

Committee Report

Item No: 2

Reference: DC/18/05002

Case Officer: Jack Wilkinson

Ward: Berners

Ward Members: Cllr Derek Davis and Cllr Peter Patrick

RECOMMENDATION – APPROVAL OF FULL PLANS PLANNING PERMISSION WITH CONDITIONS

Description of Development

Full planning application- Erection of 5 No. dwellings following the demolition of the existing 2 No. dwellings.

Location

1 and 3 Queensland, Shotley, Ipswich

Parish: Shotley

Site Area: 0.15ha

Conservation Area: Not in Conservation Area

Listed Building: Not listed

Received: 13/11/18

Expiry Date: 28/02/19

Application Type: Full Planning Permission

Development Type: Small Scale Minor Dwellings

Environmental Impact Assessment: N/A

Applicant: Babergh District Council

Agent: Ingleton Wood

DOCUMENTS SUBMITTED FOR CONSIDERATION

This decision refers to the Site Location Plan - received 13/11/18 as the defined red line plan with the site shown edged red. Any other drawing showing land edged red whether as part of another document or as a separate plan/drawing has not been accepted or treated as the defined application site for the purposes of this decision.

The plans and documents recorded below are those upon which this decision has been reached:

Planning application form- received 13/11/18

Site location plan- received 13/11/18

Site layout plan- received 13/11/18

Plots 1-3 elevations- received 13/11/18

Plots 1-3 floor plan- received 13/11/18
Plots 4-5 elevations- received 13/11/18
Plots 4-5 floor plan- received 13/11/18
Tree survey- received 13/11/18

Arboricultural implications assessment and method statement- received 13/11/18
Tree survey schedule- received 13/11/18
Bat survey report- received 13/11/18
Habitats Regulation Assessment- received 13/11/18
Design and access statement- received 13/11/18
Planning statement- received 13/11/18
Preliminary risk assessment- received 13/11/18
Ecological appraisal- received 13/11/18
Transport note- received 13/11/18

The application, plans and documents submitted by the Applicant can be viewed online at www.midsuffolk.gov.uk.

PART ONE – REASON FOR REFERENCE TO COMMITTEE

The application is referred to committee for the following reason:

- The applicant is Babergh District Council.

PART TWO – APPLICATION BACKGROUND

History

No previous relevant planning history.

All Policies Identified as Relevant

The proposal has been assessed with regard to adopted development plan policies, the National Planning Policy Framework and all other material considerations. Highlighted local and national policies are listed below. Detailed assessment of policies in relation to the recommendation and issues highlighted in this case will be carried out within the assessment:

Summary of Policies

CS01 - Applying the presumption in favour of sustainable development
CS02 - Settlement Pattern Policy
CS03 - Strategy for Growth and Development
CS13 - Renewable/ Low Carbon Energy
CS15 - Implementing sustainable development in Babergh
CS18 - Mix and Type of Dwellings
CS19 - Affordable Housing
CN01 - Design Standards
TP15 - Parking Standards
HS28 – Infill Development
NPPF2 - National Planning Policy Framework (2018)

Supplementary Planning Documents
Suffolk Adopted Parking Standards (2015)
Suffolk Design Guide (2000)

Previous Committee / Resolutions and Any Member Site Visit

Not applicable.

Pre-Application Advice

Pre-application discussions with Council Officers under reference DC/18/02091 confirmed the scheme could be supported in principle, stating; The sites are in a sustainable location in relation to local services within Shotley Street and there is no objection in principle to redevelopment. Moreover it is acknowledged that the type of houses on site are not of robust design and sit within large plots which suggests that there is scope to redevelop to make more efficient use of 'brownfield' land. Single storey replacement development would be expected and the scheme has had regard to adopted parking standards. Officer concerns are that the scheme represents an over-development reflected in the amount of frontage space allocated to parking and the concerns about safe and convenient vehicle movements and refuse collection raised by Highways.

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

Shotley Parish Council

It was resolved to recommend the **approval** of both planning applications with the following recommendations:

- That Shotley and Erwarnton residents/connections seeking such accommodation or individuals with a clear link to Shotley were prioritised when it came to the allocation of the dwellings (in similar lines to the conditions attached to occupancy of properties within the Chapel Fields development)
- That the properties remained in the public sector and there was no future "right to buy", in order to ensure that the existing low social housing stock was not further depleted
- That the SCC Highways' consultee recommendation regarding the access point (which was currently on the bend) according to the plans has regard for pedestrian and driver safety. The development's proximity to the doctor's surgery, stores and post office should be taken into account, not just because of the marked increase in vehicular and pedestrian traffic but the possible vulnerability of some of the pedestrians

BMSDC Arboricultural

No objection subject to condition.

Natural England

No objection subject to Habitats Regulation Assessment being carried out.

Place Services (Ecology)

No objection subject biodiversity mitigation and enhancement measures.

Suffolk Wildlife Trust

We have read the ecological survey report and Habitats Regulations Assessment (both Wild Frontier Ecology, August 2018), and bat survey report (Norfolk Wildlife Services, August 2018) and we are satisfied with the findings of the consultants. We request that the

recommendations made within the reports are implemented in full, via a condition of planning consent, should permission be granted.

Environmental Health- Land Contamination

No objection.

SCC Highways

No objection subject to conditions requiring appropriate visibility splays, prevention of surface water discharge onto the highway and the provision of appropriate access and parking arrangements, secure cycle storage and electric charging points.

SCC Fire and Rescue

No objection.

Strategic Housing

The Council's Choice Based Lettings system currently has circa. 898 applicants registered for affordable housing in Babergh at January 19 requiring a mix of bedroom sizes from 1 to 4+

The Council's housing register shows a registered housing need for Shotley of 22 applicants with a local connection requiring 1, 2 and 3 bedroom properties. However, of these 22, only 6 have an assessed housing need and are in Band A, B or C. The remaining 16, although registered are in band E which means they are adequately housed for now – possibly living in private rented housing, but do not have a high priority for housing. In 2016 a rural exception site was developed by Suffolk Housing Society providing 8 affordable rented dwellings specifically for applicants with a local connection to Shotley. These will be retained for this use in perpetuity.

As the council properties being demolished were let as social rented homes and allocated to those in housing need across the district, it is not proposed that this development is specifically allocated to applicants with a Shotley connection but will be available to meet housing need across the district of Babergh.

Preferred mix for Affordable Housing

It is noted from the planning statement accompanying this application that the proposal is for 5 affordable rent 2b 4p bungalows @ 74.4sqm. We would normally seek a broader mix of new homes, but it is acknowledged that the surrounding properties are bungalows and therefore in planning terms and the general layout of the street scene predicates that the replacement dwellings would be bungalows.

Consideration could also be given to providing some shared ownership properties for those families who may wish to step onto the housing ladder but unable to access market homes.

B: Representations

2 objections were received, summarised as follows;

- The proposal is not in keeping with the building line of the locality.
 - The proposal constitutes overdevelopment.
 - Increased traffic would increase danger around the sharp bend near the site.
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PART THREE – ASSESSMENT OF APPLICATION

From an assessment of relevant planning policy and guidance, representations received, the planning designations and other material issues the main planning considerations considered relevant to this case are set out 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.

1 The Site and Surroundings

- 1.1 The application site of 0.15ha comprises of residential land with 2 no. bungalow dwellings, east of Queensland within the defined Shotley settlement boundary. Bungalows are located north (Sunseekers), south (No.5) and west (No.2 and No.4) of the site. There is an area of agricultural land east of the site. The site is visually unconstrained.
- 1.2 Shotley is identified as Hinterland Village in the Core Strategy. There are some services, facilities and amenities within Shotley, and within close connection to the application site.

2 The Proposal

- 2.1 This application proposes the demolition of the 2 no. existing bungalow dwellings and the re-development of the site to provide 5 no. new affordable bungalow dwellings composed of 2 bedrooms each. These are to be offered as affordable housing units for the District wide need.
- 2.2 The proposed bungalow dwellings are arranged in a linear line, parallel to the highway, following the form and grain of Queensland. Adequate set back is provided to enable safe and sufficient parking spaces, complete with turning space and landscaped amenity areas.
- 2.3 The proposal makes effective use of the land, by utilising the depth of the site. Each unit is provided with its own parking spaces (2 with visitor space) and good garden amenity.

3 The Principle of Development

- 3.1 Core Strategy Policy CS2 sets out the adopted spatial strategy for development within Babergh. Shotley is identified as a Hinterland Village, for which there is a sequential preference for housing development. The policy also notes that previously developed land should be utilised to its maximum extent in order to aid this growth.
- 3.2 Policy CS02 identifies a settlement hierarchy as to sequentially direct development, forming part of a strategy to provide for a sustainable level of growth. The Policy identifies categories of settlement within the district, with Towns representing the most preferable location for development, followed by Core and Hinterland Villages.
- 3.3 The proposal site is located within the Hinterland Village (as defined by CS02) of Shotley, where some development will be permitted. In this case the principle of housing on the site has already been established in the form of the 2 no. existing

bungalows. Officers are required to consider what materialises by a net addition of 3 no. bungalows on the site, in light of the merits presented, and the adverse harm created. In this case and for the reasons detailed in the assessment sections below, the site is in an inherently sustainable location, supported by adequate connectivity and access to services and facilities, within the settlement boundary.

- 3.4 The Strategic Housing Market Assessment (SMHA) 2017 confirms a need for 73 new affordable homes within Babergh per annum. The Council's Choice Based Lettings system currently has circa 898 applicants registered for affordable housing in Babergh at January 19 requiring a mix of bedroom sizes from 1 to 4+. In delivering affordable housing, this site would help to address this identified need above and beyond that required by Policy CS19.
- 3.5 Local Plan Policy HS28 states that 'infilling' or groups of dwellings will be refused where the site should remain undeveloped as an important feature in visual or environmental terms, as discussed below.
- 3.6 As such, the application site is considered to be acceptable in principle. It makes use of an existing residential site, well located within the established settlement boundary in line with the directions of the adopted Core Strategy. Further, it seeks to deliver a number of affordable dwellings designed to address and exceed the requirements of policy, contributing to the needs of the wider district.

4 Nearby Services and Connections Assessment of Proposal

- 4.1 The application site is located close to the centre of Shotley and its associated services, facilities and amenities. These include; Shotley County Primary School, Rose Public House, Village Hall, Post office, Fast Food Takeaway, Automobile Garages and Open Space provision. There is a routine public bus service connecting the site to the wider area through 97 and 202 route services.
- 4.2 Public transport accessibility from the site is good with bus stops available on The Street, which is within walking distance from the site. The bus routes connect Shotley to the surrounding areas of Holbrook, Chelmondiston and Ipswich. The accessible bus network provides a viable option for residents to commute to other settlements for employment, education and healthcare etc. As such, there is the opportunity for residents to choose more sustainable modes of transport than the private vehicle.

5 Design and Layout

- 5.1 Policy HS28 states that planning applications for infilling or groups of dwellings will be refused where; the site should remain undeveloped as an important feature in visual or environmental terms; the proposal, in the opinion of the District Council, represents overdevelopment to the detriment of the environment, the character of the locality, residential amenity or highway safety. Paragraph 127 of the NPPF attaches great importance to the design of the built environment, stating that good design is a key aspect of sustainable development. This is further emphasised by Policy CN01. Appropriate design is proposed for the new bungalows given the location within Shotley. The scheme adopts similar aesthetic details of existing residential bungalow dwellings within Queensland, and therefore harmonises with the character and form of the area. The red brick, charcoal grey pantile, white UPVC windows, doors, soffit and bargeboards, black UPVC rainwater goods, are acceptable. There is no need for a materials condition.

- 5.2** A material factor in the overall consideration of the application is the intensification of built form on the site, through the net gain of 3 no. bungalows. The site is readily capable of accommodating such increase, without undue harm to the character, landscape or indeed residential amenity experienced by occupants of neighbouring property.
- 5.3** The design is considered to be sympathetic to the character of the surrounding area and streetscene and should serve to improve the general appearance of the site. Despite the increased amount on site, Officers consider that there is a degree of betterment and uplift for the area through the design cues proposed, reflecting Policies CN01, HS28 and the NPPF2.

6 Residential Amenity

- 6.1** Policy HS28 states that planning applications for infilling or groups of dwellings will be refused where; the layout provides an unreasonable standard of privacy or garden size. Paragraph 127 of the NPPF2 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.
- 6.2** The impact of the works is considered fully, and there is little before Officers to suggest the scheme would result in a materially intrusive development, which would hinder and oppress the domestic enjoyment and function of adjacent property, to an unacceptable level. Officers do not consider that the site is overdeveloped by virtue of the quantum of development shown on the proposed plans, demonstrating sufficient amenity space and parking provision.
- 6.3** The site is readily capable of accommodating 5 no. bungalow dwellings in a manner that will not unduly compromise the residential amenity of future occupiers of the development or occupiers of neighbouring dwellings. More specifically, suitable distances between dwellings can be achieved to ensure no unacceptable loss of daylight, sunlight, or overlooking to the existing residents would ensue.
- 6.4** Built form visible from a private vantage point does not necessarily result in adverse private residential amenity harm. Officers note that objections raised do not relate to adverse character affects either, therefore the real extent of public harm caused is considered insufficient. The scheme reflects the essence of Policy HS28 and Paragraph 127 of the NPPF2.

7 Site Access, Parking and Highway Safety Considerations

- 7.1** Policy TP15 requires development to be delivered with safe and sufficient highways access and function. The site has been assessed by the LLHA, who are content that safe and sufficient egress can be delivered, subject to conditions. Additionally, they are satisfied with the general parking layout shown and consider sufficient manoeuvring space is provided such that vehicles may enter and leave the site in a forward gear.
- 7.2** Parking on site is offered in accordance with the Suffolk Adopted Parking Standards SPD (2015) such that enough spaces are to be provided that future residents will be able to avoid on street parking.
- 7.3** The LLHA conditions include; works in accordance with proposed access, details submitted on visibility, discharge of surface water, bin presentation areas, parking

and manoeuvring, cycle storage, and finally electric vehicle charging points. There is nothing before Officers to suggest a LLHA compliant scheme could not be delivered, reflective of Policy TP15.

8 Landscape Impact, Trees, Ecology, Biodiversity and Protected Species

- 8.1** The Arboricultural Officer (AO) was consulted during the consultation process. In terms of the removal of trees, no issue has been identified given the protective measures to be taken to preserve the retained trees throughout development, as per the arboricultural report. This aspect of development shall be secured through planning condition, as required by the AO.
- 8.2** Natural England (NE) were also consulted given the sites location within the wider 'zoned' area. 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', when considered either alone or in combination, upon the interest features of European Sites due to the risk of increased recreational pressure caused by that development. As the site is identified as falling within the zone of influence for the Stour and Orwell Estuaries SPA and Ramsar site, a Unilateral Undertaking to secure a contribution towards the Suffolk RAMS is required.
- 8.3** Suffolk Wildlife Trust (SWT) were also consulted. The Trust identified that the scheme could be supported subject to the implementation of recommendations within submitted ecological survey report and Habitats Regulation Assessment, which is supported by Place Services (Ecology). No other protected or priority species were identified on site.

9 Land Contamination

- 9.1** No issues are identified within the submitted land contamination studies and the Environmental Health Officer (EHO) is satisfied that development could go ahead without the need for further investigation or remediation at this stage.

10 Flood and Water

- 10.1** The site is not located in a vulnerable flood zone area, therefore the risks of flooding are considered to be low. Given that the application is considered 'minor', on site attenuation and surface water management / disposal is not considered by the Local Lead Flood Authority (LLFA) during the determination process. These matters are brought to the attention of the applicant, who is required to comply with Part H (Drainage and Disposal) of the Building Regulations 2010.

11 Sustainability of the Proposal

- 11.1** Policy CS1 requires development proposals to be considered in line with the presumption of sustainable development outlined within the NPPF. Development that improves the economic, social and environmental conditions in the District will be approved where possible. The three objectives of sustainable development, in the context of the proposed development, are assessed in detail below:

11.2 Economic objective

11.3 The provision of up to 5 no. bungalow dwellings will give rise to employment during the construction phase of the development. Furthermore, future occupiers of the development would be likely to use local services and facilities. The New Anglia 'Strategic Economic Plan' (April, 2014) acknowledges that house building is a powerful stimulus for growth and supports around 1.5 jobs directly and 2.4 additional jobs in the wider economy for every home built.

11.4 Social objective

11.5 In respect to the provision of new housing, the development would provide a benefit in helping to meet the current housing shortfall in the district through the delivery of additional dwellings. The scheme will provide 5 no. 2 bedroom bungalows allocated for affordable housing, helping to ensure that a vibrant and sustainable community is provided. The scheme will support the village's health, social and cultural well-being.

11.6 Paragraph 78 of the NPPF2 seeks to promote sustainable development in rural areas advising '*housing should be located where it will enhance or maintain the vitality of rural communities*' and recognises that where there are groups of smaller settlements, development in one village may support services in a village nearby.

11.7 The matter of the sustainability of the site in terms of access to local services and facilities has been discussed under Section 4.

11.8 Environmental objective

11.9 The site is located within an established residential development in the Hinterland Village of Shotley, and is of a suitable walking distance to a range of local services, facilities and amenities discussed above.

11.10 The visual appearance of the proposal set amongst the backdrop of the locality is endorsed by Officers, in providing betterment and uplift to Queensland, through appropriate design and layout. The scheme enhances the environmental character, without undue landscape, biodiversity or ecology harm, making effective use of land.

12 Affordable Housing

12.1 The Housing Enabling Officer (HEO) has offered comment on the nature of the proposal, including the mix and tenure of the proposed residential units. The Council's 2014 Suffolk Housing Needs Survey shows that there is high demand for smaller homes, across all tenures, both for younger people, who may be newly forming households, and also for older people who are already in the property-owning market and require different, appropriate housing, enabling them to downsize. Affordability issues are the key drivers for this increased demand for smaller homes.

12.2 The HEO has resolved to conclude that the scheme is acceptable at 100% District Wide affordable allocation, thus fulfilling Policy CS19 requirements.

13 Planning Obligations

13.1 As noted above, the application engages 100% affordable housing contribution for the District wide need. Officers consider it necessary to secure delivery (as per the

recommendations of the HEO) through a Unilateral Undertaking with Suffolk County Council. The is robust legal arrangement, enforceable by both the District and County Authorities engaged.

PART FOUR – CONCLUSION

14 Planning Balance

- 14.1** The Council benefits from a five-year housing land supply. The tilted balance at Paragraph 11(d) of the NPPF2 is not engaged in that respect. 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.
- 14.2** 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.
- 14.3** The NPPF2 requires decisions to be approved that accords with an up to date development plan without delay. The proposal fully accords with policies CN01, HS28 of the Local Plan and Policies CS1 and CS2 of the Core Strategy.
- 14.4** The site is a sustainable location, within walking distance of a good range of local services. The proposed development is visually well related to the village, set within the settlement boundary, offering betterment and uplift through choice design and layout which effectively utilises the inner settlement boundary site.
- 14.5** There is little before Officers to suggest the scheme conflicts to an unacceptable level in terms of; design and layout, residential amenity, landscape, ecology, highways, flood and water, land contamination or sustainability. These key outcomes are appropriately safeguarded, and conditioned / legally bound where justified.
- 14.6** The proposal represents an appropriate site for 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 NPPF2 (which notwithstanding the development is plan is a compelling material consideration). The application is therefore recommended for approval.

RECOMMENDATION

That authority be delegated to the Acting Chief Planning Officer to grant full plans planning permission subject to the prior completion of a Unilateral Undertaking on terms to their satisfaction to secure the following heads of terms:

- Affordable Housing at 100% for the District wide need
- Ecological Mitigation Contribution

and that such permission be subject to the conditions as summarised below and those as may be deemed necessary by the Acting Chief Planning Officer:

- Standard time limit
- Approved plans
- Levels
- Highways – approved access
- Highways – visibility
- Highways – surface water discharge
- Highways – refuse and recycling
- Highways – parking and manoeuvring
- Highways – cycle storage
- Highways – electric vehicle charging points
- Tree protection
- Ecology mitigation
- Biodiversity enhancement