

## **Committee Report**

**Item 6D**

**Reference:** DC/17/03902  
**Case Officers:** Vincent Pearce

**Ward:** Hadleigh North:  
**Ward Member:** Councillor Sian Dawson

**adjoins Ward:** Hadleigh South  
**Ward Members:** Councillor Mick Fraser & Councillor Kathryn Grandon

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### **RECOMMENDATION:**

**Subject to S106 Agreement and Conditions Grant OUTLINE permission for Employment Use and FULL permission for the residential development comprising 170 dwellings**

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### **Application Description**

Hybrid Planning Application comprising:

**Full Planning Application - Proposed residential development comprising of 170 dwellings, associated infrastructure, the provision of Public Open Space and Structural Landscaping;**

**and,**

**Outline Planning Application - Outline: 0.65 hectares (10,000 sq ft.) (929sq. m.) of Class A1, A3 and B1 employment uses and associated infrastructure and landscaping.**

### **Location**

Land South of Ipswich Road, Hadleigh, IP7 6BE

**Parish:** Hadleigh

**Site Area:** 5.5ha

**Application Type:** HYBRID

**Development Type:** (i) FULL- major largescale (ii) OUTLINE-major mixed use

**Development Description:** (i) residential (ii) major mixed use [non-residential]

**Applicant:** Persimmon Homes

**Agent:** N/A

**Received:** 23.01.2019 (date of revision to initial 2017 application)

**Expiry:** subject to an extension of time

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## PART ONE – REASON FOR REFERENCE TO COMMITTEE

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The application is referred to committee for the following reason:

- i. The application provides for the development of more than 15 dwellings.
- ii. The application does not accord with the Adopted Development Plan

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## PART TWO – BACKGROUND AND APPLICATION DETAILS

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### 1.0 Site and Surroundings

- 1.1 The site is located to the east of Ellen Aldous Avenue and south of Ipswich Road with its northern tip sitting on the southeast corner of the four-armed Ipswich Road roundabout.
- 1.2 Existing residential accommodation skirts the site on its western flank and the north-eastern edge is adjoined by two existing residential curtilages.-
- 1.3 Countryside flanks the remainder of the site's eastern and southern flanks.
- 1.4 The site is generally roughly grassed with evidence [from disturbance] of use in parts, possibly associated with the construction of the estate opposite.
- 1.5 Northern and eastern margins have limited hedgerows whilst the employment site includes some tress across its middle.

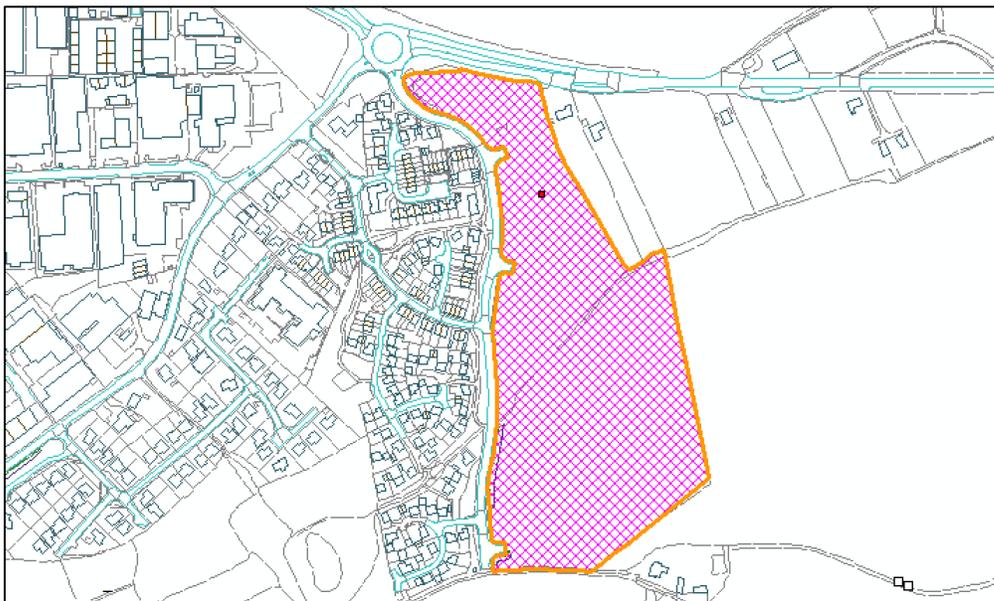


Figure 1:  
**Application Site**

## **2.0 Description of Development**

The application now before members is a Hybrid application comprising two distinct components both accommodated within the same red line site. That said the proposals are not competing options but two discrete parts of an overall proposal which has followed extensive discussions between the Applicant and officers of the Council, including the Policy team.

The two parts each stand on their own merits and are serviced separately.

It is argued by the applicant that the two parts together make a stronger, more sustainable whole. That is a matter for Members to decide.

The two parts are:

FULL application for a residential development comprising 170 dwellings with associated gardens, parking, access, roads, landscaping and open space; and,

OUTLINE application for a mixed-use development comprising B1 [business], A1 [retail] and A3 [restaurant] uses

As is required, the *'full'* component of the application for residential use is supported with a full suite of plans and documents.

The *'outline'* component of the application is supported by an illustrative layout including access arrangement plan. These do not form part of the application but are included to demonstrate how such development might be accommodated in principle. All matters except ACCESS are reserved.

### **Evolution of the residential component and the revised proposal**

- 2..1 The application when initially submitted back in 2017 was a FULL application for 171 'starter homes'. Officers indicated to Persimmon that a development consisting entirely of starter homes could not be supported as mono-tenure would be contrary to the Council's (and national) policies to secure a balanced mix of units in terms of tenure and size. Furthermore, the proposal whilst technically falling within the classification of 'affordable' [i.e. for sale at 20% below market value] would do nothing to meet the overriding need for affordable rented accommodation in the District. The layout was also considered so poor that officers could not support the proposal even on design grounds.
- 2..2 In the face of this reaction Persimmon agreed to enter into negotiation to completely amend the proposal. Those negotiations have taken time but have proved very productive. The layout now before Members represents the fourth iteration in a series

of revisions. At each stage officers have pushed Persimmon to reach ever higher levels of quality. Representatives from Persimmon involved in the negotiations have responded positively to such pressure and the collaboration has produced a scheme that officers feel has set a new benchmark for quality. Persimmon Suffolk has embraced the task of raising the parent company's profile and reputation. This is welcomed and the co-operation has been refreshing.

- 2..3 Within the current proposal is now a commitment to deliver 35% affordable housing of a type supported by the Council's Strategic Housing Team as needed to meet the housing need within the District. This will be secured by legal agreement.
- 2..4 It has been agreed that space within all affordable units will meet the Nationally Described Space Standards [NDSS]. Again this represents a significant improvement and reflects Persimmon Suffolk's commitment to raising the bar to meet the Council's aspirations around sustainability. Of itself this is an important benefit where the current development plan is silent on such matters with no space standards set out.
- 2..5 These fundamental changes negotiated to the proposal are not the only one's to accompany the application. The proposal now includes 0.65 ha of employment land at its northern end adjacent to the [road], which reduces the tension posed with the long-standing (and so far, fruitless) employment allocation.
- 2..6 Following further negotiation Persimmon has agreed in principle that in the event of planning permission being granted for both elements of the proposal then the serviced employment land would be transferred to the Council for £1. This would then enable the Council to promote employment uses on the site and facilitate new job creating development for itself thereby directly ensuring that jobs would be created.
- 2..7 Such an outcome would certainly complement the Council's 'open for business' employment strategy. It would enable the Council to drive business growth and set an example to other providers. Given the absence of any prior commercial proposals for the site it is felt that such an offer represents a positive solution.
- 2..8 Persimmon Homes is a housing developer and not a developer of commercial floorspace.
- 2..9 The Council does have experience in undertaking commercial development.
- 2..10 It is reasonable in CIL test terms that Persimmon offers the employment land to the Council; this will be addressed later in the report.
- 2..11 The latest revisions have been the subject of extensive re-consultation and re-notification.

### **3.0 Key Issues**

- 3.1 In considering the merits of the latest proposal Members will, amongst other things, want to explore – To what extent...
- (i) Does the proposal comply with adopted local plan policies, and in the event that it does not fully comply what if any mitigation exists to consider the proposal as a justifiable departure? and,
  - (ii) Can the proposal be said to create a balanced and sustainable development, providing both homes and jobs?
  - (iii) Is the employment component likely to be delivered?
  - (iv) Is the residential component likely to come forward?
  - (v) Does the residential component achieve high quality design and layout?
  - (vi) Does the residential component incorporate sustainable benefits?
  - (vii) Is the proposal acceptable in highway safety and capacity terms?
  - (viii) Can the proposal be properly drained.

Other relevant considerations will be explored in this report.

- 3.2 In reaching the recommendation set out in this report, it is not necessary to go to the extent of considering whether the “tilted balance” applies e.g. because the Council cannot presently demonstrate a five-year housing land supply. This is because officers conclude that the scheme is acceptable in any event; the “tilted balance” would merely serve as an additional direction to approve the application.

### **4.0 Relevant Planning History**

B/06/01488 Land off Lady Lane

Outline - Mixed use development comprising of up to 170 No. dwellings, 5 hectares of industrial/commercial (B1, B2 and B8), provision of open space and highways infrastructure. Land between Lady Lane and Tower Mill Lane, Hadleigh

GRANTED: 23 November 2009. Reserved matters and conditions agreed variously thereafter.

This is the existing estate [built by Persimmon] on the opposite side of Ellen Aldous Avenue. [ie immediately to the west of the current application site]

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

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### **5.0 Planning Policy Context**

5.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that applications under the Planning Acts be determined in accordance with the development plan, unless material considerations indicate otherwise.

### **5.2 Development Plan**

5.2.1 The Development Plan comprises the following:

- Babergh Core Strategy 2014 [Hadleigh defined as an Urban Area]
- Babergh Local Plan [Alteration No2] 2006

5.2.2 Within the current development plan, those policies considered to be most important for the determination of this reserved matters application and its associated details are as follows:

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
- CS6 Hadleigh
- CS15 Implementing Sustainable Development in Babergh
- CS18 Mix and Types of Dwellings
- CS19 Affordable Homes
- CS21 Infrastructure Provision

Relevant saved policies of the Babergh Local Plan (Alteration No.2) 2006:

- CN01 - Design Standards
- CR07 - Landscaping Schemes
- CR08 - Hedgerows
- EM03 – Land East of Lady Lane
- TP15 Parking Standards – New Development

Relevant Supplementary Planning Document:

- Suffolk Adopted Parking Standards (2015)

NPPF - National Planning Policy Framework

5.2.3 The Council is currently in the process of preparing a new Joint Local Plan with the Mid Suffolk District Council. The National Planning Policy Framework (NPPF) identifies that decision-takers may give weight to relevant policies in emerging plans according to their stage of preparation, the extent to which there are unresolved objections to relevant policies, and their degree of consistency with national policies. The plan-making process in this instance is at a very early stage and is therefore not weighed as a determinative consideration in this instance (it is considered to have a limited weighting but does not affect the overall recommendation set out within this report).

### **5.3 Neighbourhood Plan**

5.3.1 Hadleigh Neighbourhood Plan is at a very early stage with little progress since Area Designation in 2015. There appears to have been little consultation and there is currently no draft plan. There is therefore nothing of relevance or of any weight in respect of the determination of the application currently before Members

### **5.4 The National Planning Policy Framework**

5.4.1 The NPPF of February 2019 contains the Government's planning policies for England and sets out how these are expected to be applied. The policies contained within the NPPF are a material consideration and should be taken into account for decision-taking purposes. Those of most relevance include:

- Paragraph 8:

“Achieving sustainable development means that the planning system has three overarching objectives, which are interdependent and need to be pursued in mutually supportive ways (so that opportunities can be taken to secure net gains across each of the different objectives):

a) an economic objective – to help build a strong, responsive and competitive economy, by ensuring that sufficient land of the right types is available in the

right places and at the right time to support growth, innovation and improved productivity; and by identifying and coordinating the provision of infrastructure;

b) a social objective – to support strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations; and by fostering a well-designed and safe built environment, with accessible services and open spaces that reflect current and future needs and support communities' health, social and cultural well-being; and

c) an environmental objective – to contribute to protecting and enhancing our natural, built and historic environment; including making effective use of land, helping to improve biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy.”

Officer comment: relevant insofar as the site is in a highly sustainable location

- Paragraph 11:

“ Plans and decisions should apply a presumption in favour of sustainable development.

For plan-making this means that:

a) plans should positively seek opportunities to meet the development needs of their area, and be sufficiently flexible to adapt to rapid change;

b) strategic policies should, as a minimum, provide for objectively assessed needs for housing and other uses, as well as any needs that cannot be met within neighbouring areas, unless:

i. the application of policies in this Framework that protect areas or assets of particular importance provides a strong reason for restricting the overall scale, type or distribution of development in the plan area; or

ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.

For decision-taking this means:

c) approving development proposals that accord with an up-to-date development plan without delay; or

d) where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:

i. the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or

ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.”

Officer comment: relevant insofar as section d(ii) may as a question of judgement be apply in the light of an inability to demonstrate a 5YHLS and insofar as Adopted Local Plan policies may be said to be out-of-date.

- Section 5: Delivering a good supply of homes

*Officer comment: Babergh’s housing delivery levels are currently behind the number necessary to achieve target delivery*

- Section 6: Building a strong, competitive economy

Officer comment: Relevant because the site is allocated for employment purposes in the Adopted Local Plan and in the residential component of the application represents a loss of employment land. However the current proposal now includes an employment element within what is now a mixed-use scheme and so the impact on job potential may be reduced, particularly if the Council can facilitate development of the employment land as a result of its possible transfer.

- Section 8: Promoting healthy and safe communities

*Officer comment: The development is C.I.L. liable*

- Paragraph 122:

“Planning policies and decisions should support development that makes efficient use of land, taking into account:

- a) the identified need for different types of housing and other forms of development, and the availability of land suitable for accommodating it.....
- e) the importance of securing well-designed, attractive and healthy places.”

*Officer comment: relevance self-evident*

- Section 12. Achieving well-designed places, incorporating:

*Officer comment: relevance self-evident*

- Paragraph 124:

“The creation of high-quality buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities. Being clear about design expectations, and how these will be tested, is essential for achieving this. So too is effective engagement between applicants, communities, local planning authorities and other interests throughout the process.”

*Officer comment: relevance self-evident*

- Paragraph 127

“Planning policies and decisions should ensure that developments:

- a) will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;
- b) are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;
- c) are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities);

- d) establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit;
- e) optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks; and
- f) create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users<sup>46</sup>; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.”

*Officer comment: relevance self-evident*

- Paragraph 130.

“Permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions, taking into account any local design standards or style guides in plans or supplementary planning documents. Conversely, where the design of a development accords with clear expectations in plan policies, design should not be used by the decision-maker as a valid reason to object to development. Local planning authorities should also seek to ensure that the quality of approved development is not materially diminished between permission and completion, as a result of changes being made to the permitted scheme (for example through changes to approved details such as the materials used).”

*Officer comment: relevance self-evident*

## **5.5 Other Considerations**

5.4.1 The following documents are also considered as material and especially applicable to this proposal by officers:

- Suffolk County Council - Suffolk Guidance for Parking (2014), adopted 2015.

5.4.2 On the 6th March 2014, a number of Ministerial planning circulars were cancelled by central Government and were replaced by the Government’s online national Planning

Practice Guidance (PPG). The guidance provided is advice on procedure rather than explicit policy; however, it has been taken into account in reaching the recommendation made on this application.

5.4.3 The PPG is an online reference as 'living document' and is available at the following internet address:<https://www.gov.uk/government/collections/planning-practice-guidance>.

5.4.4 The relevant policies referred to above can be viewed online. Please see the notes attached to the Schedule.

## **6.0 Consultations and Representations**

Members will note from the introductory sections of this report that the proposal has undergone fundamental amendment and revision over its life within several iterations. These amendments have all been negotiated to address local concerns and issues raised by statutory consultees. A number of recent re-consultations have been undertaken the latest of which expired on 23 August 2019, after this report had been produced. Where current comments are awaited the reports says so. In a number of cases this report describes the consultees position at the time of writing the report. This will be updated where applicable before or at the meeting.

**Hadleigh Town Council:** objected in Feb 2019

"Refusal was recommended - voting was unanimous

The reason for recommending refusal are given the lack of details on the proposed infrastructure and the option on additional land this cannot be approved until the concerns of the public are addressed and who will need the facilities. "

***officer comment:*** *Infrastructure details such as affordable housing, highway works, and drainage are known. Any wider infrastructure will be eligible for funding from C.I.L contributions. The comment of the Town Council in respect of other land within the control of the applicant [to the south] is acknowledged and this report will consider the implications of the proposed development in the context of other land and the Emerging Local Plan.*

“The Committee also agreed with the letter written by Neil McManus regarding the infrastructure.”

**Officer comment:** *The comments referred to as submitted by Neil McManus of Suffolk County Council Infrastructure Team related to the details initially submitted in 2017 when the residential element was an outline application. Since then the proposal has been amended and revised as described earlier. The latest comments from SCC’s Infrastructure Team are awaited.*

“It was disappointing that NHS England had been contacted as a consultee and not the local practice in order that they could provide details on the impact on the local facility.”

*Officer comment: The Development Management Service consults with the NHS [CCG] as they have strategic responsibility for planning healthcare facilities and for ensuring that healthcare facilities are appropriate for communities [including predicting new demand and facilitating additional capacity arising from development growth]*

**Suffolk County Council Infrastructure:** Comments in respect of the latest revisions are awaited and will reported at the meeting.

**The Hadleigh Society:** objected in Feb 2019

“ Whilst the Society supports the principle the proposed mixed development it has several serious reservations regarding the details of the scheme”

These are cited as including:

- adverse retail impact on existing food retailers [Angel Street and nearby Londis]

*officer comment: Retail impact assessments and sequential testing is not required where proposed retail floorspace is less than 2500sq.m. [NPPF/NPPG] This proposal includes up to 10,000sq.ft of mixed commercial floorspace. Even if all was retail [Class A1] the floorspace at 929sq.m. is less than above threshold.*

- poor residential design, inappropriate density, poor landscaping

*officer comment: Significant redesign has occurred since receipt of this comment*

- inadequate parking, poor manoeuvring, need for highway works to A1070 & B1071

*officer comment: parking provision has been amended since receipt of this comment*

- inadequate community facilities in Hadleigh to cope with extra demand from the proposed development

*officer comment: the development if approved will generate CIL receipts which can be used as intended to enhance community infrastructure provision.*

### **BMSDC Contaminated Land Officer: raises no objection [Aug 2019] subject to**

“I would only request that we are contacted in the event of unexpected ground conditions being encountered during construction and that the developer is made aware that the responsibility for the safe development of the site lies with them.”

**SCC Travel Officer:** observes that a full travel plan is required.

**Historic England:** observe that there is no need to consult them

### **Neighbour Comments**

At the time of writing this report 2 objections had been received to the revised proposal. [153 addresses notified] Concerns include:

- Application is lacking information
- Conflict with local plan
- Inadequate Access
- Inadequate parking provision
- Inadequate public transport provisions
- Increased Traffic/Highways Issues
- Landscape Impact
- Loss of Open Space
- Strain on existing community facilities
- prematurity [JLP]
- Building Work
- Noise
- Over development of site
- Residential Amenity
- Scale

## **PART FOUR – ASSESSMENT OF APPLICATION**

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### **7.1 The OUTLINE component [employment uses]**

- 7.1.1 The indicative layout suggests two buildings within a landscaped site within which is accommodated parking and servicing space. Employment use accords with the Adopted Local Plan and runs within the spirit of what is envisaged under Policy EM03 (albeit that policy is more than 12 years old).
- 7.1.2 It is suggested that the building on the bullnose corner of the site at the junction of Ipswich Road and Ellen Aldous Avenue could be used for small-scale retail purposes [4500sq.ft] and the other which it is suggested be set back further into the site for other commercial purposes [5,500sq.ft] The application is open-ended to the extent that it affords flexibility to potential occupiers so as to be as attractive to the market as possible within the wider parameters (e.g. floorspace) to be set.
- 7.1.3 The proposed access has been amended in order to avoid the commercial and residential elements having to share the same point of access. The residential element now has its own vehicular access at the northern end along with an alternative access point at the southern end [linked by an internal spine road]. The employment site now has its own vehicular access point directly off Ellen Aldous Avenue at the point where visibility is best achieved north of both residential access points. This is welcomed and is supported by the local highway authority.
- 7.1.4 The employment site itself measures some 0.65 ha which represents a loss of 4.85ha in terms of the current [Local Plan proposals map 2006] EM03 employment allocation. Clearly, in terms of the Council's current employment strategy represents a substantial loss of employment land and therefore what would appear to be potential job opportunity.
- 7.1.5 Whilst the Council's Economic Development Team initially expressed concern at the loss of employment land it must be recognised that the site has been allocated for employment purposes since at least 2006 and has not come forward for such uses.
- 7.1.6 Local planning authorities were advised from the time of the first NPPF not to merely roll forward employment sites within new local plans. As the Joint Local Plan [JLP] evolves it is clear that some over provision of employment land exists [some quantitatively some qualitatively].

7.1.7 It should be noted that within the emerging Draft JLP the site is currently being promoted for unchanged purposes. [site described as LA029].

“LA029 – Allocation: Land south of Ipswich Road, Hadleigh. Approximately 7ha of employment land (with associated infrastructure)

The development shall be expected to comply with the following:

- I. The relevant policies set out in the Joint Local Plan; and
- II. Potential noise, light and/or odour pollution is mitigated to nearby residential areas. “

7.1.8 The site immediately to the south [LA028] is however currently being promoted in the draft JLP for a range of uses:

“LA028 – Allocation: Land north east of Frog Hall Lane, Hadleigh Site Size– 25ha Approximately 500 dwellings and 5.5ha of employment land (with associated infrastructure)

The development shall be expected to comply with the following:

- I. The relevant policies set out in the Joint Local Plan;
- II. A free serviced site of 0.1ha should be reserved for a new pre-school school plus proportionate contributions towards the build costs;
- III. Contributions, to the satisfaction of the LPA, for the provision of primary and secondary school provision;
- IV. 1.2ha of land is reserved for the replacement playing fields for Hadleigh High School;
- V. A full assessment of increased discharge on the watercourse, and relevant mitigation measures;
- VI. Contributions, to the satisfaction of the LPA, towards healthcare provision; and
- VII. Vehicular access from the A1071 roundabout together with multiple accesses to existing footway network to Hadleigh”

7.1.9 This suggests that the principle of residential development may acceptable in policy on this side of Hadleigh but also reinforces the Council’s desire to see good quality

employment land within the overall mix. This would certainly support the notion of creating balanced communities.

7.1.10 Members will note that the potential for site reference LA028 coming forward is predicated on LA030 having first been developed. It should be noted that as a matter of fact LA028 is owned by Persimmon who are not commercial developers and who have no intention of releasing the site for commercial development. As a result the site is not available for the allocated purpose and may therefore be considered unachievable for employment purposes which suggests rolling it forward for such use in the JLP may be unreasonable or at the very least unrealistic. The current hybrid proposal at least ensures the site comes forward with some employment delivering infrastructure necessary to underpin potential mixed-use medium-term development.

7.1.11 Following the inclusion of the employment use component within the current application officers have successfully sought Persimmon's agreement to the transfer of the serviced employment land to the Council for £1. This would enable the Council through its Assets Team and Economic Development Team to directly facilitate employment development and jobs on a site where the private sector has failed to do so. This is considered by Development Management planners to represent a significant benefit that off-sets harm to employment strategy, particularly in the light of other new draft allocations to the south.

7.1.12 It is inappropriate for the Council to give weight to the potential financial benefit that could accrue from it taking the employment area forwards. However, of itself, the opportunity to actualise employment opportunities for the site is an important and positive consideration regardless of future owner/occupier.

## **7.2 The FULL component [residential use]**

### **7.2.1 Principle of the use**

7.2.2 The site is not currently allocated for residential purposes and therefore the development is a departure from the local plan in land use terms albeit the significance of any policy conflict is lower bearing in mind an area of employment land is to be retained and which has a realistic chance of now being brought forward after more than a decade.

7.2.3 However, the site immediately adjoins the developed edge of Hadleigh with modern estate development opposite and an access road [Ellen Aldous Drive] already in existence. Currently Ellen Aldous Drive only has development on its west side.

7.2.4 The site is ideal for residential development in that it is in a highly sustainable location within a settlement at the apex of the District's Settlement Hierarchy. Therefore, whilst the site poses tension with policy EM03 and would otherwise be outside of the BUAB thereby conflicting with Policy CS2, the significance of those conflicts are low. The development plan seeks to direct new development to sustainable locations and which respect the settlement hierarchy of the District. This proposal does precisely that.

7.2.5 The revised layout is acceptable from an urban design perspective and raises no objection from SCC Highways in terms of highway safety/capacity arising from the development itself.

#### **7.2.6 Design and Layout**

7.2.7 The residential layout has been the subject of intense negotiation and its quality has been transformed. The layout now comprises a range of genuine character areas [as opposed to a completely homogenous character]. The centrepiece of the layout is a large pedestrian- friendly village green that will have an edge of town/country character.

7.2.8 Elsewhere new homes line a tree lined avenue.

7.2.9 Within another part of the estate is an informal square.

7.2.10 Two large ponds occupy the site frontage with development looking on and a tracery of pedestrian/cycle routes criss-cross the estate providing permeability and accessibility and linking it to existing development nearby and the countryside beyond.

7.2.11 House types have been negotiated and amended to provide an attractive and interesting environment that complements the desired character being sought.

7.2.12 As is being negotiated elsewhere within new estates across the district a range of traditional vernacular materials are being specified in key locations and this is welcomed.

7.2.12 The evolution of the current design and layout will be fully described within the Committee presentation.

### **7.2.12 Mix**

7.2.13 Unlike the unacceptable uniform mix of accommodation included in the initial submission the development has been amended to completely change the mix from one of small units to one with a rich a varied array of sizes and types, including bungalows as required by Council policy.

7.2.14 A good range of sizes is included within the affordable housing mix which will be delivered at 35%

7.2.15 Details of the overall mix and tenure split will be explained within the Committee presentation.

### **7.2 16 Density**

7.2.17 At an overall density of 30dph the density is acceptable and at the lower end of the range considered appropriate by the Government.

### **7.2.18 Parking and Highways**

7.2.17 Suffolk County Council as local highway authority has been in involved closely in negotiations since the receipt of the initial application and many of the amendments are a direct result of their requirements. SCC Highway's final comments are awaited.

7.2.18 The proposed parking satisfies the Council's standards

### **7.2.19 Residential Amenity**

7.2.20 The development will not pose any amenity issues for existing residents on the other side of Ellen Aldous Avenue. This is due to the distance separating developments and intermediary features. The employment use parameters on the northern parcel have been set so as to ensure the risk of amenity conflicts between land uses is minimised. In that respect it should also be noted that of itself EM03 posed such a problem because of the scale of employment land reserved immediately adjacent to a housing development. Again, the proposal now before Members offers a more appropriate compromise.

### **7.2.21 Drainage**

7.2.22 The proposal includes extensive supporting material in respect of drainage and SCC as Water and Floods authority has been consulted and drainage details amended to suit desired requirements. The final comment of SCC Water and Floods is awaited but it is expected from the material provided so far that this matter can be dealt with satisfactorily.

### **7.2.23 PRow [Public Rights of Way]**

7.2.24 Designated public footpath ID 2034 bisects the middle of the site [west to east] and designated bridleway ID 3027 adjoins to the south. The residential layout accommodates the existing line of FP 2034 within open space and ensures its future preservation and enjoyment.

### **7.2.25 Heritage**

7.2.26 No listed buildings lie within, adjacent to or near the application site. There is no conservation area within the immediate vicinity. No assets would be materially affected by the development.

### **7.2.26 Open Space and Landscaping**

7.2.26 The proposed layout includes in excess of 10% open space and therefore exceeds Council policy. This is welcomed because it creates a higher quality environment and helps to moderate density. Paly equipment is to be provided. Landscaping will be the subject of further submission of detail by condition but the layout drawings indicate extensive structural landscaping will be provided.

### **7.2.27 Sustainability**

7.2.28 The development will include a raft of sustainable features including 10% of energy from renewables, electric charging points [including to a point within communal parking areas], a safe crossing point on Ellen Aldous Avenue, new habitats, water features, new cycle and pedestrian routes/connections, and a gym trail.

7.2.29 The sustainability of the proposal will be further described within the Committee presentation.

### **7.2.30 Contamination**

7.2.31 Standard conditions are suggested and the risk of contamination is considered to be low.

### **7.2.32 Ecology**

7.2.33 The proposed development is expected to enrich biodiversity as a result of landscaping, water features and wildlife mitigation measures.

## **8.0 S106**

8.1 The applicants agreed, in principle, the following all to be secured by way of a S106 Agreement:

- 35% affordable housing
- transfer of serviced employment land to Babergh District Council for £1 for employment generating uses
- provision of publicly accessible [in perpetuity] open space and play facilities with, where appropriate, relevant maintenance sums
- travel packs

## **9.0 Delivery**

9.1 It is the Government's intention to significantly boost the supply of new homes. That cannot displace the primacy of the development plan; however, it is a material consideration for Members to take into account, alongside the policies contained within the NPPF, when considering the principle of new housing applications. Further, the thrust of governmental policy and supporting guidance is aimed at ensuring that sites are brought forward as quickly as possible and that it is incumbent to demonstrate that this can be achieved.

9.2 Officers have agreed a Statement of Common Ground (SCG) with Persimmon Homes in order to understand their anticipated lead-in and build-out rates for the site and for the purposes of compiling the 'clear evidence' of delivery necessary to support housing land supply projections in accordance with the NPPF and supporting PPG.

- 9.3 The applicant is committed to the delivery of these units and at an expeditious rate such that it would make a meaningful contribution to the housing land supply of the district within the five-year period. This is an important benefit which further weighs in favour of the scheme.

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## **PART FIVE – CONCLUSION**

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1. Whilst the parts of the proposal contained within this hybrid application are contrary to the adopted Local Plan in terms of an overall loss of employment land and residential development on an unallocated site it is nevertheless justified as a result of the overriding benefits that accrue.
2. The whole site is allocated for employment use and has been for more than a decade. Nothing has been brought forward during that period and the land is controlled by a national housebuilder. It is arguably unavailable and therefore the allocation - as well as being severely dated - is likely undeliverable in its current guise.
3. What Members have before them is a balanced proposal which not only provides for a genuine employment offer that has a realistic prospect of success, but also a full complement of highly sustainable housing and which is capable of being delivered very quickly.
4. The direction is therefore to approve for material considerations outside of the direction of the allocation policy and where the development nevertheless complies with the wider thrust of the development plan and the NPPF as a whole given its strong sustainable credentials, significant benefits, and limited harms.
5. A positive recommendation to Members is therefore given below.

recommendation follows.....

## **RECOMMENDATION**

**That:**

**(1)**

**subject to the satisfactory completion of a S106 Agreement to secure the benefits identified in the report + any additional requirements identified by SCC and securing the appropriate linking of the employment and residential components of this site**

**then;**

**(2)**

**Delegated authority be given by the Committee to the Chief Planning Officer to approve the application subject to planning conditions, drafted to the satisfaction of the Chief Planning Officer, including:**

### **OUTLINE [Employment uses]**

- **Standard Time period**
- **RM condition**
- **Restrictions on use to A1, A2, A3, B1,**
- **Business hours restrictions**
- **Noise restrictions**
- **Lighting limits**
- **No outside storage**
- **Construction method statement**
- **Contamination**
- **Wildlife mitigation**
- **No mezzanine floorspace without further consent**
- **As required by SCC Highways where considered appropriate**
- **As required by SCC Water and Floods where considered appropriate**
- **As required by other statutory consultees where considered appropriate**

### **FULL [Residential]: to include**

- **Reduced time limit for implementation [18 months for commencement]**
  - **Approved Plans and Details**
  - **Contamination**

- **Construction method statement**
- **Working hours**
- **Wildlife mitigation**
- **Removal of PD**
- **Further details of materials to be submitted**
- **External glazing bars and window reveals**
- **No grp canopies**
- **Electric charging points**
- **Landscaping**
- **As required by Place Services**
- **As required by SCC, where necessary.**
- **As required by SCC Floods and Water**
- **As required by AW**