustainable location
- *49 houses in village already approved
- * Noise impacts from nursery carpark

PART THREE – ASSESSMENT OF APPLICATION

1. The Site and Surroundings

- 1.1. The application site is located on the southern side of Whatfield Road, in the village of Elmsett. Elmsett is defined as a ‘Hinterland Village’ in the Babergh District Local Plan Core Strategy 2014. The village settlement boundary forms part of the site’s western boundary. Whatfield Road to the north also forms part of the settlement boundary.
- 1.2. The site does not have direct frontage to Whatfield Road (other than the proposed access point), set some distance back from the street. The land immediately north of the site, between the site and Whatfield Road, benefits from planning permission for a seven dwelling development that has not yet been implemented.
- 1.3. The site is occupied by a commercial nursery comprising seven low quality commercial buildings which occupy the northern half of the site. The southern half of the site is largely undeveloped, comprising mostly an open grassed area, together with a lagoon to the eastern boundary, understood to have been formerly used as a slurry pit associated with a former piggery at the site. Vehicle access to the nursery is along the site’s eastern boundary, and is located immediately west of, and diagonally opposite, Elmsett Green.
- 1.4. Arable fields and residential development (Chequers Park) adjoin the site’s western boundary. To the northeast is a residential property ‘The Malting’. Land directly east is occupied by a domestic tennis court and dwelling beyond. To the south is conventional residential development ‘Sawyers’.
- 1.5. The nearest listed building is a Grade II timber framed building located west of the Chequers Park development. The listed building is approximately 70m from the site.

- 1.6. The site is not in, adjoining or within proximity of a Conservation Area, Special Area of Conservation or Special Landscape Area.
- 1.7. There are no footpaths along Whatfield Road adjacent the site. The nearest bus stops are located at the junction of Whatfield and Hadleigh Roads approximately 300m east of the site.

2. The Proposal

- 2.1 Outline planning permission with all matters reserved, except access and layout, is sought for 18 dwellings together with a commercial nursery. Six of the dwellings are proposed as affordable.
- 2.2 As layout is a matter for consideration, a layout plan (8325/03A) has been submitted. Key elements of the outline plan are as follows:
 - Demolition of all commercial nursery buildings.
 - Single access point from Whatfield Road to serve the development. The proposed new access road is located east of the northern approved development, located west of The Maltings.
 - A mix of detached, semi-detached and terraced houses are proposed.
 - Although scale is not a matter for consideration, plans indicate a mix of one, one and a half and two storey dwellings.
 - A proposed housing mix has been provided indicating: 4 x 1 bedroom dwellings; 2 x 2 bedroom dwellings; 3 x 3 bedroom dwellings; 3 x 4 bedroom dwellings; together with 6 x 2 bedroom affordable dwellings.
 - Residential development is limited to the northern half of the site.
 - The southern half of the site is dedicated only to the proposed garden nursery.
 - Nursery development comprises four polytunnels and a central single storey packing shed. As scale is a reserved matter height details of the polytunnels are not provided.
 - 12 unenclosed car spaces are proposed for the nursery, located central to the site to the rear of the packing shed.
 - Vehicle access to the nursery is via an extension of the proposed access for the residential component.
 - The lagoon is to be retained.
 - Although landscaping is not a matter for consideration, indicative plans show proposed landscaping throughout the site and along all site boundaries.
- 2.3 Limited details are provided regarding the nursery. The Transport Statement advises the nursery is expected to be of similar operation to the existing nursery. Vehicles associated with the garden nursery operation comprise mainly cars, small vans, 3.5 transits and vans to a maximum of 7.5 tonnes. A total of 5 employees are anticipated. Operating hours are not specified. There is no detail regarding the likely retail offer, if any, that is proposed and level of likely public access to the nursery. No external lighting details are provided. As appearance is a reserved matter, detailed design of proposed built form is not provided.

3. Elmsett Neighbourhood Plan

- 3.1 The Elmsett Neighbourhood Plan (ENP) is currently at stage 3 – pre-submission public consultation phase - as set out in the Planning Practice Guidance (PPG).

- 3.2 The PPG outlines the circumstances in which a development proposal may not be supported owing to prematurity in the context of a neighbourhood plan. The PPG states that where the presumption in favour of sustainable development applies, arguments that an application is premature are unlikely to justify a refusal of planning permission other than where it is clear that the adverse impacts of granting permission would significantly and demonstrably outweigh the benefits, taking the policies in the Framework and any other material considerations into account. The PPG then follows:

‘Such circumstances are likely, but not exclusively, to be limited to situations where both:

(a) the development proposed is so substantial, or its cumulative effect would be so significant, that to grant permission would undermine the plan-making process by predetermining decisions about the scale, location or phasing of new development that are central to an emerging Local Plan or neighbourhood planning; and

(b) the emerging plan is at an advanced stage but is not yet formally part of the development plan for the area.

Refusal of planning permission on grounds of prematurity will seldom be justified where a draft Local Plan has yet to be submitted for examination, or in the case of a Neighbourhood Plan, before the end of the local planning authority publicity period.’

- 3.3 The ENP is not at the end of Council’s publicity period. Council’s publicity period (stage 4) has not yet commenced. The emerging ENP is far from being considered as formally forming part of the development plan. For these reasons, the emerging ENP is attached such limited statutory weight that any conflict with it is not considered fatal to the application. There are no justifiable grounds to refuse the application based on conflict with the ENP.

4. The Principle of Development

- 4.1 Babergh benefits from a five plus year land supply position as required by paragraph 73 of the NPPF. The tilted balance at paragraph 11(d) of the NPPF is not engaged. There is no requirement for Council to determine what weight to attach to all the relevant development plan policies in the context of the tilted balance test, whether they are policies for the supply of housing or restrictive ‘counterpart’ policies, such as countryside protection policies. This said, there is a need for Council to determine whether relevant policies of the Core Strategy generally conform to the aims of the NPPF. Where they do not, they will carry less statutory weight.

Policy CS2 Settlement Pattern Policy

- 4.2 Policy CS2 (Settlement Pattern Policy) designates Elmsett as a Hinterland Village. Policy CS2 requires that outside of the settlement boundary, development will only be permitted in exceptional circumstances subject to a proven justified need. The site is outside the settlement boundary. Policy CS2 therefore applies.
- 4.3 The Core Strategy adopted in 2014 expressly anticipated, and stated within the document, that the District settlement boundaries would be reviewed and sites allocated for development following the adoption of the Core Strategy. The Local Development Scheme (LDS) produced in 2012 advised that a new combined LDS would commence in autumn 2012 and stated it was not possible to provide an up to date programme for site specific allocations.

It is noted that in the original LDS in 2007 it was anticipated that the Site Allocations document would be adopted within 6 months of the Core Strategy having been adopted. This has not to date happened. The current LDS, published in July 2018, now indicates that the Joint Local Plan, including site allocations, will be adopted in February 2020.

- 4.4 The exceptional circumstances test at Policy CS2 applies to all land outside the settlement boundary. This blanket approach is not consistent with the NPPF, which favours a more balanced approach to decision-making. The NPPF does contain a not dissimilar exceptional circumstances test, set out at paragraph 79, however it is only engaged where development is isolated. For the reasons set out in this report, the development is not isolated. Paragraph 79 of the NPPF is not engaged.
- 4.5 Having regard to the material delay in the review of settlement boundaries and in the allocation of sites, and the absence of a balanced approach as favoured by the NPPF, the statutory weight to be attached to Policy CS2 is reduced. The fact that the site is outside the settlement boundary is therefore not a determinative factor upon which the application turns.
- 4.6 The presumption in favour of sustainable development and the need for a balanced approach to decision making are key threads to Policy CS1, CS11 and CS15 of the Core Strategy. Unlike Policy CS2, these policies are consistent with the NPPF, carry full statutory weight and provide the principal assessment framework as it applies to the subject application. Policy CS18 is also a key consideration given the scale of development proposed, as is saved Policy HS28 given the development comprises a group of dwellings and the site essentially presents as an infill plot.

Policy CS1 Presumption in Favour of Sustainable Development

- 4.7 Policy CS1 takes a positive approach to new development that, as noted above, reflects the presumption in favour of sustainable development. It seeks to secure development that improves the economic, social and environmental conditions in the Babergh district.

Policy CS11 Strategy for Development in Core and Hinterland Villages

- 4.8 As noted in the Core Strategy, delivery of housing to meet the district's needs within the framework of the existing settlement pattern means there is a need for 'urban (edge) extensions' as well as locally appropriate levels of growth in the villages. Policy CS11 responds to this challenge, setting out the 'Strategy for Development in Core and Hinterland Villages'. The general purpose of Policy CS11 is to provide greater flexibility in the location of new housing development in the Core and Hinterland Villages.
- 4.9 The site is an edge-of-settlement location where the criteria set out at Policy CS11 are engaged.
- 4.10 Policy CS11 states that development in hinterland villages will be approved where proposals are able to demonstrate a close functional relationship to the existing settlement and where the following criteria are addressed to Council's satisfaction:
- (a) Core villages criteria:
 - 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) locally identified community needs; and
 - vi) cumulative impact of development in the area in respect of social, physical and environmental impacts.
- (b) Additional hinterland village criteria:
- i) is well designed and appropriate in size / scale, layout and character to its setting and to the village;
 - ii) is adjacent or well related to the existing pattern of development for that settlement;
 - iii) meets a proven local need, such as affordable housing or targeted market housing identified in an adopted community local plan / neighbourhood plan;
 - iv) supports local services and/or creates or expands employment opportunities; and
 - v) does not compromise the delivery of permitted or identified schemes in adopted community / village local plans within the same functional cluster.
- 4.11 The accompanying 'Rural Development & Core Strategy Policy CS11 Supplementary Planning Document' (the 'SPD') was adopted by the Council on 8 August 2014. The SPD was prepared to provide guidance on the interpretation and application of Policy CS11, acknowledging that the Site Allocations Document foreshadowed in Policy CS11 may not be prepared for some time. Although the SPD is not part of the statutory development plan, its preparation included a process of community consultation before it was adopted by the Council, and means that it is a material consideration when planning applications are determined.
- 4.12 The matters listed in Policy CS11, which proposals for development for Hinterland Villages must address, are now considered in turn. Policy CS15 criteria, which an application must score positively against, are addressed later in this report.

The landscape, environmental and heritage characteristics of the village

Impact on Landscape

- 4.13 The NPPF emphasises as a core principle the need to proactively drive and support sustainable development to deliver homes. It states that both the intrinsic character and beauty of the countryside should be recognised and that pursuing sustainable development involves widening the choice of high quality homes. The planning system should contribute to and enhance the natural and local environment by protecting and enhancing valued landscapes.
- 4.14 Furthermore, policies CS11 and CS15 of the Core Strategy require development proposals to protect the landscape of the district.
- 4.15 The Planning Practice Guidance advises that *'The opportunity for high quality hard and soft landscaping design that helps to successfully integrate development into the wider environment should be carefully considered from the outset, to ensure it complements the architecture of the proposals and improves the overall quality of the townscape or landscape'*.
- 4.16 Policy CS11 envisages that there will be some development in the countryside; the key question is whether the character impact of the development is reasonably contained.

- 4.17 The subject land in a visual sense is well contained. It is bounded by residential development, in the main, on its western, eastern and southern boundaries. Residential development is approved at its immediate northern boundary. The proposal is essentially 'backland' in nature and the site presents essentially as an infill plot. The change in local character brought about by the introduction of 18 dwellings will be less than moderate given the significant containment offered by surrounding residential development.
- 4.18 The residential component of the scheme sits largely within the footprint of the existing nursery complex. The existing commercial complex is unremarkable in character and appearance. The loss of low quality commercial buildings and replacement with dwellings of a more domestic appearance, likely to be traditional in style, is welcomed. The significant reduction in the number of commercial buildings, coupled with a far greater setback of the commercial complex from Whatfield Road than existing, is also welcomed and represents significant character improvement. The proposed commercial buildings are much more modest in scale than the existing commercial complex, a character benefit. The development does not give rise to negative landscape character outcomes.
- 4.19 Only half of the site is proposed for residential purposes, minimising landscape effects. This is consistent with the Draft SHELAA (August 2017), which recommends only part development of the site to avoid disproportionate development to the existing settlement.

Impact on Heritage Assets

- 4.20 By virtue of the legal duty in section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 ("the Listed Building Act"), "in considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority ... shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses".
- 4.21 The nearest listed building, The Chequers, is located west of the neighbouring western residential development. Council's Heritage Officer concludes the impact of the development on the significance of The Chequers is nil owing to the presence of the intervening housing stock.
- 4.22 Conservation Areas are not in proximity of the application site. The proposal will not cause harm to any Conservation Area.
- 4.23 The site lies in an area of archaeological potential and the County Archaeologist requests an archaeological investigation condition should outline permission be granted. The conditional approach set out in the recommendation is supported.

The locational context of the village and the proposed development

- 4.24 Paragraph 10 of the SPD states proposals should be well related to the existing settlement and that the starting point for assessing this is whether or not the site adjoins the village settlement boundary. The SPD states a judgement will need to be made and issues to be taken account include:
- Whether the proposal would constitute ribbon development on the edge of the village

- How the site is connected to the existing settlement, jobs, facilities and services including location of site access and availability of sustainable transport links
 - The scale, character and density of the proposal in relation to the existing adjoining development.
 - Whether the proposal constitutes a logical extension of the built-up area of the village. Whether the proposal is self-contained and has logical, natural boundaries.
- 4.25 The site is very well related to the Elmsett settlement boundary, in parts directly adjoining it and in other locations situated within very close proximity to it. The proposal would not constitute ribbon development given the layout and backland location. The site is very well connected to the village in a visual sense. The proposed scale and layout of development is not at odds with the neighbouring development pattern on the southern side of Whatfield Road.
- 4.26 As noted above, the site is visually self-contained. The site has natural boundaries and development will not project in an intrusive manner out from the village, but rather will appear as a discrete addition to it. The development represents a logical extension of the body of the village, consistent with the last criterion above. The proposal responds favourably to paragraph 10 of the SPD.
- 4.27 The site is in proximity to local village amenities including a combined post office, general store and off licence, church, public house, primary school and Village Hall. It is accepted that trips beyond the village will be required for employment opportunities, supermarket shopping etc, to nearby locations such as Ipswich and Hadleigh. It is also accepted the village is not currently well supported in terms of footpath connectivity and that bus services to neighbouring centres are relatively limited. However, the future construction of a footway along the southern side of Whatfield Road from the pond to Hadleigh Road, required as part of the approved northern development (B/16/00447), will significantly improve pedestrian connectivity to the village. Notwithstanding the current limited pedestrian and public transport options, sufficient day to day services are on offer to serve the development, as they do the existing village residents.
- 4.28 On balance it is concluded that the site has a functional relationship with the village and is in a sustainable location. This finding is consistent with that made by officers in granting full planning permission B/16/00447 for the seven dwelling development abutting the site's northern boundary.

Site location and sequential approach to site selection

- 4.29 The acceptability of the principle of development does not turn on whether or not the site is within the settlement boundary.
- 4.30 There are no sites within the Elmsett settlement boundary which would enable a development of a scale commensurate with that proposed.
- 4.31 Case law has clarified that in relation to sequential assessment, there is no requirement to consider alternative sites adjoining the settlement boundary, as sequentially they are within the same tier.

Locally identified need - housing and employment, and specific local needs such as affordable housing

- 4.32 In respect of affordable housing need, paragraph 2.8.5 of the Core Strategy advises that Policy CS11 will lead to greater flexibility in the provision of affordable housing, related to need which has to be considered more widely than just within the context of an individual settlement but also the other villages within that cluster and in some cases adjoining clusters. This is consistent with the requirements of the NPPF that aim to ensure that the local plan meets the needs for affordable housing in the housing market area. Policy CS18 states that the mix, type and size of housing development will be expected to reflect established needs in the Babergh District.
- 4.33 Paragraph 14 of the SPD states that proposals should be accompanied by a statement that analyses the local housing needs of the village and how they have been taken into account in the proposal.
- 4.34 The application is not supported by a housing needs assessment. The application proposes 35% affordable housing provision consistent with local policy and indicates a 6 x 2 bedroom mix. The market housing offers a mix of dwelling types.
- 4.35 Council's Strategic Housing Officer observes that the scheme recognises the need for smaller homes for sale on the open market and therefore meets identified housing need. The Strategic Housing Officer requires a different affordable mix to that indicated in the application. This is not fatal to the application, as there is nothing before officers to suggest the required mix could not be achieved via planning obligation/condition.
- 4.36 The draft Elmsett Neighbourhood Plan is a useful reference in determining whether the scheme may respond to locally identified need. Draft ENP Policy EMST7 requires new housing developments of 10 or more dwellings to provide a minimum 47% one or two bedroom dwellings. The scheme proposes 66% one and two bedroom dwellings.
- 4.37 Having regard to the Strategic Housing Officer's referral comments and compliance with the ENP, it is concluded with some confidence that the proposal responds positively to Policy CS18 which seeks to ensure that the mix, type and size of housing development reflects established needs in the district. The absence of a housing needs assessment is a policy conflict, however, the development will meet the identified need for small properties as set out in the emerging NP and therefore this conflict is limited.

Locally Identified Community Needs

- 4.38 The SPD states that proposals should be accompanied by a statement that assesses the community needs of the village and how they have been taken into account in the proposal. The application is not supported by a community needs assessment.
- 4.39 However, the development will generate contributions towards community infrastructure, to be spent on local services and infrastructure. The proposal would deliver benefits through CIL that are considered to satisfy this element of Policy CS11.

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

- 4.40 There is no evidence before officers to suggest the scheme will result in an unacceptable cumulative impact on the area in the context of social, physical or environmental impacts. There are no concerns raised by infrastructure providers and therefore the scheme does not result in an adverse cumulative impact on the area.
- 4.41 Any additional infrastructure requirements are a consequence of the development, they are not adverse social, physical or environmental impacts.
- 4.42 There are no grounds to reject the proposal because of any unacceptable adverse impact on local services and infrastructure. The proposal complies with this element of Policy CS11.

Development scale, layout and character

- 4.43 The character and layout of the proposed development is estate-style. The layout has similarities with the layout of the estate immediately south of the site. The Sawyers estate is suburban in appearance with dwellings fronting a no-through road, the most common of residential estate layouts. Another example in the village of a not dissimilar estate layout is at Mill Lane west of the site. The fact the proposed layout bears a close resemblance to this estate is suggestive of a development that is consistent with the character of the surrounding area. The density is higher than immediately neighbouring development, however the site's limited exposure in views from the public domain limit the character effects to a localised level.
- 4.44 The scale, although not a matter for consideration, is worthy of some comment. The scale as shown on the indicative 'storey heights plan' is predominantly two storeys. Two storey development is prevalent across Elmsett. The approved northern development is two storey. Dwellings in the Sawyers estate is two storeys. The Mill Lane estate is two storeys and denser than the proposed development. Scale and density are acceptable.
- 4.45 Officers do not accept the proposal will appear as an overdevelopment of the site. None of the usual overdevelopment symptoms are evident, such as high boundary walls, limited boundary setbacks, cramped private open space areas, extensive shading of properties, and non-compliant on-site parking provision. Rear gardens, in the main, are generous and greater in depth than many rear gardens serving dwellings in the village.

Settlement context

- 4.46 As noted above, the site is well related to the village in visual and physical terms, consistent with this criterion.

Meets local need identified in neighbourhood plan

- 4.47 As noted above, the proposal comprises a housing mix that responds favourably to the emerging ENP in respect to locally identified need.

Supports local services and/or creates employment opportunities

- 4.48 An 18 dwelling development will create short term employment opportunities. The resident population of the 18 dwellings will support local services in the village. The proposed nursery retains an employment component, a welcome aspect of the scheme in the context of economic as well as social benefits.

Delivery of permitted schemes

- 4.49 The proposal would not compromise the delivery of other permitted schemes in the village.

Policy CS15 Sustainable Development

- 4.50 Policy CS15 sets out how the Council will seek to implement sustainable development. A number of criteria set out at CS15 have already been considered in this report, those that have not are considered further below.
- 4.51 Policy CS15 seeks to minimise the need to travel by car using alternative means and improving air quality. The site is well connected in highway connectivity terms. As acknowledged above, pedestrian connectivity in the village is not high and the proposal will generate vehicle trips. This said, as noted above, the village has many of the day to day services expected in a hinterland village of this size. Employment opportunities are available in nearby centres.
- 4.52 Policy CS15 sets out criteria relating to flooding, economic benefits, supporting local services, sustainable design, and creation of green spaces, minimising waste and surface water run-off and promotion of healthy living. The proposal responds favourably to these matters as relevant.
- 4.53 Policy CS15 states that with regard to the SPAs, SACs and Ramsar sites, any development that would have an adverse effect on the integrity of a European site including candidate/proposed sites either alone or in combination with other plans or projects will be refused. Natural England recommend a suitable contribution to the emerging Suffolk RAMS should be sought. This can be addressed by planning condition.
- 4.54 A Phase 1 Desktop Contamination Report supports the application. Environmental Health raise no objection to the proposed development from the perspective of land contamination. The proposal complies with criterion vii of Policy CS15 insofar as it relates to land contamination.

5. Residential Amenity

- 5.1 Paragraph 127 of the NPPF sets out a number of core planning principles as to underpin decision-taking, including, seeking to secure a high standard of amenity for all existing and future occupants of land and buildings.
- 5.2 Residential amenity will be considered in greater detail when development scale is assessed at the reserved matters stage of the approvals process. The application seeking approval of scale will include detailed elevations and it is most appropriate to assess, in the fullest of terms, amenity impacts at that time.
- 5.3 The above said, the submitted layout and heights plan provides a basis to assess in general terms the likely amenity impacts.

- 5.4 Separation distances to neighbouring dwellings is such that residential amenity for neighbouring residents will be adequately maintained, consistent with Paragraph 127 of the NPPF.
- 5.5 Internal amenity for future occupiers of the development itself is 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.

Residential/Commercial Interface

- 5.6 The interface between residential and commercial must be carefully considered as there is potential for adverse amenity impacts from the commercial use upon future residential occupants as well as existing neighbouring residents.
- 5.7 The original layout showed the commercial access to the nursery bisecting the proposed residential area as well as the already approved residential development fronting Whatfield Road. A poor amenity outcome for existing and future residents.
- 5.8 The key improvement is the shared accessway now located east of the dwelling group, ensuring that commercial traffic associated with the nursery no longer travels *through* the dwelling group, but rather *around* it. It is also observed that a generous separation distance is provided between the proposed access and The Maltings residence to the east. Amenity impacts such as commercial traffic noise and disturbance is greatly reduced.
- 5.9 The proposed packing shed is located some distance from the nearest proposed dwellings. The shed is centrally located, maximising separation distances to the nearest neighbouring residential properties. The nursery parking area is located to the very rear of the site, set well away from proposed dwellings and not too close to existing residences in the Sawyers estate.
- 5.10 Some indicative landscaping is shown at the residential and commercial boundary. However, there is scope to significantly improve the interface by the introduction of a more meaningful landscape buffer. This can be addressed through the landscaping reserved matters application.
- 5.11 Controlling operating hours and commercial delivery times is essential to ensuring adverse amenity impacts are minimised. These can be controlled by condition in discussion with the applicant and Environmental Health.
- 5.12 It is not appropriate for heavy lorries to access the nursery given the proximity of residential properties. A condition will limit vehicle size to those which deliver to the existing nursery, that being cars, small vans, 3.5 transits and vans to a maximum of 7.5 tonnes.
- 5.13 Nurseries often use forklifts for day to day operations. Reversing beepers are routinely fitted to forklifts and have the propensity to cause significant noise nuisance. White sound reversing beepers are recommended to reduce the likelihood of noise nuisance effects and this requirement can be addressed by planning condition.

- 5.14 There is potential for a nursery to use machinery that could cause noise nuisance to neighbouring residents. A planning condition will require machinery noise insulation in the event such machinery is to be used.
- 5.15 External lighting must be carefully controlled to manage residential amenity impacts, and this will also be required by planning condition.
- 5.16 The above measures will not only safeguard the amenity of the future occupants of the proposed development, it will also safeguard amenity levels for neighbouring residents. It is noted that Council's Environmental Health Officer raises no objection to the development nor suggests any conditions to manage amenity interfaces.

6. Ecology

- 6.1 Saved Policy CS15 of the Core Strategy seeks to protect and enhance biodiversity.
- 6.2 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.
- 6.3 An Ecology Report supports the application. The report has been reviewed by Council's Ecology Consultant who agrees with the supporting Ecology Report and recommends conditions regarding Ramsar financial contributions and ecological mitigation and enhancements. These requirements can be addressed by planning condition. The Suffolk Wildlife Trust recommend the required great crested newts survey be undertaken prior to application determination. The survey can be required by condition.

7. Surface Water Drainage

- 7.1 Criteria xi and xii of saved Policy CS15 requires development to minimise the exposure of people and property to all sources of flooding and to minimise surface water run-off and incorporate sustainable drainage systems (SUDS), where appropriate.
- 7.2 The SCC Flood Officer has reviewed the revised drainage report and raises no objection subject to standard conditions.

8. Access, Parking and Highway Safety

- 8.1 The development incorporates a single common accessway located immediately east of the approved northern development.
- 8.2 Paragraph 109 of the NPPF states that development may be prevented or refused on highway grounds where the impact on highway safety is unacceptable.
- 8.3 The impact of the additional vehicle movements generated by the scheme on the local road network will not be severe. The capacity of the network at this location is at a level that it can readily absorb the anticipated increase in vehicle movements without causing unacceptable congestion.

- 8.4 The Local Highway Authority raises no objection to the proposal subject to standard highways conditions. The proposal adequately safeguards highway safety. The Highway Authority have requested some minor changes to the parking layout and this can be satisfactorily addressed through the submission of reserved matters.
- 8.5 Saved Policy TP15 of the Local Plan seeks to ensure parking provision for new development complies with the Parking Standards. Owing to the size of the site, there is the ability to provide on-site car parking provision in accordance with the Parking Standards and therefore accord with saved Policy TP15.

9. Planning Obligations / CIL

- 9.1 The application is liable to CIL which would be managed through the standard independent CIL process.
- 9.2 The application, if approved, would require the completion of a S106 agreement to secure the required number of affordable dwellings, along with mix and tenure. In addition there is a need for a contribution towards ecological mitigation. The applicant has already agreed a draft S106 during the course of the application in order that a decision can be reached swiftly upon consideration of the application at committee.

PART FOUR – CONCLUSION

- 10.1 Council benefits from a five year housing supply. The tilted balance at paragraph 11(d) of the NPPF is not engaged.
- 10.2 The emerging ENP has not been the subject of independent examination. It cannot be afforded statutory weight to an extent that it is a determinative factor in the assessment of the application.
- 10.3 The site is outside the settlement boundary and therefore conflicts with Policy CS2. However, Policy CS2 carries reduced statutory weight because of the age of the settlement boundaries and inconsistency with the NPPF.
- 10.4 The land is in a sustainable location, with pedestrian connectivity to be enhanced by the construction of a linking footway to the village via an approved adjacent scheme. Even if this scheme is not implemented, the site is considered sustainable in any event given the local amenities on offer in the body of the village.
- 10.5 The outline application seeks approval in respect to access and layout. Both matters are considered acceptable. Layout has been prepared in a manner that is suitably site responsive. Scale, landscaping and appearance have not been considered.
- 10.6 The site comprises a sustainable location, served by local village amenities including a combined post office, general store and off licence, church, public house, primary school and Village Hall. The scheme furthers Policy CS15.
- 10.7 The applicant has not demonstrated how the dwellings serve an identified local need. This said, the smaller dwellings respond to the need identified in the emerging ENP, noting compliance with the draft housing policy. Additionally, Councils Strategic Housing Officer confirms the proposed dwelling mix does respond to local housing needs. These considerations counterbalance the harm associated with the policy conflict that is identified.

- 10.8 The site is visually contained and well screened, largely enveloped by existing or approved residential development. The site cannot be said to be isolated in either a social or landscape sense. Paragraph 79 of the NPPF is not engaged. The development is visually well related to the body of the village and the proposed scale is not out of character with neighbouring estate development. Urbanising effects will be localised and not unacceptable. The layout is acceptable insofar as it respects the pattern of neighbouring development and offers a density not discordant with that found in the village. There are no adverse heritage consequences. The scheme responds favourably to Policy CS11 as well as saved Policy HS28.
- 10.9 Amenity interfaces are appropriately designed to ensure the safeguarding of amenity levels for existing neighbouring residents as well as future residents of the proposed development.
- 10.10 Retention of the commercial nursery and its integration with a residential development is an acceptable planning outcome. Planning conditions adequately address nursery operation matters such as operating hours, delivery times, delivery vehicles, and general noise levels. Subject to compliance with these conditions, the commercial/residential interface will offer appropriate amenity outcomes. Highway safety is not unacceptably compromised.
- 10.11 Landscaping, to further assimilate the development with its surroundings, will be considered through the reserved matters application, as will scale.
- 10.11 Environmental harm arising from the development will be limited, such that it does not outweigh the benefits of the development. The application delivers a sustainable development, furthering the overarching thrust of the Core Strategy and the NPPF.
- 10.12 The application is therefore recommended for approval.

RECOMMENDATION

- (1) Subject to the prior agreement of a Section 106 Planning Obligation on appropriate terms to the satisfaction of the Acting Chief Planning Officer to secure:
- Secure 35% Affordable units including mix and tenure
 - Ecological Mitigation Contribution
- (2) That the Acting Chief Planning Officer be authorised to grant Planning Permission subject to conditions including:
- Standard time limit
 - Reserved matters outline
 - Accord with approved plans
 - Access visibility splays
 - Access – estate roads detail
 - Surface water details
 - Agree and implement construction of carriageways and footways
 - Agree and implement parking, cycling, and manoeuvring areas
 - Details of surface water drainage scheme
 - Details of implementation, maintenance, and management of surface water drainage scheme
 - Details of construction surface water management
 - Programme of archaeological work

- Fire hydrant provision details
- Sustainable efficiency measures
- Secure mitigation and ecology enhancement measures
- Lighting scheme – biodiversity
- Construction Management Plan
- As recommended by Environmental Health

3) That in the event of the Planning Obligation referred to in Resolution (1) above not being secured that the Acting Chief Planning Officer be authorised to refuse planning permission for reason(s) including:-

Inadequate provision of infrastructure contributions which would fail to provide compensatory benefits to the sustainability of the development and its wider impacts, contrary to the development plan and national planning policy.