

Committee Report

Item 6B

Reference: DC/19/02489
Case Officer: Elizabeth Flood

Ward: South East Cosford

Ward Members: Cllr Leigh Jamieson

RECOMMENDATION – REFUSE OUTLINE PLANNING PERMISSION

Description of Development

Outline planning application (some matters reserved) - erection of 25 dwellings (8 affordable dwellings) site layout, and access

Location

Land to the south east of Wheatfields Whatfield Suffolk

Parish: Whatfield

Expiry Date

Application Type: Outline planning application

Development Type: Major Small Scale - Dwellings

Applicant: Mrs V and Mr R Riddleston

Agent: Wincer Kievenaar Architects Ltd

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 over dwellings.

Details of Previous Committee/Resolutions and Member Site Visit

None.

PART TWO – POLICIES AND CONSULTATION SUMMARY

Summary of Policies

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

- HS28 - Infilling/Groups of dwellings

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

- CN01 Design Standards
- CN06 - Listed Buildings - Alteration/Ext/COU
- CN08 - Development in/near conservation areas
- CR02 - AONB Landscape
- CR07 Landscaping Schemes
- CR08 - Hedgerows
- TP15 Parking Standards – New Development

Relevant Supplementary Planning Document:

- Suffolk Adopted Parking Standards (2015)
- Rural Development and Core Strategy Policy CS11 Supplementary Planning Document, 2014

NPPF - National Planning Policy Framework

Whatfield Neighbourhood Plan Status:

- Area Designated 18 July 2018
- Currently at Stage 2 – preparation

Planning History

B/14/01128 - Outline - Erection of 15 dwellings – refused permission in July 2015 on the following grounds:

1. The applicant has failed to identify a local need, the site has a poor locational connect being isolated from facilities, the proposal is not a natural extension of the village and the scale is such that cumulatively the growth in the village would be disproportionate. The proposal is therefore considered to be an unjustified, unsustainable development contrary to Policies CS2, CS11 and the NPPF

2. The proposed development would be contrary to Policy CN01 of the Babergh Local Plan and Policy CS15 of the Babergh Core Strategy. These Policies require new development to be of a good standard of design that makes a positive contribution to the area.

The development as proposed would be an incongruous incursion in the countryside being an overly dense suburban cul-de-sac layout in an otherwise open field. Furthermore the proposed layout fails to follow urban design principle set out in the Urban Design Compendium and Building for Life 12. The layout would also be dominated by the proposed road, the street would not be created by buildings (giving an incoherent layout with no clear composition or design concept) and there would be a proliferation of boundary treatment fronting the public realm. This is all contrary to the aforementioned Policies and the NPPF.

3. The proposal would be contrary to Policy HS32 of the Local Plan which requires 10% of the site to be public open space. In the absence of public open space the proposal is contrary to the above mentioned Policy.

4. In the absence of a s106 legal agreement/obligation the proposal is contrary to Policies CS21 and CS19 of the Babergh Core Strategy. Policy CS19 requires 35% on site affordable housing whereas Policy CS21 requires development to be supported by, and make adequate provision for, appropriate infrastructure.

In this case the development should make adequate provision of infrastructure via a financial contribution towards education at Hadleigh High School, library facilities at Hadleigh Library and waste facilities at Hadleigh Household waste facility.

Whilst it is acknowledged that the applicant has agreed to all of the above in principle, in the absence of a legal mechanism to secure these infrastructure measures and affordable housing as legal obligations the application is contrary to the above mentioned Policies.

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

Whatfield Parish Council

Initial response

Recommend refusal.

Housing number in excess of that previously refused in 2015. No change in policy since this decision. 15 dwellings approved at Church Farm Place since 2015 and that development accommodate any outstanding local need.

Contrary to Policy CS11.

Outside the defined settlement boundary.

Lack of justification for housing demand locally.

Incorrect and misleading statements in application documentation.

Public transport is not viable and an unsustainable service.

Highway safety issues.

Pedestrian safety risk increased.

Press article lists SCC bus routes to be cut - including routes 120, 461, 462 plus the Ipswich/Hadleigh service.

Subsequent response

SCC have reiterated their projected figures for Whatfield CEVCP School we do not feel School numbers can be bolstered by building more homes.

Whatfield's Neighbourhood Plan Questionnaire data is currently being processed and should provide a wider set of figures for the local need for housing from both residents and the school alike.

The LHNA document submitted by the applicant, prepared by Litchfields seems to contain very generalised, non-Whatfield specific details,

Babergh District Council's own emerging Joint Local Plan (Preferred Options Reg 18 Version) published in July 2019, contains housing figures for each Neighbourhood Area currently producing a Neighbourhood Plan. The figure included in the draft Local Plan for Whatfield is 1 dwelling.

SCC Highways Authority

The NPPF focuses on the importance of promoting sustainable transport and give priority to public transport, pedestrian and cycle movements. The primary school is within the village however, there is not a continuous footway from the site so no safe route for the vulnerable user. Therefore, to make this site acceptable, we request the developer builds a new footway link to the school under s278 or if the other site within the village is permitted, a contribution under s106 is given. Although this is an outline planning application, we would like to mention we have concerns about the layout for this development; these will need to be addressed prior to full application. The main areas of concern are listed below:

The parking places for many of the Plots are not adjacent to the dwellings. Experience has shown that residents tend to park as close as possible to the entrance of their house. Therefore, it is considered the parking allocation is not 'convenient' and may lead to parking on footways, verges and service strips.

Should the Planning Authority be minded to grant planning approval the Highway Authority in Suffolk would recommend they include appropriate conditions and obligations.

Place Services – Landscape

The submitted landscape appraisal is acceptable.

Recommendations:

The LPA Urban Design officer should be consulted as part of this outline planning application and any future application to discuss and comment on layout, boundary treatment, house typologies and plot arrangements with particular attention on the affordable housing layout.

Sensitive boundary treatment (hard and soft) will be key to delivering a good public realm. Careful design around the south and western areas of the site will be important.

A swale has been proposed along the southern boundary of the site. SuDS can improve the quality and, in most cases, aesthetics of the public realm and developments by creating attractive and multi-functional landscape features.

We welcome the inclusion of various informal paths linking to the existing PROW. Any proposed informal footpath should be positioned and design in a way that delivers acceptable levels of passive surveillance.

In order to deliver a satisfactory scheme, the proposal should give consideration to: a. Settlement pattern and orientation in keeping with the existing built pattern. b. Appropriate landscape mitigation using native planting with a fair number of long life expectancy tree species. c. Sensitive approach to listed building to the west of the site by setting back the development from the road and listed building. d. New tree planting to be kept within the public domain rather than under private ownership.

In the event that approval of this outline application is forthcoming then standard reserve matters conditions should be considered.

BMSDC Heritage

Based on the limited amount of information submitted with this outline application, the Heritage Team considers that the proposed development would likely cause a negligible level of harm to the significance of Barrard's Hall, because of the limited impact on its wider setting.

The full extent of any potential harm would depend on details of design, massing, materials and boundary treatment of the proposed development.

This is an outline application for 25 dwellings in the wider setting of the Grade II listed Barrard's Hall. The heritage concern relates to the impact of the proposal on the setting of the listed building, which contributes to its significance.

Barrard's Hall is located a short distance to the south of Whatfield, separated by open agricultural land. It is a C18 red brick house according to the listing description, built on a moated site. The site is set back from Whatfield Road and accessed from a straight drive. Mature vegetation surrounds the moat, but allows some views through to the house. Adjacent to the site to the north are several large modern agricultural buildings. Other than these buildings, the listed building is surrounded by open countryside.

The application site is located to the north-east of the listed building. The southern corner of the site would reach the pond just to the north of the agricultural buildings adjacent Barrard's Hall.

The expansion of Whatfield to the south is slowly encroaching on the open setting of Barrard's Hall, which is a concern. However, development on this current site would only have a minor impact on the wider setting of the listed building, subject to details. The application site only forms a small part of the wider setting of the listed building, and the overall contribution that setting makes to the significance of

the listed building would only be minimally affected. The green buffer zone adjacent Whatfield Road would also help reduce the impact of the development on the setting of the listed building, by preserving a soft edge to this part of the field.

Subject to details of design, massing, materials and boundary treatment, the Heritage Team considers that the proposed development would likely cause a negligible level of harm to the significance of Barrard's Hall, because of the limited impact on the wider setting of the listed building.

BMSDC Policy

Whatfield is geographically a much less sustainable settlement within the Babergh district due to its significant lack of sustainable services and facilities to accommodate major growth such as this proposed.

The proposal would disproportionately expand a rural settlement where sustainability and infrastructure is poor and such a major proposal would exacerbate the situation.

The strategic planning policy team have not assessed this proposal from a detailed perspective. But, given the sites rural location and visually open relationship with the wider undulated and sloped landscape. All constraints should be taken into consideration, which should include landscape and ecology due to the designated Special Landscape Area, protected species in the area and surface water/flood zones.

It is not clear or demonstrated how deliverable the proposal would be.

The strategic planning policy team object to this proposal.

BMSDC Strategic Housing

We have noted the contents of the housing assessment. I refer you to the response previously given on 24th June and note her recommendations for the affordable housing mix however the proposals in table 1.1 of para 1.2 in the assessment are broadly acceptable.

There appears to be no reference to tenure, we require a mix of shared ownership and affordable rent based on the proposed mix as follows:

- 1 x 1 bed 2p bungalow - Affordable rent
- 1 x 2b 4p bungalow - Affordable rent
- 2 x 2b 4p house - Affordable rent
- 2 x 3b 6p house - Affordable rent
- 2 x 2b 4p house - Shared Ownership

SCC Strategic Development

Initial Response

Education:

The local schools are Whatfield CEVC Primary School (catchment school and nearest to the proposed development), Hadleigh High School (ages 11 – 16) (catchment school and is the nearest secondary school, but over 3-miles away), and One (sixth form).

Based on existing primary school forecasts, SCC will have no surplus places available at the catchment primary school. On this basis, at the primary school level a future CIL funding bid of at least £117,124 (2019/20 costs) will be made.

Based on existing secondary school forecasts, SCC will have no surplus places available at the local schools. On this basis, at the secondary school level a future CIL funding bid of at least £133,836 (2019/20 costs) will be made.

If the Council considers that planning permission should be granted for the proposed development, this must be on the basis that s106 developer funding is secured by way of a planning obligation for the site-specific costs of secondary school transport. Contribution required is as follows:

a) School transport contribution – 5 secondary-age pupils are forecast to arise from the proposed development. Developer contributions are sought to fund school transport provision for a minimum of five years for secondary-age pupils. Annual school transport cost per pupil is £960. Therefore, contribution is £960 x 5 pupils x 5 years = £24,000, increased by the RPI. This contribution will be held for a minimum period of 10 years from the first occupation of the final dwelling.

Pre-school:

From these development proposals SCC would anticipate up to 3 pre-school children arising, at a cost per place of £16,732.

This proposed development is in the South Cosford ward, where there is an existing deficit of places. Therefore, a future CIL funding bid of at least £50,196 (2019/20 costs) will be made.

Libraries:

A CIL contribution of £216 per dwelling is sought i.e. £5,400.

Subsequent response

The county council previously responded to this application by way of letter dated 30 May 2019, which set out the infrastructure implications. This consultation response is still applicable. Whatfield CEVC Primary School has a capacity of 56 places (pupil admission number of 8), which for planning purposes is reduced by 5% to 53 places to allow for midyear admissions etc.

The county council has looked at the latest school forecasts for this year and agrees that the pupils on roll are 53 for the 2018/19 academic year. However, whilst the school will be losing a large year 6 group (10 pupils) this does not consider that the school is forecast to have a reception year of 9 pupils. As part of the county council's forecasting work we also look at trends on which schools may gain pupils throughout the year and based on the school having spaces in year 4 and 6 in particular, we would forecast the school to have more than 52 during the year. For 2020/21 the school will lose a smaller year 6 group (currently 4 pupils) and take a forecast 7 pupils in reception, a net gain of 3 taking the school roll to at least 55. Our forecasts show that we expect the school roll to be at or around the mid to low 50s for the foreseeable future.

SCC Flood and Water

Holding objection because whilst the applicant has provided a suitable assessment of flood risk, and a viable method for draining the surface water from the site. The applicant is still proposing to utilise a hybrid SuDs system and have not provide a viability statement as to why a full open SuDs system cannot be utilised in accordance with national and local policy/guidance.

County Archaeological Service

This site lies in an area of archaeological potential recorded on the County Historic Environment Record. Medieval occupation remains have been detected during two recent archaeological investigations in the village (WHA 015 and 018). Roman, Saxon and medieval finds have also been located within the vicinity of the proposed development site (WHA 016 and 016). As a result, 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 in order to achieve preservation in situ of any important heritage assets. However, in accordance with the National Planning Policy Framework (Paragraph 199), 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. In this case two conditions would be appropriate.

Place Services - Ecology

We have reviewed the Ecological Survey Report (MHE Consulting Ltd, January 2019), submitted by the applicant, relating to the likely impacts of development on designated sites, protected species and priority species/habitats.

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 also support the reasonable biodiversity enhancements, which have been recommended to secure measurable net gains for biodiversity, as highlighted within Paragraph 170d of the National Planning Policy Framework 2019. The reasonable biodiversity enhancement measures should be outlined within a Biodiversity Enhancement Strategy and should be secured prior to slab level. This should include the locations of any 130mm x 130mm gaps within the base of fencing, to demonstrate that the movement of hedgehog corridors will be maintained throughout the site.

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

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

Submission for approval and implementation of details should be a condition of any planning consent.

BMSDC – Communities Major Development

The application's location is near to the main village open space/play area, therefore as commented by the Parish Council, the proposed green is more for visual impact rather than as a suitable space for recreation. Therefore, increasing the size at the proposed informal play area associated with the affordable housing would offer increased and safer recreational value to the provision.

BMSDC - Land Contamination

No objection.

Natural England

No comments.

SCC Fire and Rescue

No objection.

B: Representations

43 objections have been received, based on the following grounds (summarised):

- *Planning permission has already been rejected previously on this site and for fewer houses. There has been no change in the circumstances for this new proposal to be granted.
- *Increase in traffic volume
- *Highway safety
- *No planning applications in the village should be considered until our Neighbourhood Plan is published
- *Lack of infrastructure and amenities to meet demand - no spare capacity at the local high school, doctors surgery and dentists.
- *When Wheatfields was completed in the early 70's there was a Pub, Village Shop, Post Office with shop, Garage with petrol pump whereas now it just has a school and village hall.
- *Traffic assessment and travel plan inaccuracies
- *Contrary to Policy CS11 and CS15
- *Density out of keeping with village
- *Development design out of keeping with the local vernacular
- *The proposed development will occupy an unacceptably intrusive position next to an important and valuable protected landscape area.
- *No street lighting
- *Light pollution for houses at the front of Wheatfields, headlights will point in windows - inconsiderately designed
- *Not a logical extension to the village.
- *It will have an overwhelming scale relative to the existing village.
- *It will obscure Barrards Hall - an important historic listed building in our Parish.
- *Having a prominent development siting on the crest of the hill will destroy important rural views from the south west (over Brett valley, from Kersey etc)
- *Lack of public transport and opportunities for employment
- *Development scale disproportionate to village
- *No demonstrable evidence of need for additional housing
- *High car dependency as virtually no bus service - buses not regular, no service on weekends and no bus service supporting those working normal working hours between 7 to 9 and 4 to 6.
- *Outside of settlement boundary
- * Lack of safe public footpath connectivity to village
- *Loss of agricultural land
- *Local Housing Needs Assessment undertaken by a private company for the applicant and not by an independent authority

PART THREE – ASSESSMENT OF APPLICATION

1. Site and Surroundings

- 1.1. The 1.84ha site is located on the southern side of Wheatfields, on the southern fringe of Whatfield, a designated Hinterland Village. The site is located outside of the village's settlement boundary.
- 1.2. The site comprises part of a field in arable use. Whatfield Road borders the site's western boundary. Residential development (Wheatfields estate) is to the north. Open countryside is to the south and east. A public footpath is located on the opposite side of the north-eastern boundary hedge.
- 1.3. The site is not in a Conservation Area or landscape of special designation. A Special Landscape Area is located west of the site on the opposite side of Whatfield Road. The nearest designated heritage asset is the Grade II listed Barrard's Hall, approximately 210m south of the site.

1.4. The site is in Flood Zone 1.

2. Proposal

2.1 The application seeks outline planning permission for the erection of 25 dwellings, including eight affordable dwellings. All matters are reserved except access and layout.

2.2 The application is supported by a proposed layout plan and housing mix. Key elements of the layout are as follows:

- Market mix: 5 x 2 bed; 9 x 3 bed; 3 x 4 bed
- Affordable mix: 1 x 1 bed; 5 x 2 bed; 2 x 3 bed
- Predominantly detached and terraced properties.
- 23 two storey houses, 2 bungalows.
- Density comprising 13-14 dwellings per hectare.
- 67 on-site car spaces, including 7 visitor spaces.
- Informal landscaped public open space at the site's southern end, fronting Whatfield Road and another central to the site fronting Wheatfields, opposite no.'s 20-22.
- Five vehicle access points proposed from Wheatfields.
- Internal vehicle access is via shared lanes (not adopted estate roads).
- The proposal creates a new field boundary along its south-easterly edge, together with new hedgerow.
- New public footpath proposed along the new field boundary, linking the northern public footpath to Whatfield Road.
- Existing sparse hedge to the northern boundary is retained and strengthened with additional mixed native species to reinforce the hedge line.

3. Principle of Development

3.1 Babergh benefits from a five plus year land supply position. A 25 dwelling development will boost the local housing supply and so even though there is a five year housing supply, the additional housing is a planning benefit in the context of the social dimension of sustainable development. Paragraph 59 of the NPPF makes it clear that a Government objective is to significantly boost the national supply of homes. The delivery of 25 dwellings supports the national housing objective and therefore the housing contribution attracts positive planning weight. It is however important to make clear that the weight attached to it, owing to the district's five year housing supply, is moderated. It is significantly less weight than that afforded to the 15 dwelling scheme refused in 2015, because even though lesser dwellings were proposed at the time, Babergh could not demonstrate a five year housing supply in 2015.

3.2 Owing to the current housing supply position, 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.

3.3 Policy CS2 (Settlement Pattern Policy) designates Whatfield 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. Part of the site is within the settlement boundary, the majority is outside the settlement boundary. Policy CS2 therefore applies.

- 3.4 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.
- 3.5 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 within the terms of paragraph 79. Paragraph 79 of the NPPF is not engaged.
- 3.6 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.
- 3.7 The presumption in favour of sustainable development and the need for a balanced approach to decision making are key threads to Policy CS1, CS11 and CS15 of the Core Strategy. Unlike Policy CS2, these policies are consistent with the NPPF, carry full statutory weight and provide the principal assessment framework as it applies to the subject application.
- 3.8 Policy CS1 takes a positive approach to new development that, as noted above, reflects the presumption in favour of sustainable development. It seeks to secure development that improves the economic, social and environmental conditions in the Babergh district.
- 3.9 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.
- 3.10 The site is located on the village's southern fringe, adjacent the settlement boundary. The site is an edge-of-settlement location where the criteria set out at Policy CS11 engage.
- 3.11 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.

3.12 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.

3.13 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

3.14 Whatfield is a small, predominantly linear village surrounded by large agricultural fields within a gently rolling landscape. As is to be expected with a rural village, the setting is rural, with the undeveloped edges of the village consisting of a prevailing open countryside character.

3.15 The site is not in a formally designated landscape of special or particular significance. Nonetheless, the subject land parcel contributes to the rural setting of the village and forms part of the open, undeveloped character at the village edge. The current Wheatfields development has only a moderate amount of landscaping along its edge and therefore the existing dwellings can be seen from views into the village from Whatfield Road. It has therefore been stated that a positive impact on the proposed development will be improving the views into Whatfield by providing an improved landscape boundary.

3.16 The application is supported by a Landscape Appraisal prepared in accordance with the *Guidelines for Landscape and Visual Impact Assessment 2013*. The report comprehensively assesses the potential landscape impact of the proposal, concluding:

'...the proposed development has notable adverse impacts only at close-range in a localised area, particularly affecting the residential receptors of Wheatfields, while the impacts further afield are minor or negligible. The location of the Site benefits from enclosure from the existing housing stock and surrounding mature vegetation, which contains longer-ranging views from the north-west to the north east and east. Given time, impacts from southern and western viewpoints will reduce as the site becomes enclosed in a belt of native hedge and tree planting forming an appropriate strong new village edge and the new attractive 'gateway' is established. It is considered that, with appropriate mitigation, it will be able to absorb this development without any significant long-term adverse effects to the wider surroundings.'

- 3.17 Council's Landscape Consultant has reviewed the Landscape Appraisal and considers it acceptable. The consultant proposes a number of recommendations to assist with mitigating landscape impact and these can be addressed by condition should the Committee be minded to grant outline consent.
- 3.18 The site is well related in a physical sense to the body of the village, being adjacent to it. Landscaped open areas proposed to the western and northern site perimeter will soften the visual impact of the newly introduced built form. The newly created field edge, whilst not a natural boundary, will be heavily landscaped and will offer a vegetated transition to the open field to the south. Unlike the previously refused scheme, the development offers a 'rounding off' of the village body with the site extending the width of the existing Wheatfields development. Having regard to these observations, the Landscape Appraisal conclusions and the Landscape Consultant's review comments, officers consider the landscape harm to be less than moderate. The identified harm nonetheless weighs negatively in the planning balance. The current views into Whatfield are not considered especially detrimental to the surrounding landscape, therefore the proposed new boundary landscaping on the edge of the proposed new development is not considered to be an overall benefit.
- 3.19 The Heritage Team has carefully considered the impact of the proposal on the nearest heritage asset, the Grade II listed Barrard's Hall. The Heritage Team considers the development would only have a minor impact on the wider setting of the listed building and notes the proposed landscaping area adjacent Whatfield Road helps reduce the impact of the development on the setting of the listed building, by preserving a soft edge to this part of the field. Heritage harm is therefore deemed negligible.

The locational context of the village and the proposed development

- 3.20 There is a relatively limited range of amenities and services on offer in the village, including a primary school, village hall and two churches. The supporting Transport Statement sets out the local services on offer. Noteworthy is the absence of local everyday services in the village. There are no social or health care services within 2km of the site. Similarly, there are no food or fresh grocery opportunities within 2km of the site. There is no pharmacy or public house. Everyday services are accessible only by vehicle or public transport.
- 3.21 There is a primary school and bus stops in the village with good pedestrian connectivity (footpath network) to them from the site. Whilst bus stops are accessible by foot, the frequency of the local bus services is low. The bus service timetable is not commuter friendly. Therefore the take-up of the local bus services by residents of the scheme is likely to be very limited.
- 3.22 There are no major employment generators in the village. Future residents of the scheme will travel to employment locations by private vehicle owing to the frequency of the bus services. Owing to the isolated location of the village, these trips would not be short. Sustainable physical connections to employment opportunities beyond the village are considered poor.
- 3.23 With no local everyday services, an absence of local employment opportunities and infrequent bus services, it is concluded that the site is not a sustainable location for housing.

Site location and sequential approach to site selection

- 3.24 The acceptability of the principle of development does not turn on whether or not the site is within the settlement boundary.

- 3.25 The outcome of R (on the application of East Bergholt PC) v Babergh District Council CO/2375/2016 has clarified that in relation to sequential assessment there is no requirement to look at alternative sites adjoining the built up area boundary, as sequentially they are within the same tier.
- 3.26 In the absence of any sites within the settlement boundary and no requirement to consider other sites outside the settlement boundary, the proposal accords with this element of Policy CS11.

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

- 3.27 Affordable housing is provided at a quantum that complies with relevant local policy.
- 3.28 Policy CS18 states that the mix, type and size of the housing development will be expected to reflect established needs in the Babergh district. A local needs assessment has been submitted. The report concludes that there is a locally identified need, both quantitatively and qualitatively in terms of the types of housing to support Whatfield as a hinterland village. Depending on how local need is calculated there is a need of between 7 and 50 additional dwellings within Whatfield between 2019 and 2036 and due to the high number of large dwellings there is a requirement for smaller 2 and 3 bed dwelling. 21 of the 25 dwellings proposed are small to medium, being 2 or 3 bedroom units, and as such respond to the local need (young households – first time buyers - and smaller families) identified in the needs assessment report.
- 3.29 The needs assessment notes the number of elderly people is likely to continue to increase. By 2031, it can be expected that over 65s would make up 35% of the village's population. Some of these residents will seek local accessible dwellings, i.e. ground floor flats or bungalows. Of the 25 dwellings only two bungalows are proposed, both of which are affordable units. This said, two storey houses can accommodate ground floor bedrooms and offer appropriate accessibility in this regard. Moreover, dwellings will be constructed in accordance with Part M of the Building Regulations, which requires provision of disabled access throughout the principal entrance level of each dwelling. This level of housing detail is beyond the scope of this outline assessment. It is more appropriately assessed at the relevant reserved matters stage of the development process.

Locally Identified Community Needs

- 3.30 Policy CS11 requires a similar approach to the determination of proposals for development to meet locally identified community needs, recognising the role of Core Villages and the 'functional clusters' they serve. Paragraph 2.8.5.2 of the Core Strategy notes that the 'approach advocated for the management of growth in Core Villages and their hinterlands, has many benefits for the communities'. The benefits that the application of Policy CS11 and other relevant policies should secure include 'Flexibility in the provision of and location of facilities' ... 'to reflect a catchment area pattern which relates to the day to day practice of the people living in the villages' (see item iii) in paragraph 2.8.5.2).
- 3.31 The SPD identifies that proposals should be accompanied by a statement that analyses the community needs of the village and how they have been taken into account in the proposal. The application is not supported by a needs assessment. This said, the proposal will generate contributions towards community infrastructure, to be spent on local services and infrastructure, therefore supporting rural communities, local services and facilities. In this regard, despite the absence of the needs assessment, the proposal delivers benefits through CIL that are considered to satisfy this element of Policy CS11. The absence of a supporting needs assessment, whilst not weighing in favour of the application, is not fatal to it.

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

- 3.32 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.
- 3.33 Many objectors, including the Parish Council, are concerned with the strain that will be placed on local services, in particular schools and the medical system. It is well-established industry practice that CIL contributions are used to ensure existing infrastructure capacity is enhanced to accommodate additional demand. The required contributions are clearly set out in the relevant SCC referral response. Additional infrastructure requirements is a consequence of the development, they are not adverse social, physical or environmental impacts.
- 3.34 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 Layout

- 3.35 Layout is a matter sought for approval. The indicative layout is perhaps best described as a loose linear arrangement, as noted in the Landscape Appraisal. It is different to the established village development pattern which presents the standard estate road type layout, with conventional residential streets the character outcome. However different does not necessarily equate to disrespectful or unacceptable. The loose arrangement allows for the incorporation of landscaped fringes to the development, both on the northern (Wheatfields) and southern boundaries. The development features shared access rather than estate roads. The resulting landscape outcome is one that limits the dominance of hard surface treatments. This does result in an absence of internal footpaths, however footpath links are proposed to the site perimeter and the shared accesses will be slow speed environments. This compromise therefore does not amount to material harm in a sustainability sense.
- 3.36 The character outcome sought by the application starkly contrasts to that refused previously. The refused scheme comprised 15 dwellings on a relatively small (in comparison) 0.3ha site, equating to 50dph. What is now proposed is 25 dwellings over a 1.84ha site, equating to between 13 and 14dph. The much lower density provides significantly more landscaping opportunity, and this coupled with an absence of estate roads, provides a more respectful landscape character response.

Meets local need identified in neighbourhood plan

- 3.37 The Whatfield Neighbourhood Plan is not sufficiently advanced as to offer any direction or weight on this matter.

Supports local services and/or creates employment opportunities

- 3.38 A 25 dwelling development will create short term employment opportunities, creating jobs in the local building industry. The resident population of the 25 dwellings will support local services in the village by increasing the local customer base. These matters would provide less than moderate benefits due to the number of units proposed and the fact there are such limited services on offer in the village.

Delivery of permitted schemes

- 3.39 The proposal complies in this respect.

Policy CS15 Sustainable Development

3.40 Policy CS15 is a long, wide-ranging, criteria based policy, setting out how the Council will seek to implement sustainable development. It contains a total of 19 criteria, covering matters such as landscape impact, job creation, minimising energy and waste and promoting healthy living and accessibility. Many of the criterion within policy CS15 are covered within the individual sections of this report including, for example, landscape impacts, heritage asset impacts, and minimising car use and it is not, therefore, necessary to run through each and every one of those criteria in this section of the report. The following issues are noted in respect of Policy CS15 criteria:

- The proposal would provide work for local contractors during the construction period, thereby providing economic gain through local spend within the community (criterion iii).
- The proposed development would support local services and facilities, and enhance and protect the vitality of this rural community (criterion v).
- During construction, methods will be employed to minimise waste (criterion xiv).
- The proposed dwellings will be constructed as a minimum to meet the requirements of Part L of the Building Regulations, which requires a high level of energy efficiency (criterion xv).
- The application is supported by an ecology report that has been reviewed by Council's Ecology Consultant who does not raise an objection subject to securing enhancements via planning conditions.
- Highway (criterion xix) considerations are considered below.
- Flooding and surface water drainage (criterion xi) is considered below.
- The application is supported by a Land Contamination Assessment. Environmental Health does not raise an objection.

4. Vehicle Access

- 4.1 Paragraph 108 of the NPPF requires development proposals incorporate safe and suitable access that can be achieved for all users. Paragraph 109 of the NPPF confirms that development may be prevented or refused on highway grounds where the impact on highway safety is unacceptable.
- 4.2 Access is a matter for consideration. The Highways Authority does not object to the proposed access arrangements. It is therefore concluded that the proposed accesses are appropriate and that highway safety outcomes are within acceptable limits. If the Committee is minded to grant outline permission officers recommend the adoption of the conditions put forward by the Highways Authority.
- 4.3 In addition the Highway Authority has requested that the development provides funding for a new footway between the existing footway on Whatfield Road and Whatfield Primary School, a distance of 76 metres. The agent has agreed in principle to this contribution which would allow the occupiers of the development to access the school and adjacent village hall along footways.

- 4.4 The scheme offers acceptable highway safety outcomes, compliant with saved policy TP15 of the Local Plan, and criteria xviii and xix of Policy CS15.

5. Flooding and Surface Water Drainage

- 5.1 The site is within flood zone 1 therefore the risk of flooding is low.
- 5.2 The Flood and Surface Water Drainage officer has recommended a holding objection because whilst the applicant has provided a suitable assessment of flood risk, and a viable method for draining the surface water from the site. The applicant is still proposing to utilise a hybrid SuDs system and have not provide a viability statement as to why a full open SuDs system cannot be utilised in accordance with national and local policy/guidance. The Flood and Surface Water Drainage Officer has requested that the applicant provides either :- 1. Re submit the FRA demonstrating that a full above ground SuDs solution can be utilised on the site or; 2. Submit a viability statement demonstrating why point 1 cannot be achieved on this proposed development
- 5.3 The agent has confirmed that the additional information as requested will be provided and an update will be provided at Committee.

6. Residential Amenity

- 6.1 External amenity impacts can only be considered in the knowledge of all detailed design elements, including siting and scale. These are only indicative at this outline stage and may change. Residential amenity is therefore most appropriately managed at the reserved matters stage of the development process.

7. Emerging Local Plan

- 7.1 The Council is developing a new Local Plan, that is currently out for consultation (July 2019). The application site is not identified in the emerging plan.
- 7.2 Paragraph 48 of the NPPF states that decision makers may give weight to relevant policies in emerging plans according to:

- “1. the stage of preparation of the emerging plan;*
- 2. the extent to which there are unresolved objections to relevant policies in the emerging plan;*
- and*
- 3. the degree of consistency of relevant policies to the policies in the Framework.”*

- 7.3 Further to this it is noted that this site is not proposed to be allocated within the emerging Joint Local Plan. Paragraph 49 of the NPPF identifies that prematurity is unlikely to be a ground for refusal for a development unless both the following statements apply:
- 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 plan; and
 - b) the emerging plan is at an advanced stage but is not yet formally part of the development plan for the area.

- 7.4 Members will note that both of the above clauses need to be met to be able to refuse planning permission on the basis of prematurity. Neither the emerging Joint Local Plan (JLP) or the Whatfield Neighbourhood Development Plan are at an advanced stage in their preparation for the purposes of this statement. The Emerging Local Plan is, therefore, considered to carry some limited weight in the consideration of the application, but as it is yet to undergo examination, it is not considered to outweigh

the material considerations assessed above in accordance with up to-date planning policies and the NPPF.

PART FOUR – CONCLUSION

8. Planning Balance and Conclusion

- 8.1 Council can demonstrate a five year housing supply and therefore the tilted balance at paragraph 11 of the NPPF is not engaged. The Whatfield Neighbourhood Plan is not sufficiently advanced as to be a material consideration with significant weight.
- 8.2 The statutory weight attached to Policy CS2. The site's edge of settlement location means the development is not isolated in the terms of paragraph 79 of the NPPF.
- 8.3 The edge-of-settlement location means Policy CS11 engages, a policy that contemplates residential development subject to the resolution of a range of matters. Residential amenity, archaeology, ecology and drainage matters are resolvable either by planning conditions or can be adequately dealt with at the reserved matters stage.
- 8.4 Benefits of the development relate to social and economic elements, namely, additional employment during construction, eight affordable units, a contribution to the district's housing stock, smaller household provision responding to local need, and the consequential population increase that will help sustain local village amenities. However these benefits are not attached any considerable weight because there isn't currently a housing shortfall in Babergh and the local village amenities that are to be sustained by the increase in the resident population are extremely limited. Other benefits are the proposed public footpath link and landscaped public 'green' areas offering enhanced amenity for the existing villagers and a new footway to the school and village hall.
- 8.5 Countering the less than considerable benefits is the identified environmental harm. Sitting adjacent the body of the village, the development can be absorbed without enduring long-term adverse landscape effects. This harm, when considered in isolation, does not amount to serious policy conflict. What is more harmful in environmental terms is the development's likely high level of car dependency. The village does not sustain everyday local services and bus services are not a realistic proposition for commuters. Moreover, the village's isolated location means trips to employment generators in larger centres are not short. The site is an unsustainable location for housing given the functional isolation. These matters run contrary to Policy CS11 and CS15.
- 8.6 The identified environmental harm, when considered in the round, outweighs the identified benefits of the proposal. The planning balance does not weigh in favour of the scheme.
- 8.7 The proposal will not deliver sustainable development, contrary to Policy CS1, CS11, CS15 and the core principles of the NPPF. The application is recommended for refusal.

RECOMMENDATION

- (1) That the Corporate Manager - Planning for Growth be authorised to refuse Outline Planning Permission for the erection of 25 dwellings (8 affordable dwellings) and associated site layout and access for the following reason:

1. The proposed development, remote from local services and sustainable transport modes, will result in a high level of car dependency for future occupants. The scale and location of the development would result in landscape harm, undermining the open character and rural setting of the village. For these reasons the proposal would cause demonstrable environmental harm and therefore does not constitute sustainable development, contrary to saved Policy CN01 of the Babergh Local Plan (2006), Policies CS1, CS11 and CS15 of the Babergh Core Strategy (2014) and paragraph 17 of the National Planning Policy Framework.