

## Committee Report

**Item No: 1**

**Reference:** 0085/17

**Case Officer:** Mark Russell

**Ward:** Claydon & Barham

**Ward Member:** Cllrs James Caston, John Whitehead

---

### RECOMMENDATION – GRANT RESERVED MATTERS PLANNING PERMISSION WITH CONDITIONS

---

#### Description of Development

Erection of 20 dwellings including 7 affordable homes (with appearance, landscaping layout and scale forming Reserved Matters) (resubmission of application 2113/16)

**Location:** Land Between Norwich Road And Pesthouse Lane, Barham

**Parish:** Barham

**Expiry Date:** xx????

**Application Type:** Outline planning application

**Development Type:** Major Small Scale - Dwellings

**Applicant:** Messrs K & P Moxon

**Agent:** Phillip Cobbold Planning Consultancy

---

### 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

Outline permission 5007/16 was granted permission in April 2017.

Full permission 5005/16 was granted for highway and utilities infrastructure.

---

### PART TWO – POLICIES AND CONSULTATION SUMMARY

---

#### Summary of Policies

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

CS01 - Settlement Hierarchy  
CS02 – Development in the Countryside and Countryside Villages  
CS03 - Reduce Contributions to Climate Change  
CS04 - Adapting to Climate Change  
CS05 - Mid Suffolk's Environment  
CS06 - Services and Infrastructure  
CS09 - Density and Mix  
CL 11 - Retaining high quality agricultural land  
FC03 - Supply Of Employment Land  
FC01 - Presumption In Favour Of Sustainable Development  
FC01\_1 - Mid Suffolk Approach To Delivering Sustainable Development  
GP01 - Design and layout of development  
H13 - Design and layout of housing development  
H15 - Development to reflect local characteristics  
H16 - Protecting existing residential amenity  
T10 - Highway Considerations in Development  
FC02 - Provision and Distribution of Housing  
H07 - Restricting housing development unrelated to needs of countryside  
H14 - A range of house types to meet different accommodation needs  
H17 - Keeping residential development away from pollution  
T09 - Parking Standards  
RT04 - Amenity open space and play areas within residential development  
RT12 - Footpaths and bridleways  
RT13 – Water based recreation  
CL08 - Protecting wildlife habitats

### **Supplementary Planning Documents**

SCC 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**

Objection due to the impact on existing residents of The Crescent, lack of infrastructure (traffic and sewerage) and flood risks.

If approval is given, existing trees should be retained, space left between houses. Fast growing, noise absorbing trees should be planted close to the A14.

#### **Claydon & Whitton Parish Council**

No objections – but concerns about infrastructure and cumulative effect of traffic.

#### **Historic England**

No comments received.

#### **Garden History Society**

No comments received.

#### **Highways England**

No objection

#### **Natural England**

No comments

#### **Suffolk Wildlife Trust**

No objection, request the development comply with the recommendations in the ecological survey.

#### **Anglian Water**

No objection

#### **Heritage**

No objection

#### **Infrastructure**

The development lies within the MSDC High Value Zone. The CIL is subject to indexing. Relief may be granted for the affordable housing as long as it fully meets the criteria set out in Regulations 49 and 51 of the Community Infrastructure Levy Regulations 2010 (as amended) and is applied for in accordance with the Regulations.

#### **Floods**

Risk of flooding. Alternative flood storage area hasn't been hydraulically modelled.

#### **Environmental Control – Contaminated Land**

No objection, standard condition regarding unexpected contamination.

### **Environmental Control (other)**

Given the proximity to the A14 and the lack of submitted information thereto, the application should either be refused or a noise assessment carried out.

### **Tree Officer**

No objection, additional planting would be beneficial.

### **Place Services (Ecology)**

No objection, request the development comply with the recommendations in the ecological survey. Further enhancements also suggested.

### **SCC Highway Authority**

No objection, conditions regarding: access gradient, road details, roads being built up, parking/manoeuvring and visibility splays. Request for monies towards public transport infrastructure.

### **SCC Public Rights of Way**

No objection, informative not to obstruct the highway.

### **SCC Fire and Water**

Referred to comments submitted under application 2113/16 (i.e. supply of fire hydrants and development to comply with Building Regulations).

### **Housing**

No objection, recommend following affordable mix:

- 4 x 1bed 2p flats @ 48sqm – Affordable Rental
- 1 x 2bed 4p houses @ 76sqm – Affordable Rental
- 1 x 2bed 4p houses @ 76sqm – Shared Ownership
- 1 x 3bed 5p house @ 85sqm – Shared Ownership

### **Archaeology**

Potential for archaeological finds. No objection, but request standard conditions.

### **Section 106**

Contributions to education (primary and secondary) - £196,949; Libraries - £5,832; composting bins, fire hydrants.

### **B: Representations**

Initially eleven letters of objection were received from neighbouring properties. These covered the following points:

- Loss of rural outlook
- Will devalue properties
- Junction is dangerous
- Infrastructure inadequate
- Detrimental to natural environment
- A lot of development already
- Ribbon development
- Additional traffic

- Not sustainable
- Not brownfield
- Noise problems (A14)
- Extra strain on resources
- Exposed bridge is dangerous
- This isolated case may hamper a more strategic overview for Barham
- Overlooking to existing bungalows
- Flood risk
- Sewerage at capacity
- Footpath is a dog toilet
- Not long enough to respond
- School at capacity
- Doctor's surgeries full
- Mature willow must be kept
- Unused buildings could be bat roosts
- Walking to Claydon is dangerous
- The quoted recently-built bungalow was in a garden, *not* countryside.
- Densest part of development (affordable homes) back on to The Crescent
- Hedges at The Crescent could be harmed
- Residents' views should be taken in to account.

When the scheme was amended (see section on "layout and design") a reconsultation took place and three objections (from parties who had already objected) were received. These re-iterated previously made comments.

---

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

---

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

- 1.1 This 1.8ha site consists of several small farm buildings and the remnants of a narrow gauge railway. It has trees and hedging in particular to its southern boundary (Pesthouse Lane). The site is between Pesthouse Lane, Norwich Road to the east, the back gardens of Park View and 1-10 The Crescent to the north and the A14 to the west.
- 1.2 Whilst in the parish of Barham, the nearest settlements are Great Blakenham (600 metres to the south-west, across the A14) and Claydon (approximately 800 metres to the south). The northern fringe of Ipswich is approximately 4km to the south.
- 1.3 The site is in flood zone 1.

### **2.0 The Proposal**

- 2.1 The application seeks Outline Planning permission for 27 dwellings. Access is included in the proposal, with appearance, landscaping layout and scale to be considered at reserved matter stage.

### **3.0 Policy Background**

#### **3.1 Core Strategy and Focused Review**

3.2 Policy CS1 provides that the majority of employment, retail and housing development shall be directed to towns and key service centres. Policy CS2 provides a list of possible development in the countryside. This latter policy now carries very little weight, following the recent Woolpit appeal (reference APP/W3520/W/18/3194926).

3.3 Policy CS3 (in part based on the now revoked East of England Plan) encourages sustainable construction and for dwellings to achieve a three-star rating under the Code for Sustainable Homes. However, while encouraged, this is not a specific requirement and in any event Code Sustainable Homes has also been revoked. Accordingly, only very limited weight can be given to this policy at this time.

3.4 Policy CS4 provides that all development will contribute to the delivery of sustainable development and reflect the need to plan for climate change and then outlines issues of flood risk, pollution and biodiversity. Also included is encouragement of the implementation of Sustainable Urban Drainage Systems (SUDs) that this application does include such provision within its proposals. There are no principle issues raised in CS4 to resist the proposed development or make it contrary to the development plan.

3.5 Policy CS5 provides that all development will maintain and enhance the environment, including the historic environment, design and landscape and retain the local distinctiveness. There are no principle issues involved in this policy given this is an outline application. However, it must also be stated that limited weight was also attached to this policy by the Inspector at the above-mentioned Woolpit appeal, in relation to the heritage requirements of this policy.

3.6 Policy CS6 provides the need for consideration of appropriate infrastructure and what may be considered.. This will be considered further in the assessment below. However, it is noted that there is no priority order of such infrastructure considerations nor that an application should be refused for failing to include any specific element of infrastructure. The one exception is in relation to public transport considerations and on this basis the development proposes to complete its investment into public transport begun in Phase 1 by paying for a new bus service to serve the site. Equally this would also serve the Union Road development given the available route to complete the commercial loop. Accordingly, this policy offers no principle issues to resist the proposed development.

3.7 Policy CS9 provides requirements on the density and mix of new housing development. The policy seeks a mix of types, sizes and affordability in terms of residential schemes, but does not set any specific levels or percentages to achieve. The policy also provides that new development should provide an average density of at least 30 dwellings per hectare. In this proposal a density of 15 dwellings per hectare is proposed, the acceptability of this is assessed below. Being a fairly rural location, it is considered that the proposed density is suitable and appropriate in this location.

3.8 The CSFR was adopted by Full Council on 20 December 2012 and should be read as a supplement to Mid Suffolk's adopted Core Strategy (2008). This document updates some of the policies of the 2008 Core Strategy as already addressed above. The CSFR document does introduce new policy considerations, including Policy FC 1.1 - Mid Suffolk approach to delivering Sustainable

Development that provides "development proposals will be required to demonstrate the principles of sustainable development and will be assessed against the presumption in favour of sustainable development as interpreted and applied locally to the Mid Suffolk context through the policies and proposals of the Mid Suffolk new style Local Plan. Proposals for development must conserve and enhance the local character of the different parts of the district. They should demonstrate how the proposal addresses the context and key issues of the district and contributes to meeting the objectives and the policies of the Mid Suffolk Core Strategy and other relevant documents."

### 3.9 **Saved Policies in the Local Plans**

3.10 Members will be aware that the weight to be attached to the 1998 Local Plan must be considered carefully by reference to the NPPF to ensure consistency.

3.11 The saved Local Plan through policies GP1, H13, H15, H16, and T10 supports good design that reflects Suffolk character, avoids adverse impacts on amenity and considered traffic and highway implications of development. Policy HB1 while not wholly NPPF compliant refers to setting of historic buildings.

### 3.12 **The Principle Of Development**

3.13 From an assessment of relevant planning policy and guidance, representations received, the planning designations and other material issues including the lack of a five-year land supply for housing; the main planning considerations considered relevant to this case are set out below including the reason/s for the decision, any alternative options considered and rejected. Where a decision is taken under a specific express authorisation, the names of any Member of the Council or local government body who has declared a conflict of interest are recorded.

3.14 Crucially, permission for housing on this site already exists in Outline form. The principle is, therefore accepted.

3.15 On consideration of the Core Strategy and Local Plan, officers consider that in broad terms there are no principle issues that the proposed phase two application is in conflict with. The proposed development includes all required elements as sought. by the local policy framework established for this allocation. Matters of detail are addressed in sections below.

### 3.16 **Sustainability**

3.17 Whilst the site is close to Great Blakenham, it is physically separated from it by the A14, with no easy means of accessing its facilities.

3.18 There are bus stops just outside the site, linking it to Claydon and Ipswich to the south and Stowmarket to the north.

3.19 The Sorrel Horse Public House is approximately 250 metres to the north. The co-operative store in Claydon is 1 kilometre to the south, with Claydon Village Hall, The Crown public house and Claydon High School and community centre just beyond this.

3.20 There is a hardened (if narrow) footway connecting the site to these facilities.

- 3.21 The site is also within the A14 corridor, where a high level of growth is forecast.
- 3.22 The site is, therefore, reasonably well connected to a variety of facilities and services, albeit that many of these are a kilometre or more away. The proposal is, therefore, compliant with the sustainable objectives espoused in the NPPF.

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

- 4.1 The only matter for which approval is being sought in this Outline application is access.
- 4.2 It is proposed to use an existing access on to Pesthouse Lane, with a small amount of hedgerow being removed to ensure adequate visibility splays are provided.
- 4.3 Highways England (as the trunk road authority) has raised no concerns and the Highway Authority has not objected, subject to conditions relating to visibility and gradient, amongst others.
- 4.4 The substantive issues of highway safety and efficiency are, therefore, satisfied and the proposal would comply with the requirements of Local Plan Policies

#### **5.0 Design and Layout**

- 5.1 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. This constitutes a useful broad statement of aims and objectives, albeit that this policy now carries little weight, with particular regards to the heritage aspects of this policy not complying with the requirements of the NPPF.
- 5.2 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.
- 5.3 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.
- 5.4 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.
- 5.5 As the proposal is Outline (with only access being sought here), matters of layout and design are left to the Reserved Matters stage. However, it is beholden on the applicant to demonstrate that the desired quantum of development can be satisfactorily achieved.
- 5.6 Your Officers have negotiated changes from an original scheme of 27 dwellings. The earlier iteration was more regimented, with development extending further west and covering more of the site. However, this has been amended to allow for an attenuation basin at the western end.
- 5.7 The revised layout is now more loosely scattered around the perimeter and would appear to be satisfactory and logical. Only in the north-western corner is it still regimented, offering a row of

seven houses/flats, however this is not considered to result in harm, or be unacceptable as such. Unit 20 is in the middle of the site next to the small area of open space with a retained tree.

- 5.8 The layout also shows a path crossing east-west and incorporating the central space.
- 5.9 The main detraction from the indicative layout is the parking. This shows deep access drives to garages, which equates to double-banked parking outside of the garages (i.e. "triple parking"), which Members have raised concerns about on other sites. Clearly, as layout is a Reserved Matter, one is not tied to this layout here. Nevertheless, the decision notice should make it clear that triple parking would not be acceptable in a Reserved Matters application.
- 5.10 In addition to this, it is proposed to have a condition in place that garaging should be used just for that purpose (and for storage of household items), so as to ensure garages are not converted, which could lead to nuisance parking on the carriageway.
- 5.11 Triple parking aside, the applicant has demonstrated how the layout could work and this should inform the decision whether or not to grant permission.

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

- 6.1 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.
- 6.2 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.
- 6.3 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.
- 6.4 A landscaping scheme would assist in helping the development blend into the landscape as seen from the A14.
- 6.5 The proposal, therefore, would not have an impact on Mid-Suffolk's landscape.
- 6.6 Policy CS5 of the Core Strategy requires development to protect, manage and enhance Mid Suffolk's biodiversity. Again, this policy carries little weight now, but the following paragraphs illustrate that the scheme does indeed demonstrate that it can protect, manage and enhance biodiversity.
- 6.7 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.
- 6.8 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.

- 6.9 The application was accompanied by an Ecological Scoping Survey which has made certain recommendations (supply of nesting boxes, bat surveys if the bat roosting tree is to be removed, lighting being kept to a minimum, timing of works to trees and hedgerows) and the ecologists at the Suffolk Wildlife Trust and Place Services have recommended that these measures be taken on board.
- 6.10 Overall, there are no outstanding concerns relating to landscape impact, trees, ecology, biodiversity or protected species.

## **7.0 Impact on Residential Amenity**

- 7.1 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.
- 7.2 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.
- 7.3 As this Outline application seeks Access only, the height of buildings will be established at Reserved Matters. It is therefore not possible or necessary to assess overlooking from first floor windows. It is worth noting, however, that the back gardens of the neighbouring properties at The Crescent are 45 – 50 metres long and the indicative loose scattering shows that windows looking directly down these gardens can easily be avoided. Even if properties are two-storey, this does give comfort that overlooking can be avoided.
- 7.4 The above-described separation also means that overshadowing and loss of light are not matters which give rise to concern.
- 7.5 There are, therefore, no concerns in terms of residential amenity.

## **8.0 Flooding and Drainage**

- 8.1 The site is within Flood Zone 1, so there are no inherent problems. As a major application of more than 1 hectare, the application required a Flood Risk Assessment which, as reported above, is largely acceptable to our Floods team.
- 8.2 However, further information regarding alternative flood storage has been requested. This matter will be left to condition.
- 8.3 Therefore, despite objections by third parties on flood grounds, there are no such grounds on which to decline this application.

---

## **PART FOUR – CONCLUSION**

---

### **9.0 Planning Balance and Conclusion**

- 9.1 The site in question is not physically isolated and is reasonably well connected to facilities and services.
- 9.2 There are no concerns in terms of Highway safety and efficiency or landscape/ecology. This complies with Local Plan Policy T10 which states, amongst other matters, that safe access and egress and highway capacity must be considered.
- 9.3 The quantum of development sought is achievable, whilst ensuring adequate garden size and parking provision and not raising any issues in terms of residential amenity. This complies with Policy GP1 which asks, amongst other things, that developments should enhance their surroundings, and that sufficient parking and turning should be provided.
- 9.4 The proposal also offers a small amount of affordable housing, which will help towards the Council's objectives regarding affordable provision. This is covered in Policy H4, which states that, on sites such as this Mid-Suffolk District Council will seek the inclusion of an element of affordable housing.
- 9.5 Approval is, therefore, recommended.

### **10.0 RECOMMENDATION**

**(1) That authority be delegated to Acting Chief Planning Officer to grant outline planning permission subject to the prior completion of a Section 106 or Undertaking on terms to their satisfaction to secure the following heads of terms**

- Affordable Housing:
  - 4 x 1bed 2p flats @ 48sqm – Affordable Rental
  - 1 x 2bed 4p houses @ 76sqm – Affordable Rental
  - 1 x 2bed 4p houses @ 76sqm – Shared Ownership
  - 1 x 3bed 5p house @ 85sqm – Shared Ownership
- Education: £85,267 (Primary), £91,775 (Secondary 11-16), £19,907 (Secondary 16+)
- Libraries £5,832
- Public transport infrastructure

**(2) and that such permission be subject to conditions as summarised below and those as may be deemed necessary by the Corporate Manager:**

- Standard time limit
- Approved Plans (Plans submitted that form this application) showing access

- Phasing Condition (To allow phasing of the development and allows spreading of payments under CIL)
- Flood Risk Assessment additional information
- Unexpected contamination
- Noise assessment
- Additional Planting
- Access gradient
- Road details
- Roads being built up
- Parking/manoeuvring
- Visibility splays.
- Archaeology
- Fire hydrants
- Garages to be used only for parking of vehicles/storage of household items
- Works to comply with ecological enhancements

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

- Pro active working with NPPF standard note
- Notes as recommended by SCC

**(4) That in the event of the Planning obligations referred to in Resolution (1) above not being secured that the Corporate Manager – Planning for Growth be authorised to refuse the application on appropriate grounds.**

**(5) That in the event of the Planning obligations referred to in Resolution (1) above not being secured within 6 months that the Corporate Manager – Planning for Growth be authorised to refuse the application on appropriate grounds.**