

Committee Report

Item 6C

Reference: DC/19/02288
Case Officer: Daniel Cameron

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 15 dwellings (including 6 affordable dwellings), creation of new vehicular access

Location

Land south of Naughton Road Whatfield Suffolk

Parish: Whatfield

Expiry Date

Application Type: Outline planning application

Development Type: Major Small Scale - Dwellings

Applicant: Mr Ingleton

Agent: Pomery Planning Consultants 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

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

Recommend refusal

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 with proposed new access from Naughton Road.

Pedestrian safety risk increased.

Impact on unlisted neighbouring barn, non-designated heritage asset.

Proximity to sewage works impacting future occupants' amenity.

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

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 near 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 at the back of the dwellings or some distance from their plots; 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 conditions and obligations are recommended.

BMSDC Strategic Housing

The policy position would be for 35% affordable housing on any site over 10 units, equating to 5.25 dwellings in total to be policy compliant. Outline planning application has been submitted for 6 affordable homes equating to 40%. The preferred affordable housing mix is detailed below:

Rented – 4 homes required:

- 2 x 2 bed 4-person house @ 79 sqm
- 2 x 2 bed 3-person bungalow @ 63sqm

Shared Ownership – 2 homes required:

- 2 x 2 bed 4-person house @ 79 sqm

SCC Strategic Development

Education:

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 £66,928 (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 £89,224 (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 – 3 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 3 pupils x 5 years = £14,400, 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 2 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 £33,464 (2019/20 costs) will be made.

Libraries:

A CIL contribution of £216 per dwelling is sought i.e. £3,240.

Anglian Water

There are assets owned by Anglian Water or those subject to an adoption agreement within or close to the development boundary that may affect the layout of the site. Anglian Water would ask that the following text be included within your Notice should permission be granted.

Anglian Water has assets close to or crossing this site or there are assets subject to an adoption agreement. Therefore the site layout should take this into account and accommodate those assets within either prospectively adoptable highways or public open space.

The foul drainage from this development is in the catchment of Whatfield Water Recycling Centre that will have available capacity for these flows.

The sewerage system at present has available capacity for these flows via a gravity discharge regime. If the developer wishes to connect to our sewerage network they should serve notice under Section 106 of the Water Industry Act 1991.

The preferred method of surface water disposal would be to a sustainable drainage system (SuDS) with connection to sewer seen as the last option. Building Regulations (part H) on Drainage and Waste Disposal for England includes a surface water drainage hierarchy, with infiltration on site as the preferred disposal option, followed by discharge to watercourse and then connection to a sewer.

From the details submitted to support the planning application the proposed method of surface water management does not relate to Anglian Water operated assets. As such, we are unable to provide comments on the suitability of the surface water management. The Local Planning Authority should seek the advice of the Lead Local Flood Authority or the Internal Drainage Board.

County Archaeological Service

This site lies in an area of archaeological potential recorded on the County Historic Environment Record. On the opposite side of the road a large quantity of medieval occupation remains were excavated (WHA 014) including building remains. Thus, there is high potential for the discovery of below-ground heritage assets of archaeological importance within this area, and groundworks associated with the development have the potential to damage or destroy any archaeological remains which exist.

There are no grounds to consider refusal of permission to achieve preservation in situ of any important heritage assets. However, in accordance with the National Planning Policy Framework (Paragraph 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.

Place Services - Ecology

Holding objection due to insufficient ecological information

We have reviewed the Preliminary Ecological Appraisal (Robson Ecology Ltd, June 2018) provided by the applicant, relating to the likely impacts of development on designated sites, Protected & Priority species/habitats.

We are not satisfied that sufficient ecological information is currently available for determination of this application. This is because the Preliminary Ecological Appraisal has recommended that a Great Crested Newt population survey is required for this application, as the species has been recorded in ponds adjacent to the site.

These surveys are required prior to determination because paragraph 99 of the ODPM Circular 2005 highlights that: "It is essential that the presence or otherwise of protected species, and the extent that they may be affected by the proposed development, is established before the planning permission is granted, otherwise all relevant material considerations may not have been addressed in making the decision."

It is highlighted that a European Protected Species Mitigation (EPSM) licence may need to be secured from Natural England for this application. This would be secured by the LPA as a condition of any consent, prior to commencement.

In addition, we note that the Preliminary Ecological Appraisal indicates that a number of priority farmland birds could be present within the red line boundary, (if the arable crop is suitable during the nesting season). Therefore, we also request that a Breeding Bird Survey, following the BTO Common Bird Census Methodology, should also be undertaken for this application. This will determine whether any priority farmland bird species will be present and affected by the proposed works and identify the need for any further mitigation measures.

Consequently, this further information is required to provide the LPA with certainty of impacts on legally protected and Priority species and enable it to demonstrate compliance with its statutory duties, including its biodiversity duty under s40 NERC Act 2006.

BMSDC - Land Contamination

No objection.

Natural England

No comments.

SCC Fire and Rescue

No objection. Hydrants are required for this development, however, it is not possible at this time to determine the number of hydrants required.

BMSDC Public Realm

Public realm offers no objection to these outline proposals. The provision of open space is sufficient for a development of this size. We will comment in more detail once more detailed plans become available.

This would not be an open space that the Council would adopt and future submitted proposals and plans should include how the open space elements of this application are to be managed.

Suffolk County Council Travel Planning

Thank you for consulting me over the proposed development at Land South of Naughton Road in Whatfield. I have no comment to make, as the existing sustainable transport infrastructure is limited for commuting purposes, in addition to the development being too small to justify a Travel Plan in accordance with national planning guidance

BMSDC Communities Team

Although the application site includes open space, its location at the north end of the village may require the provision of some play equipment within the meadow area.

B: Representations

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

- *Increase in traffic volume
 - *Highway safety
 - *Lack of infrastructure and amenities to meet demand - no spare capacity at the local high school, doctors surgery and dentists
 - *Traffic assessment and travel plan inaccuracies
 - *Contrary to Policy CS11 and CS15
 - *Outline planning application is unacceptable, detailed application required
 - *No footpaths on The Street when using the pedestrian routes to the School, Village Hall or Playground
 - *Density out of keeping with village
 - *No community consultation as stated
 - *Lack of public transport and opportunities for employment
-

- *Application is supported by documents of very low quality
- *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
- *Road through the village is devoid of adequate pavements with no street lighting
- *Adjacent the Sewage Works - odour issues
- *Close proximity to a Grade II listed barn
- *Loss of food producing greenfield site
- *Village has an inconsistent power supply and a sewage system
- *Vehicle access location will cause loss of outlook, privacy and headlight glare

PART THREE – ASSESSMENT OF APPLICATION

1. The Site and Surroundings

- 1.1. The 1.56ha triangular site is located on the eastern side of Naughton Road, at the north-eastern end of Whatfield, a designated Hinterland Village. The site is located outside of the village's settlement boundary. The southern end of the site adjoins the emerging settlement boundary, as defined in the emerging Joint Local Plan (Preferred Options (Reg 18) - July 2019).
- 1.2. The site comprises part of a field in arable use (classified as Grade 3). Residential development is located south and west, on the opposite side of Naughton Road. Open countryside is to the south and east. A sewage plant is east of the site. The site's road frontage is defined by a hedgerow, aside from a small gap in the hedge at the site's northern end.
- 1.3. The site is not in a Conservation Area or landscape of special designation. The nearest designated heritage asset is located south of the junction of Naughton Road and Whatfield Road, and is identified as Street Farmhouse, a the Grade II listed building comprising a timber framed and plastered building with thatched roof.
- 1.4. The site is in Flood Zone 1.

2. The Proposal

- 2.1 The application seeks outline planning permission for the erection of 15 dwellings, including 6 affordable dwellings. All matters are reserved except access.
- 2.2 The application is supported by an indicative layout and indicative housing mix. The mix comprises 8 x 2 bedroom homes, 3 x 3 bedroom homes and 4 x 4 bedroom homes.
- 2.3 Key elements of the indicative layout are as follows:
 - Cul-de-sac type development, comprising a mix of housing types - detached, semi-detached and terraced properties
 - Density comprising 9.6 dwellings per hectare
 - Informal public open space at the site's southern end, adjacent Church Barn
 - Vehicular access is proposed at a single point onto Naughton Road
 - Provision of a public footpath along the site's frontage with Naughton Road. The footpath extends beyond the site boundary to the north east to accommodate existing dwellings on the

north side of Naughton Road, which at present has no footway linking these dwellings with the village

- Hedgerow retention on two boundaries together with landscaping to the south-eastern boundaries. Hedgerow replacement at the Naughton Road frontage to facilitate incorporation of a footpath.

3. The Principle of Development

- 3.1 Babergh benefits from a five plus year land supply position as required by paragraph 73 of the NPPF. 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.
- 3.2 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.
- 3.3 The Core Strategy adopted in 2014 expressly anticipated, and stated within the document, that the District settlement boundaries would be reviewed, and sites allocated for development following the adoption of the Core Strategy. The Local Development Scheme (LDS) produced in 2012 advised that a new combined LDS would commence in autumn 2012 and stated it was not possible to provide an up to date programme for site specific allocations. It is noted that in the original LDS in 2007 it was anticipated that the Site Allocations document would be adopted within 6 months of the Core Strategy having been adopted. This has not to date happened. The current LDS, published in July 2018, now indicates that the Joint Local Plan, including site allocations, will be adopted in February 2020.
- 3.4 The exceptional circumstances test at Policy CS2 applies to all land outside the settlement boundary. This blanket approach is not consistent with the NPPF, which favours a more balanced approach to decision-making. The NPPF does contain a not dissimilar exceptional circumstances test, set out at paragraph 79, however it is only engaged where development is isolated. For the reasons set out in this report, the development is not isolated. Paragraph 79 of the NPPF is not engaged.
- 3.5 Having regard to the material delay in the review of settlement boundaries and in the allocation of sites, and the absence of a balanced approach as favoured by the NPPF, the statutory weight to be attached to Policy CS2 is reduced. The fact that the site is outside the settlement boundary is therefore not a determinative factor upon which the application turns.
- 3.6 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.
- 3.7 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.

- 3.8 As noted in the Core Strategy, delivery of housing to meet the district's needs within the framework of the existing settlement pattern means there is a need for 'urban (edge) extensions' as well as locally appropriate levels of growth in the villages. Policy CS11 responds to this challenge, setting out the 'Strategy for Development in Core and Hinterland Villages'. The general purpose of Policy CS11 is to provide greater flexibility in the location of new housing development in the Core and Hinterland Villages.
- 3.9 The site is located on the north-eastern fringe of the village, opposite the settlement boundary. The site is an edge-of-settlement location where the criteria set out at Policy CS11 engage.
- 3.10 Policy CS11 states that development in hinterland villages will be approved where proposals are able to demonstrate a close functional relationship to the existing settlement and where the following criteria are addressed to Council's satisfaction:
- (a) Core villages criteria:
 - i) the landscape, environmental and heritage characteristics of the village;
 - ii) the locational context of the village and the proposed development (particularly the AONBs, Conservation Areas, and heritage assets);
 - iii) site location and sequential approach to site selection;
 - iv) locally identified need - housing and employment, and specific local needs such as affordable housing;
 - v) locally identified community needs; and
 - vi) cumulative impact of development in the area in respect of social, physical and environmental impacts.
 - (b) Additional hinterland village criteria:
 - i) is well designed and appropriate in size / scale, layout and character to its setting and to the village;
 - ii) is adjacent or well related to the existing pattern of development for that settlement;
 - iii) meets a proven local need, such as affordable housing or targeted market housing identified in an adopted community local plan / neighbourhood plan;
 - iv) supports local services and/or creates or expands employment opportunities; and
 - v) does not compromise the delivery of permitted or identified schemes in adopted community / village local plans within the same functional cluster.
- 3.11 The accompanying 'Rural Development & Core Strategy Policy CS11 Supplementary Planning Document' (the 'SPD') was adopted by the Council on 8 August 2014. The SPD was prepared to provide guidance on the interpretation and application of Policy CS11, acknowledging that the Site Allocations Document foreshadowed in Policy CS11 may not be prepared for some time. Although the SPD is not part of the statutory development plan, its preparation included a process of community consultation before it was adopted by the Council and means that it is a material consideration when planning applications are determined.
- 3.12 The matters listed in Policy CS11, which proposals for development for Hinterland Villages must address, are now considered in turn. Policy CS15 criteria, which an application must score positively against, are addressed later in this report.

The landscape, environmental and heritage characteristics of the village

- 3.13 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.

- 3.14 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 expanse of open field extends between Naughton Road and Whatfield Road, is not insignificant in scale, and is experienced from multiple public vantage points, including in long distance views from the public footpath north of the site. The exposed nature of the site and absence of topographical variation heightens its sensitivity, and arguably open landscape character value. Landscape sensitivity is deemed moderate.
- 3.15 The site is closely related to the development on its southern side and, as a result, will read as a continuation of the existing development pattern as one departs the village along Naughton Road. However, a different landscape effect will be experienced on the approach to the village from the north. This is because the site is very open at its northern end, not contained in a visual sense by any form of natural or man-made screening. On the southern approach the urban form of development will therefore appear prominent in the landscape. This prominence is intensified by the site's location, projecting well into the open countryside. This would cause harm to the character and appearance of the area. Moreover, the development's northern boundary does not appear logical or natural. To the contrary, on the ground it will appear arbitrary, as its location appears not to take its cue from any existing landscape feature. This accentuates the rather stark transition at the newly created urban/rural edge.
- 3.16 The site is relatively exposed in views south from Whatfield Road. The applicant seeks to mitigate the landscape effect on Whatfield Road along the southern approach by proposing a significant eastern landscaping corridor. It is acknowledged that this will, in time, maintain a degree of rural character. The large open space at the site's southern end will also maintain some degree of openness. On the whole however, despite these mitigation measures the introduction of 15 single and double storey dwellings would harm the open landscape qualities of the area. The identified harm weighs negatively in the planning balance.
- 3.17 There are no designated heritage assets sufficiently near the application site to raise a concern on heritage grounds. The adjacent southern barn is deemed a non-designated heritage asset. The indicative layout suggests a respectful approach to this asset, with the development set behind a generous open space area. The open space serves as an effective visual buffer, ensuring that harm to the setting of the southern barn is negligible.

The locational context of the village and the proposed development

- 3.18 There is a relatively limited range of amenities and services on offer in the village, as is to be expected in a Hinterland Village. This said, it does have a primary school. Bus stops are also located centrally within the village, not particularly far from the site.
- 3.19 Occupants of the development would not have ready access to the few local amenities on foot. There is no footpath between the site and the village centre. The nearest footpath is 350m south of the site. The school is at the village's extreme southern point while the application site is at its extreme northern point. The stretch of road to be traversed on foot, to access the village proper, is narrow and not lit. It is not considered to be compatible with safe pedestrian movements and is considered to present a pedestrian safety risk. This said, car journeys between the site and amenities would be short and are to be expected in a rural village.
- 3.20 The accessibility of the local bus services, their frequency and the relatively isolated location of the village means that private transport options are likely to be the predominant form of transport for the properties. There are no parking areas conveniently located near the bus stops. Moreover, the bus service timetable is not commuter friendly, a recurring concern and frustration of many local resident objectors. The use of the local bus services by residents of the scheme is

going to be extremely limited and then further limited once the proposed reduction to services is brought into place.

- 3.21 There is no viable sustainable transport mode to reach employment locations, and there are no major employment generators in the village. Future residents of the scheme would travel to employment locations by private vehicle and owing to the relatively isolated location of the village, these trips would not be short. Sustainable physical connections to local village services, and employment opportunities beyond the village, are considered poor.
- 3.22 On the matter of footpaths, it is noted that the Planning Statement observes that the proposed Naughton Road footpath extends beyond the site boundary to the north east to accommodate existing dwellings on the north side of Naughton Road, which at present has no footway linking these dwellings with the village. Whilst the new footpath will serve the existing dwellings, as already noted the new footpath does not link to the village proper. The new footpath offers limited, if any, benefit to existing residents.
- 3.23 The Highways Authority also raises the issue of the absence of a continuous footpath, in respect to connecting with the village primary school. To address this use the Authority recommends the applicant builds a new footway link near the school. It is unclear as to the location and length of the footpath the Authority has in mind. Unless the footpath would link to the application site, which would appear all but physically impossible, it is difficult to see how this requirement would resolve the issue of pedestrian connectivity between the site and the school. Officers are not convinced this represents an adequate mitigation measure.

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. As noted above, the site is well related and accessible by walking and public transport to local services and facilities.
- 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 not been submitted to support this application. However, a local needs assessment was submitted in support of a similar application (DC/19/02489) within Whatfield concluded there was a locally identified need, of between 7 and 50 additional dwellings required up to 2036. It further concluded that due to the large number of larger dwellings in the area, local housing need was focussed on the delivery of smaller 2 and 3 bedroomed properties. The indicative layout shows 8 x 2 bedroom homes, 3 x 3 bedroom homes and 4 x 4 bedroom homes. The indicative layout could respond more positively to the identified need, as four larger homes does not represent 'good value' in this respect. This is not to say some larger homes are not possible, it is more a case that a smaller proportion could be provided, with the balance made up of smaller units. The

layout is however only indicative. There is opportunity to provide a revised housing mix at the relevant reserved matters stage should the Committee be minded to grant outline permission. There is conflict with local policy however it is not considered fatal to the proposal given it need not be addressed at this outline stage.

Locally Identified Community Needs

- 3.29 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).
- 3.30 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

- 3.31 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.
- 3.32 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 are a consequence of the development, they are not adverse social, physical or environmental impacts.
- 3.33 There are no grounds to reject the proposal because of any unacceptable adverse impact on local services and infrastructure. The proposal complies with this element of Policy CS11.

Development scale, layout and character

- 3.34 Detailed design, scale, layout and landscaping are reserved matters and therefore detailed considerations in respect to these elements are beyond the scope of this outline assessment. The layout as submitted is indicative only but shows the dwellings arranged around a single point of access, with gardens splayed out behind. The indicative layout demonstrates that parking in accordance with the adopted parking standards can be achieved on site while a good-sized private amenity area can be provided for each dwelling. The layout is not considered to be in keeping with the character of the surrounding area which is strongly linear in its relationship to the highway.

Meets local need identified in neighbourhood plan

3.35 The Whatfield Neighbourhood Plan is not sufficiently advanced as to offer any direction on this matter.

Supports local services and/or creates employment opportunities

3.36 A 15 dwelling development will create short term employment opportunities, creating jobs in the local building industry. The resident population of the 15 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.

Delivery of permitted schemes

3.37 The proposal complies in this respect.

Policy CS15 Sustainable Development

3.38 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. The Ecology Consultant considers that a Great Crested Newt population survey and a Breeding Bird Survey be provided prior to determination. These reports have been submitted by the applicants and are currently being reviewed by the Council's Ecology Consultants. An update on their findings will be presented at the meeting.
- Highway (criterion xix) considerations are considered below.
- The application is supported by a Land Contamination Assessment. Environmental Health do not raise 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 arrangement. It is therefore concluded that the proposed access is appropriate and that highway safety outcomes are within acceptable limits. The majority of the conditions recommended by the Highways Authority are more appropriately managed at the reserved matters stage, as they do not relate specifically to the vehicle access per se. If the Committee is minded to grant outline permission officers recommend only imposing very few of the conditions listed.
- 4.3 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. Residential Amenity

- 5.1 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 will change. Residential amenity is therefore most appropriately managed at the reserved matters stage of the development process. Proximity of the sewage works is noted; however, this is unlikely to result in reverse sensitivity issues for future occupants given the separation distance between it and the development site, a deliberate design response offered by the applicant.
- 5.2 The site sits entirely within Flood Zone 1 and the submitted Flood Risk Assessment concludes that the surface water run off from the site can be collectively managed through the use of on-site surface water drainage features including swales, attenuation basins and permeable surfaces. It concludes that future surface water run-off would not affect flood water storage in the flood plain or lead to increased levels of run-off affecting neighbouring sites.

PART FOUR – CONCLUSION

6. Planning Balance and Conclusion

- 6.1 Council can demonstrate a five-year housing supply and therefore the tilted balance at paragraph 11 of the NPPF is not engaged.
- 6.2 The statutory weight to be attached to Policy CS2 is reduced owing to the age of the settlement boundaries and the blanket approach favoured by the policy not being consistent with the balanced approach to decision making advocated by the NPPF. The site's edge of settlement location means the development is not isolated in the terms of paragraph 79 of the NPPF.
- 6.3 The site's 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, subject to confirmation, and drainage matters are resolvable either by planning conditions or can be adequately dealt with at the reserved matters stage. Benefits of the development relate to social and economic elements, namely, additional employment during construction, a contribution to the housing stock (of which there is not a current shortfall and so the benefits are tempered in this regard) and the consequential population increase that will help sustain local village amenities. The proposal results in negligible heritage harm.

- 6.4 Countering these benefits is the detriment to the open character of this part of the village, notwithstanding the low housing density proposed. Landscape harm is deemed moderate. Environmental harm will also result from the development's high level of car dependency. This is because pedestrian connectivity to the village and bus stops is poor (in essence non-existent), bus services are not a realistic proposition for commuters, and the village's relatively isolated location means trips to employment generators in larger centres are not short. The site is an unsustainable location for residential development given its functional isolation. These matters run contrary to elements of Policy CS11 and CS15.
- 6.5 The identified harm is not insignificant, as is the policy conflict. It is at a level that outweighs the limited benefits of the proposal. The planning balance does not weigh in favour of the scheme.
- 6.6 The proposal will not deliver sustainable development, contrary to Policy CS1, CS11, CS15 and the core principles of the NPPF.
- 6.7 The application is recommended for refusal.

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.

RECOMMENDATION

1. The proposed development, lacking pedestrian connectivity and accessible 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.