

Committee Report

Item No: 2

Reference: DC/18/02316

Case Officer: Gemma Pannell

Ward: South Cosford

Ward Member: Cllr Alan Ferguson

RECOMMENDATION – GRANT PLANNING PERMISSION SUBJECT TO CONDITIONS

Description of Development

Planning Application - Residential Development comprising 42 dwellings, incorporating 35% affordable homes, creation of new vehicular access and public open space

Location

Land on the south side of Whatfield Road, Elmsett Suffolk

Parish: Elmsett

Expiry Date: 24/09/18

Application Type: Full Planning Permission

Development Type: Small Scale Major Dwellings

Applicant: Mr C Course

Agent: Wincer Kievenaar Architects Limited

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 the majority 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.

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

The council refers to and reiterates the recommendation of refusal that we submitted to you on the 20th June 2018. There is no reason for the Parish Council to change or detract from that recommendation but we would add additional reasons below in regard to need and in the light of developments regarding the District Councils’ five year land supply. This objection should be taken alongside that of the 20th June 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

We would like to further address the subject of need. We say that the need to build more houses here has not been demonstrated. Amongst the submitted documents you have received there is no evidence that points to the need to build more houses in this Hinterland Village. In fact we can demonstrate that 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.

Lastly, and possibly most importantly 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 in the open countryside that is outside of policy and outside the Built Up Area Boundary of Elmsett

Revised 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 the Elmsett 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 42 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

We have reviewed the information supplied with this application; the summary of our findings are as follows:

- the required visibility for the access on a 30mph speed limit can be met.
- The daily 2-way flow of traffic for a development of 42 dwellings vehicles will not make the road and junctions in the area over capacity.
- There are no injury accidents on Whatfield Road or near the site.
- The proposed footway works improves access to village amenities for pedestrians.

The role of the Highway Authority is to protect the users of the public highway. The Highway Authority do not have grounds to recommend refusal on this application as the safety aspects associated with the highway as these aspects can be addressed with the mitigation proposed. Taking all the above into account, it is our opinion that this development would not have a severe impact (NPPF) therefore we do not object to the proposal.

BMSDC – Heritage Team

The amended site layout plan shows some of the building types have been changed, including those on plot 4 and 5. The building type on plot 4 has been changed from type F to type B and the building type on plot 5 has changed from type B to type C. While this has reduced the mass and height of the buildings closest to the listed building slightly, this does not reduce the harm caused to the significance of the Chequers due to the impact of the development on its isolated and prominent setting.

The proposed development would still surround the Chequers and eliminate what remains of its historic setting and diminish the prominent position of the listed building in the streetscape.

Therefore, we would still consider that the proposed development would cause a moderate level of less than substantial harm to the significance of The Chequers, because it would eliminate the last remnant of its isolated setting and it would reduce its prominence in the streetscape.

Place Services – Landscape

1) The communal parking around the affordable housing plots has been improved by increasing the total amount of landscaping and relocating the refuse collection point further back in a more discrete location. Whilst effort has been made to enhance private garden boundary treatment to main development route, we feel that the proposed screen walls as entrance 'gateway' in this instance does not relate with the character of the proposed development. Brick wall with some interest in conjunction with landscaping (i.e. hedge planting) could provide similar 'gateway' effect. We would recommend that the boundary treatments are subject to a planning condition post determination of this application.

2) Close boarded fences can provide effective screening to back gardens when fronting onto public domain but are visually unattractive if not combined with substantial soft landscaping. We will strongly encourage the approach to brick wall in conjunction with hedge planting on the boundaries facing public domain in particular plots 8, 23, 24, 25.

The provision of the curved wall opposite the green space could work well in this location, however the meeting point with the straight section needs reviewing for a smooth transition. See point 1.

3) The updated plans and revisions have made a positive impact on the layout. Additional tree planting should be considered to the north-east corner of plot 4 as part of a mitigation strategy to filter views of plot 4 side elevation. We would recommend that the landscape planting plan is subject to a planning condition post determination of this application.

In the amended indicative site layout (drawing number PA02 Rev D) a narrow gap in between boundaries for plot 12 and plots 13-16 has been shown. We query the necessity for a design feature like this which is not overlooked and comes with future maintenance issues. We would recommend this is removed.

Place Services – Ecology

No objection subject to securing:

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

We have reviewed the Ecological Appraisal (Complete Land Management Ltd, August 2017) provided by the applicant, relating to the likely impacts of development on Protected & Priority species.

We are satisfied that there is sufficient ecological information available for determination.

This provides certainty for the LPA of the likely impacts on Protected and Priority species/habitats and, with appropriate mitigation measures secured, the development can be made acceptable. In addition, we support the recommended reasonable biodiversity enhancement measures proposed by Suffolk Wildlife Trust (June 2018) that should also be secured by a condition of any consent.

This will enable LPA to demonstrate its compliance with its statutory duties including its biodiversity duty under s40 NERC Act 2006.

The ecological mitigation measures identified in the Ecological Appraisal (Complete Land Management Ltd, August 2017) should be secured and implemented. This is necessary to conserve Protected and Priority species, particularly bats species.

In addition, the site is situated within the 13km Zone of Influence (ZOI) for the Stour and Orwell Estuaries SPA/Ramsar. Therefore, Natural England's advice to ensure new residential development and associated recreational disturbance mitigation for designated site impacts is compliant with the Habitats Regulations 2017 applies.

The LPA is therefore advised that a contribution should be sought from the residential development within the 13 km ZOI specified, which will need to be secured by legal agreement or via a condition of any consent. The LPA will also need to prepare a HRA Appropriate Assessment Record to determine any adverse effect on site integrity and then secure the developer contribution for delivery of visitor management at the Stour & Orwell Estuaries SPA & Ramsar site.

Impacts will be minimised such that the proposal is acceptable subject to conditions based on BS42020:2013.

Suffolk Wildlife Trust

We have read the ecological survey report (CLM, August 2017) and we are satisfied with the findings of the consultant.

In addition to the recommendations made within the report, we note that new development can offer the opportunity to provide certain ecological enhancements. In accordance with national and local planning policy, any development must secure significant ecological enhancements as part of its design and implementation. Should it be determined that development at this site is acceptable, appropriate enhancement measures should be included in the design, these could include (but are not limited to) the following:

- Roosting opportunities for bats (including integrated roost features);
- nesting opportunities for birds (including integrated nesting features for species such as swift and house sparrow);
- high quality landscaping and open spaces using native plant species of local provenance, and;
- boundary features (including garden boundaries) which are permeable to hedgehogs.

It should also be ensured that public open space areas are appropriately managed to maximise their ecological value, details of which should be included in a Landscape and Ecological Management Plan.

We request that the recommendations made within the report and this letter are implemented in full, via a condition of planning consent, should permission be granted.

BMSDC Strategic Housing

Affordable Housing:

The Councils housing register shows the majority need for 1, 2 and 3 bedroom properties with a smaller need for 4+ bedrooms in Elmsett and district wide.

It is noted from the planning statement accompanying this application that the proposal is to provide the required 35% affordable housing, compliant with policy, in this instance = 14 units.

Should this application be granted the recommended affordable housing provision is as follows:

Affordable rent tenure:

- 4 x 1bed 2person bungalows @ 50 sqm
- 4 x 2bed 4person houses @ 79 sqm
- 3 x 3bed 6person houses @ 102 sqm

Shared ownership tenure:

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

SCC - Flood and Water

Holding objection because the information submitted is not in line with national and local policy/guidance for a full application and is more in line with an outline application. The applicant will need to demonstrate the whole site can utilise infiltration or look to use a single attenuation basin for the development. If infiltration rate are poor another viable method for the disposal of surface water should be investigated and proposed in line with NPPG hierarchy.

BMSDC Environmental Health – Sustainability

The sustainability assessment provided is lacking some information and we request that it is improved before permission is granted. We are happy to discuss the assessment with the applicant if required but at this time we recommend refusal.

Should permission be granted we require a condition and request we are consulted again to agree the wording of that condition.

BMSDC Environmental Health – Contamination

No objection.

BMSDC Air Quality

No objection.

SCC Fire Officer

No objection.

Suffolk Secure by Design

Makes detailed comments as to how the scheme could be amended in order to achieve Secured by Design accreditation

BMSDC – Arboricultural Officer

I have no objection to this application subject to it being undertaken in accordance with the protection measures outlined in the accompanying arboricultural report. An appropriate condition should be used for this purpose.

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.

Development will lead to an unacceptable risk of flooding downstream. A drainage strategy will need to be prepared in consultation with Anglian Water to determine mitigation measures.

We request a condition requiring the drainage strategy covering the issue(s) to be agreed.

SCC Strategic Development

Contributions will be sought through CIL funding bid for education and libraries.

Education:

Primary and Secondary:

Based on existing forecasts SCC will have surplus places available at the catchment primary school but no surplus places available at the catchment secondary (ages 11 – 16) school or the catchment sixth form college. For secondary school provision a minimum CIL funding bid of at least £146,840 (2018/19 costs) and for sixth form provision a minimum CIL funding bid of at least £39,814 (2017/18 costs) will be sought.

Pre-school:

From these development proposals SCC would anticipate up to 7 pre-school children arising, for which funding for 5 places at a cost per place of £8,333 is required. This proposed development is in the South Cosford ward, where there is an existing deficit of places. Therefore, a future CIL funding bid of £41,665 (2018/19 costs) will be made

Libraries:

A CIL contribution of £216 per dwelling is sought i.e. £9,072.

SCC – Travel Plan Officer

No objection.

SCC - Archaeological Service

This site lies in an area of archaeological potential recorded on the County Historic Environment Record. It is adjacent to the former extent of Elmsett Green (ETT 018) as visible on Hodkinson's map of 1783. It is also in near to finds of Medieval and Saxon age (ETT 010, ETT Misc). Further medieval features have been found in archaeological investigation (ETT 022) in the village and Roman finds have been found in the parish (ETT 021). Thus, there is high potential for the discovery of below-ground heritage assets of archaeological importance within this area, and groundworks associated with the development have the potential to damage or destroy any archaeological remains which exist.

There are no grounds to consider refusal of permission to achieve preservation in situ of any important heritage assets. However, in accordance with the National Planning Policy Framework (Paragraph 141), any permission granted should be the subject of a planning condition to record and advance understanding of the significance of any heritage asset before it is damaged or destroyed.

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.

BMSDC Environmental Health

No objection subject to a condition limiting the operating hours of the construction phase of the development to 08.00 – 18.00 hours Monday – Friday and 0800 – 13.00 hours Saturdays, with no work to take place on Sundays or Bank Holidays.

B: Representations

Nine submissions received, including eight objections. Objections are based on the following grounds (summary):

- *Impact on listed setting of the Chequers
- *Overdevelopment of the site
- *Harmful to landscape character
- *Loss of agricultural land
- *Highway safety concerns.
- *Impact on the village setting
- *Construction noise impacts
- *Loss of rural outlook
- *Water runoff and flooding
- *Lack of local infrastructure, high car dependency

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 aligns with the site’s northern boundary noting that it runs along Whatfield Road and to the rear of the adjacent relocatable home park.
- 1.2. The site comprises Grade 3 agricultural land, forming part of a larger arable field. Part of the site has direct frontage to Whatfield Road. A hedgerow extends virtually the length of the site’s road frontage.
- 1.3. To the south is agricultural land. To the east is a combination of residential and commercial development, including a Grade II listed building known as the Chequers, single storey relocatable housing known as Chequers Park, a commercial nursery and a conventional housing estate ‘Sawyers’. To the northwest is residential development fronting Whatfield Road. Immediately west is agricultural land. Directly opposite the site, on the northern side of Whatfield Road, is double storey residential development.
- 1.4. The site is not in, adjoining or within proximity of a Conservation Area, Special Area of Conservation or Special Landscape Area. Elm Farmhouse, Grade II listed, sits approximately 50m northwest of the site.
- 1.5. There are no footpaths along Whatfield Road adjacent the site. The nearest bus stops are located at the junction of Whatfield Road and Mill Lane, approximately 170m west of the site.

2. The Proposal

- 2.1 Full planning permission is sought for the erection of 42 dwellings. 14 of the dwellings are proposed as affordable.

2.2 Key elements of the proposed site layout are as follows:

- Single access point from Whatfield Road to serve the development, located mid-way along the site's Whatfield Road frontage. The internal road will have footpaths each side. From this road there will be shared surface access roadways and drives serving the individual or groups of houses.
- Incorporation of a feature 0.253ha green public open space area central to the site.
- Mix of single storey, one and a half storey, and double storey dwellings.
- A mix of detached, semi-detached and terraced houses are proposed.
- Dwelling types comprise 2 x 5 bed; 11 x 4 bed; 18 x 3 bed; 8 x 2 bed; 3 x 1 bed units.
- Total of 113 car spaces, with 11 spaces set aside for visitors
- Affordable housing cluster concentrated toward the eastern end of the site.
- Hedgerow placement proposed to the Whatfield Road frontage.
- "Almshouse" designed dwellings to front the central green space.
- Housing style generally follows the Suffolk vernacular with red brick and render finishes with clay pantile pitched and hipped roofs. Boarded cart lodges are a feature.
- Retention of hedges on the east and west boundaries. These will be supplemented by new tree planting.

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 in that respect. 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 A momentum in favour of securing development that satisfies the objectives 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, with residential development adjoining the site on both sides.

Policy CS1 Presumption in Favour of Sustainable Development

- 4.7 Policy CS1 takes a positive approach to new development that 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 draft ENP proposes the designation of an Area of Local Landscape Sensitivity (ALLS) east and south-east of the village. The site is not located in, or near, to the proposed ALLS, a positive landscape consideration.
- 4.18 The subject land forms a visual gap on the south side of Whatfield Road. Existing residences frame both sides of the site, immediately to the west and east. From Whatfield Road the site provides for medium distance views to open countryside. Council's Landscape Consultant raises no objection with the principle of urbanising the site by way of introducing residential development. The consultant raises more detailed design issues that will be considered later in this report.
- 4.19 Officers concur with the Landscape Consultant and consider the infilling of the visual gap is not unacceptable in a landscape sense. Infilling is a well-established and acceptable planning outcome, particularly where the rhythm and spacing of proposed development is respectful of the surrounding development pattern, as is the case here. A 'rounding off' effect in urban design terms is a commonplace village outcome.
- 4.20 There will be a loss of appreciation of open countryside, however the appreciation is relatively limited given the extent of the gap and the backdrop of the body of the village to the east and the framing of the residences to the west. The presence of conventional residential development on the northern side of Whatfield Road, directly opposite the site, also mitigates landscape harm. The immediate impact upon the physical, landscape character of the site itself is modest, with no hard built frontages abutting open landscape other than to the very rear of the site. The rear hard built frontage does not align with a natural boundary and this is unfortunate.

- 4.21 It is noted that the draft ENP designates an important view from the southern public right of way over the site north toward the village. There is however an intervening vegetation corridor, comprising hedgerow and trees, that will limit direct views of the proposed development from the public right of way. This vegetation screen, coupled with the separation distance between the site and the public right of way, mitigates the landscape harm as appreciated from the right of way. It must also be borne in mind that the landscape at this location carries no formal designation, an important consideration when considering landscape sensitivity.

Impact on Heritage Assets

- 4.22 Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 ("the listed buildings Act") states: "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" i.e. having special regard to the desirability of keeping designated assets from harm.
- 4.23 The nearest listed building, The Chequers, is located immediately east of the site. Some representation received are concerned with the impact of the development on the listed setting of this building. The Council's Heritage Officer also raises concern, concluding that there will be harm to the significance of the Chequers due to the impact on its isolated and prominent setting. These comments are noted, as are those of the Applicant who contends that the building's significance, originally a large inn, has been somewhat diminished by being split into two dwellings, painted in different colours, with differing window treatments. Officers do not disagree with the Applicant in that respect, and also observe that the significance of the listed building has been adversely affected through development within its setting: the development of Chequers Park, immediately to the east. Officers note that the scheme has sought to mitigate any impacts by incorporating single storey development at plots 4, 5 and 6. The development proposed, within the setting of the Listed Building, would lead to an erosion of the significance of Chequers; however, that 'harm' is considered to be 'less than substantial' within the meaning provided by the NPPF.
- 4.24 The site lies in an area of archaeological potential and the County Archaeologist requests an archaeological investigation condition should planning permission be granted. The conditional approach set out in the recommendation is supported.

The locational context of the village and the proposed development

- 4.25 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.

- 4.26 The site is very well related to the Elmsett settlement boundary, in part directly adjoining it and in other locations situated within very close proximity to it. The proposal would not constitute ribbon development given the proposed layout and depth of the site. The site is very well connected to the village in a visual sense, with residential development flanking the site. The proposed scale and layout of development is not at odds with the neighbouring development pattern on the southern side of Whatfield Road.
- 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 dwellings fronting Whatfield Road and the development at Land at Shrubland Nursery, Whatfield Road for 18 dwellings.

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 provides 14 affordable dwelling, comprising the following mix: 3 x 1 bed; 4 x 2 bed; 7 x 3 bed units. Policy CS18 requires 35% of the dwellings to be affordable, however the scheme at 14 dwellings equates to 33.3%. The applicant has agreed to make up the 1.7% shortfall with a commuted sum. 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. The applicant has been made aware of the need to adjust the plans to accommodate this request and an update on this matter is anticipated via the addendum or at the meeting.
- 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 26% one and two bedroom dwellings, contrary to draft Policy EMST7.
- 4.37 The absence of a housing needs assessment is a policy conflict, when assessed against CS11. There is also a policy conflict in respect to Policy EMST7, although this policy is afforded limited statutory weight given the ENP has not yet been subject to independent examination. The Strategic Housing Officer's recommended affordable housing mix can be secured via planning obligation.

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 traditional in the Suffolk sense. Dwellings are largely centred on the green public open space, which serves as the development's centrepiece. Much of the remainder of the development layout is conventional and not out of keeping with the surrounding development pattern. The density is low, set at less than 20 dwellings per hectare. The scale of development has been carefully considered, with a good proportion of bungalows incorporated, picking up on the nearby scale of development. Taller built form adjoins the central open space area, where greater building height can be more readily absorbed.
- 4.44 The Landscape Consultant is of the view that brick walls for public domain interfaces is the preferred boundary treatment. This is an urban design matter, more so than a landscape consideration. Notwithstanding, officers are not convinced that brick walls in the context of this development are warranted. Officers agree with the applicant who contends that in the Suffolk vernacular, brick walls are not necessarily expected where boundaries front the public domain. The applicant proposes a variety of boundary treatments, more rural in appearance given the rural village location. This may include post and rail fencing, timber gates, and where there are public footpaths giving access to rear gardens close boarded fences would be likely. Some brick walls are proposed, adding to the variety in treatments, but not necessarily provided at a public domain interface. Officers prefer the approach put forward by the applicant, a design response more reflective of the site's rural location at the fringe of a rural village.
- 4.45 Officers do not accept that the proposal will appear as an overdevelopment of the site as put forward by some representations. A development density of less than 20 dwellings is unlikely to appear cramped or overdeveloped, given the site context. 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. To the contrary, public open space is very generous, car parking provision exceeds minimum standards, rear gardens are spacious and setbacks are considerable throughout the development.
- 4.46 The proposed green public open space area will complement the network of local green spaces identified in the draft ENP, noting that the proposal will occupy an existing gap in green space provision, located midway between the Green (3) and the Green at Mill Lane (7) (refer Local Green Space plan in the draft ENP).
- 4.47 The layout has been revised to address a number of issues raised in the Secure by Design referral response. Not all of the issues have been addressed. Officers are of the view that if all requirements were to be met it would result in a scheme not appropriate for a rural village. The amended proposal strikes the right balance in this regard, with officers concluding that it provides a sufficiently safe and secure environment for future residents.

Settlement context

- 4.48 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

- 4.49 As noted above, the proposal could do more in respect to its response to draft ENP Policy EMST7.

Supports local services and/or creates employment opportunities

- 4.50 A 42 dwelling development will create short term employment opportunities. The resident population of the 42 dwellings will support local services in the village (and naturally, consistent with the NPPF and the Functional Cluster model within the Core Strategy, support services and facilitates within settlements nearby).

Delivery of permitted schemes

- 4.51 The proposal would not compromise the delivery of other permitted schemes in the village. The scheme will complement other permitted schemes along Whatfield Road to provide a cohesive development in this part of the village.

Policy CS15 Sustainable Development

- 4.52 Policy CS15 sets out how the Council will seek to implement sustainable development. A number of criterion set out at CS15 have already been considered in this report, those that have not are considered further below.
- 4.53 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.
- 4.54 Policy CS15 sets out criteria relating to 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.
- 4.55 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 Separation distances to neighbouring dwellings is such that residential amenity for neighbouring residents will be adequately maintained, consistent with Paragraph 127 of the NPPF. There is no evidence of adverse visual bulk outcomes, overshadowing, loss of daylight or sunlight or unreasonable overlooking. A submitter is concerned with a loss of rural outlook. There will be certainly a change in outlook for some neighbouring residents, however this change is not an unacceptable one given the edge-of-village location where the policy context contemplates some development. Moreover, the Courts have established that private views are not in themselves regarded as a planning matter even though there may be a financial impact upon the value of houses from which such a view may be lost.

- 5.3 Internal amenity for future occupiers of the development itself is of a sufficient standard, with all dwellings afforded reasonable levels of private open space and appropriate aspect/outlook. Private open space is complemented by the generous public open space area that can be used for informal recreation, a significant amenity benefit. 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 cart lodges ensures visual bulk effects will be minimised for future occupants.
- 5.4 On the whole, the scheme delivers a high standard of amenity for future occupants without unduly compromising the amenity of neighbouring residents, in support of paragraph 127 of the NPPF.

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 and the Suffolk Wildlife Trust who both agree with the report's findings. The biodiversity enhancement measures recommended in the ecology report can be secured by planning condition. Additional mitigation/enhancement measures are suggested by the Suffolk Wildlife Trust and the Ecology Consultant agrees with them. A Ramsar financial contribution is sought and this can be secure via a S106. This approach is consistent with Natural England's advice.

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 site is in Flood Zone 1. The application is accompanied by a flood risk assessment and infiltration reports. These reports have been reviewed by the SCC Flood Officer who raises a holding objection. The Flood Officer is not satisfied that the documentation demonstrates the whole site can utilise infiltration as a viable method to dispose of surface water. The applicant is confident that this can be addressed and further work is currently being undertaken to resolve the outstanding objection. Any further update will be given at the meeting and the recommendation reflects that this matter is currently outstanding.

8. Access, Parking and Highway Safety

- 8.1 The development incorporates a single common accessway off Whatfield Road. Visibility splays have been incorporated to directly address earlier Highways Authority concerns.
- 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 Highways Authority notes that there are no injury accidents recorded on Whatfield Road or near the site. The Authority confirms the visibility splay at the Whatfield Road junction can be met and the volume of traffic generated by the development will not make the road and junctions in the area over capacity. The Authority concludes that there are no grounds to recommend refusal provided the mitigation measures, to be secured by planning conditions, are implemented.
- 8.4 Saved Policy TP15 of the Local Plan seeks to ensure parking provision for new development complies with the Parking Standards. The number of parking spaces within the development, including visitor spaces, exceeds the minimum requirements, a welcome design response. The development complies 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, the provision of open space and the RAMs contribution.

PART FOUR – CONCLUSION

- 10.1 The Council benefits from a five-year housing land supply. The tilted balance at paragraph 11(d) of the NPPF is not engaged in that respect.
- 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 its inconsistency with the NPPF. Policies CS1, CS11 and CS15 are attached full statutory weight given their strong alignment with the NPPF.
- 10.4 Although the site is located outside the main part of Elmsett, it is on the edge of the village, close to other development. Policy CS11 contemplates development at such edge-of-village locations. 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 Elmsett. The proposal would not be physically, visually or functionally isolated. The site's sustainable location is a scheme positive.
- 10.5 The applicant has not demonstrated how the dwellings serve an identified local need. The proposal offers a limited response to the housing need identified in the emerging ENP. This said, the proposal offers 35% affordable housing provision which is policy compliant, and the applicant is amended the plans to reflect the suggested mix from the Strategic Housing Officer.
- 10.6 The proposal will result in limited less than substantial harm to the setting of the neighbouring Grade II listed building.

The listed setting is already somewhat compromised by the Chequers Park located immediately east of the building, as well as by recent external alterations to the building. Notwithstanding, the harm to the designated heritage asset is a disbenefit of the scheme.

- 10.7 In determining this application Officers are mindful of the specific duty imposed on the local planning authority with respect to the need to have special regard to the desirability of preserving the listed building or its setting, as set out in section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990. Full consideration has been given to the comments received from the Heritage Team however, considered on its own merits, this development is considered to pose only limited harm, which is therefore 'less than substantial' within the policy wording of the NPPF.
- 10.8 Paragraph 192 of the NPPF states that in determining planning applications, local planning authorities should take account of:
- the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;
 - the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and
 - the desirability of new development making a positive contribution to local character and distinctiveness.
- 10.9 Paragraph 196 of the NPPF states that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal. In consideration of the contribution towards the Council's housing targets, provision of affordable housing and economic and infrastructure benefits, it is considered that these material considerations would none the less outweigh the less than substantial harm to the heritage asset, even where a considerable importance and great weight is applied to the desire to keep the affected asset from harm.
- 10.10 Officers have therefore applied the balance required by paragraph 196 of the NPPF, having special regard to the desirability of preserving the setting of the listed building as required by section 66 of the Listed Buildings Act and given the harm considerable importance and weight. The outcome of this balancing exercise is that those public benefits identified outweigh the less than substantial harm, having given considerable importance and weight to the harm identified.
- 10.11 The starting point for decision-taking purposes remains the development plan with the National Planning Policy Framework a material consideration in this decision. The policies of the Core Strategy generally conform with the aims of the Framework to promote sustainable transport through walking, cycling and public transport by actively managing patterns of growth in support of this, whereby significant development should be focused on locations which are or can be made sustainable, through limiting the need to travel and offering a genuine choice of transport modes.
- 10.12 However, the Framework objectives for sustainable development include delivering a sufficient supply of homes. The Council's July 2018 Annual Monitoring Report indicates that Babergh can demonstrate at least the five-year housing land supply required by paragraph 73 of the Framework. Therefore, there are not the grounds on which to find policies as out of date in respect of housing supply and so it is not necessary to apply the 'tilted balance' of Framework paragraph 11 in that respect.

This would have been to consider whether any adverse impacts of approval would significantly and demonstrably outweigh the benefits when assessed against the Framework policies taken as a whole.

- 10.13 Nevertheless, meeting the requirements of paragraph 73 is not intended as a ceiling on further housing, where the Framework continues to support Government's objective to significantly boost the supply of homes. The location would not comprise the development of isolated homes in the countryside which paragraph 79 of the Framework seeks that decisions avoid. On the contrary, the proposal would gain support through Framework paragraph 78. This states that to promote sustainable development in rural areas, housing should be located where it will enhance or maintain the vitality of rural communities and where this will support local services, recognising that where there are groups of smaller settlements, development in one village may support services in a village nearby. Although future occupiers would be mainly dependent on private car journeys to nearby Hadleigh or Ipswich these would be relatively short drives and there remains the option of using the bus service. In any case, the Framework requires that decisions take into account that opportunities to maximise sustainable transport solutions will vary between urban and rural areas.
- 10.14 Although there would be some degree of harm through this proposal running contrary to the adopted settlement strategy of the Core Strategy, and the conflicts with policy CS11 this would be off-set by the national policy considerations set out above. The Framework recognises in paragraph 68 that small and medium-sized sites can make an important contribution to meeting the requirement of an area, and are often built-out relatively quickly.
- 10.15 It goes without saying that a 42-dwelling development on an undeveloped arable field will result in a marked change to the appearance of the site. It will remove the existing visual gap that exists and that is appreciated from Whatfield Road. These outcomes are materially harmful landscape effects. However, the landscape is not formally designated for protection and it is noted that the site and area is located outside of the draft ENP Area of Local Landscape Sensitivity. Moreover, the site is physically very well related to the body of the village. Whilst the urbanising effect will be marked the development will not appear isolated in a landscape sense (and paragraph 79 of the NPPF is not engaged). The development scale will not overwhelm the village given its size and the scheme's low density is consistent with existing village character. Overall, landscape harm is rated at a less than moderate level.
- 10.16 The proposal would result in the development of 42 new dwellings, which would add considerably to the local housing stock and offer meaningful support for the local services in the village, both during construction and following occupation of the development. Consequently, the proposal would have social and economic benefits that, given the scale of development proposed, which would be significant. These benefits are afforded more than moderate weight given the level of contribution towards the aim of achieving sustainable development. They weigh clearly in favour of the scheme.
- 10.17 Having regard to the comments of the highway authority, it is concluded that the proposal would not be detrimental to highway safety. Parking provision is standard compliant. Residential amenity of neighbours is safeguarded and a high standard of amenity will be provided for future occupants of the development. These are scheme positives.

10.18 Therefore, it is considered the above merits of the scheme and broad compliance with policy CS15, including the accessible location of the housing and its contribution to boost housing supply, when balanced against the limited harm to the landscape, heritage and loss of agricultural land would represent sustainable development and when considered as a whole would meet the requirements of policy CS15 and all other relevant local plan policies outlined above. The conflict with policy CS2 on the location of this development is noted, but is given less weight for the reasons outlined above. The proposal represents an appropriate site for new residential development and would deliver sustainable development, furthering the overarching thrust of policies CS1 and CS15 of the Core Strategy and providing for net gains to the three objective of sustainability in accordance with the NPFF (which notwithstanding the development is plan is a compelling material consideration). 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 with a commuted sum to address any shortfall
 - Contribution toward ecological mitigation (RAMS)
- (2) That the Acting Chief Planning Officer be authorised to grant Planning Permission subject to conditions including:
 - Standard time limit
 - Accord with approved plans
 - Access visibility splays
 - Access – estate roads detail
 - Access – ditch piped or bridged
 - Surface water details
 - Agree and implement construction of carriageways and footways
 - Agree and implement parking, cycling, and manoeuvring areas
 - Details of Refuse/Recycling bins
 - Details of surface water drainage scheme
 - Details of implementation, maintenance, and management of surface water drainage scheme
 - Details of sustainable urban drainage system components and piped networks
 - Details of construction surface water management
 - Details of foul water strategy
 - Details of hard/soft landscaping
 - Details of timing/management of open space
 - Programme of archaeological work
 - Fire hydrant provision details
 - Sustainable efficiency measures
 - Secure mitigation and ecology enhancement measures
 - Ecology – in accordance with Ecological Appraisal
 - Lighting scheme – biodiversity
 - Construction Management Plan

- 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.