

Committee Report

Item 6B

Reference: DC/19/03185

Case Officer: Jack Wilkinson

Ward: Lavenham

Ward Members: Cllr Clive Arthey and Cllr Margaret Maybury

RECOMMENDATION – APPROVE RESERVED MATTERS SUBJECT TO CONDITIONS

Description of Development

Submission of Reserved Matters details for outline planning permission DC/17/03100 (Appearance, Scale, Layout and Landscaping) and details for Conditions 5, 6, 9, 10, 13 and 14 for 25 dwellings

Location

Land south of Howlett of Lavenham, Melford Road, Lavenham, Suffolk, CO10 9SG

Parish: Lavenham

Expiry Date: 05.11.2019

Application Type: Reserved Matters

Development Type: Housing

Applicant: Hopkins & Moore (Developments) Limited

Agent: NA

PART ONE – REASON FOR REFERENCE TO COMMITTEE

The application is referred to committee for the following reason:

It is a 'Major' application for:

- a residential development for 15 or more dwellings.

Details of Previous Committee / Resolutions and any member site visit

None.

PART TWO – POLICIES AND CONSULTATION SUMMARY

Summary of Policies

National Planning Policy Framework (2019)

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

Babergh Local Plan Alteration No.2 (2006):

CN04 - Design and Crime Prevention
CR07 - Landscaping Schemes
CR08 - Hedgerows
CS19 - Affordable Homes
CS18 - Mix and Types of Dwellings
CN01 - Design Standards
CS01 - Applying the presumption in Favour of Sustainable Development in Babergh
CS02 - Settlement Pattern Policy
CS03 - Strategy for Growth and Development
CS11 - Core and Hinterland Villages
CS15 - Implementing Sustainable Development
TP15 - Parking Standards – New Development

Lavenham Neighbourhood Plan (2016):

Policy H4: Allocation of Affordable Housing
Policy H3: Affordable Housing
Policy H2: Housing Mix –meeting local needs
Policy D1: Design and Character
Policy D2: High Quality Design
Policy C8: Connectivity

Supplementary Planning Documents:

Suffolk Adopted Parking Standards (2015)
Affordable Housing (2014)
Suffolk Design Guide (2000)

Planning History

DC/17/03100 - outline planning application (means of access to be considered only) - erection of 25 dwellings with vehicular access onto Melford Road – approved 16 January 2018. A Section 106 Agreement was agreed by the parties on 12 January 2018 obligating the owner to:

- provide eight affordable units
- not to occupy more than eight market housing units until the affordable units have been constructed and made ready for residential occupation and all affordable units transferred to a Registered Provider
- not to commence development until an Open Space Scheme has been submitted.

- not allow occupation of the final Dwelling until the Open Space has been provided and laid out in accordance with the approved Open Space Scheme
- retain and maintain the open space in accordance with the Open Space Scheme and the Planning Permission for public benefit
- maintain and manage the Open Space strictly in accordance with the Open Space Scheme.

Consultations and Representations

During the course of the application consultation and representations from third parties have been received as follows.

A: Summary of Consultations

Lavenham Parish Council

Objection. The concentration of Affordable and Social Housing in cul-de-sac configurations does not assist an inclusive or coherent approach. Elsewhere in Babergh, the pepper-pot approach to spreading these dwellings around the site is more common and is designed to be more successful in bringing about social inclusion. The Royal Town Planning Institute and the Chartered Institute of Housing support the aims and are working together to ensure that cross-professional co-operations are at the heart of such successful planning for housing and the delivery of more and better housing in the right location and configuration. The Parish Council is disappointed these much respected organisations ideas on good practice are not being implemented on this development.

The building elevations are not sympathetic to either the Lavenham variety or vernacular, which suggests that the NPPF 2019, and particularly Chapter 12, have not made the intended impact on the design, nor has reference been made to the relevant pages on style in the Lavenham Neighbourhood Plan.

The environmental impact of the adjacent Howett's site and works on the new housing development area has been avoided once more. We feel that full environmental evaluation could have an impact on the site layout and the number of dwellings.

Recommendation - Refusal, as incomplete.

Rider: The Parish Council cannot completely approve the Application until all Conditions have been submitted, and possibly the opportunity taken to revisit earlier parts of the Application. We ask that Babergh District Council Planning considers this matter also.

The Parish Council is in agreement with the views expressed in the Environmental Protection Team's Memorandum submitted by Joanna Hart.

Officers acknowledge the concerns raised by the Parish.

Place Services – Ecology

No objection. We have reassessed the Ecological Survey report (MHE Consulting Ltd, October 2017), relating to the likely impacts of the development on designated sites, protected species and priority species / habitat. We have also reviewed the submitted Detailed Soft Landscape Proposals (Elwood Landscape Design, June 2019).

We are satisfied that sufficient information has been supplied to meet the requirements of both Condition 9 and 14.

The Soft Landscape Proposals contains a suitable level of detail and appropriate ecological enhancement recommendations, which will ensure that the application will deliver a net gain for biodiversity. However,

we request that mitigation measures contained within Ecological Survey report (MHE Consulting Ltd, October 2017) should still be implemented in full for this application. Therefore, the mitigation measures contained within the report should still be secured within the decision notice for this application, to ensure that the mitigation measures are appropriately implemented.

Officers acknowledge the acceptable nature of the scheme in ecological terms.

Place Services - Landscape

No objection. Condition 13; action required prior to commencement of development: Landscaping Scheme. The submitted landscape scheme is thorough and includes the suitable level of detail to discharge this condition.

Condition 14; action required in accordance with a specific timetable: Landscaping details required. The submitted landscape scheme is thorough and includes the suitable level of detail to discharge this condition.

Anglian Water

No objection.

Water recycling centre – Lavenham.

Water recycling centre capacity – Yes.

Is there foul water capacity in network – Yes.

We have reviewed the applicant's submitted foul drainage strategy and flood risk documentation and consider that the impacts on the public foul sewerage network are acceptable to Anglian Water at this stage. We request that we are consulted on any forthcoming application to discharge Condition 25 of the outline planning application DC/17/03100, to which this Reserved Matters application relates, that require the submission and approval of detailed foul drainage information.

Surface Water Strategy

We have reviewed the applicant's submitted surface water drainage information and have found that the proposed method of surface water discharge does not relate to an Anglian Water owned asset. As such, it is outside of our jurisdiction and we are unable to provide comments on the suitability of the surface water discharge.

BMSDC – Communities

No objection. It is questionable whether the location of the development warrants a more developed open space i.e. including some form of play equipment. This should be a local decision determined by the Parish Council in regard to their approach to play provision within the village. Officers acknowledge the comments expressed however this was not an aspect secured at outline stage.

BMSDC Public Realm

No objection. The Public Realm team note that the public open space is largely a landscaping strip at the edge of the properties and serves only the properties on this development. I would expect a local solution to be put in place for the future management of the landscape areas rather than expect the Local Authority to adopt this area in the future.

BMSDC Affordable Housing

No objection. The applicant in making the Reserved Matters application has taken account of my comments made at the outline application stage in 2017.

The mix for the affordable homes proposed is for:

Affordable Rented = 6

2 x 1 bed 2-person houses @ 58.62 sqm

4 x 2bed 4-person houses @ 79.8 sqm

Shared Ownership = 2

1 x 2 bed 4-person house @81.56 sqm
1 x 3 bed 5-person house @ 93.83 sqm

The layout does locate the affordable units all in one cul-de-sac separated away from the open market homes so it will be easy to spot which the affordable homes will be (plots 13 - 20 inclusive) with plots 18 and 20 being the shared ownership dwellings. I would be seeking reassurances that if permission is granted that upon receipt of the reserved matters that the applicant guarantees that the construction materials will create a tenure blind appearance. I would have wanted to see a better integration of the affordable homes across the site to encourage a more balanced development instead of the somewhat contrived separation in the far corner of the site.

Open market mix:

With the ageing population in Lavenham and across Babergh District it is very disappointing not to see the inclusion of any bungalows or chalet bungalows in the mix as this would enable some of the existing older people to consider downsizing to more suitable accommodation. However, the inclusion of 2 and 3 bed private dwellings is to be welcomed.

Officers acknowledge the clustered nature of the AH units, however given the size of the development, there is little before Officers to suggest the AH units should be more sparsely spread.

Environmental Health - Land Contamination

No objection.

Environmental Health – Sustainability

It is acknowledged that the application is for outline permission but considering the number of dwellings proposed some consideration of this topic area is expected. This council is keen to encourage consideration of sustainability issues at an early stage so that the most environmentally friendly buildings are constructed and the inclusion of sustainable techniques, materials, technology etc can be incorporated into the scheme without compromising the overall viability.

Therefore we request a condition to address the above.

Clear commitments and minimum standards should be declared and phrases such as 'where possible, subject to, where feasible' must not be used. Evidence should be included where appropriate demonstrating the applicants previous good work and standards achieved in areas such as site waste management, e.g. what recycling rate has the applicant achieved in recent projects to show that their % recycling rate commitment is likely.

Officers acknowledge the comments raised and consider that the scheme responds well to the essence of national planning policy. The reserved matters are already set through the eyes of the outline scheme approved. It would appear that the consultee has misunderstood the reserved matters nature of the application.

OFFICER COMMENT – The application is NOT for Outline permission, but for Reserved Matters. This is discussed in the relevant section below.

Environmental Health

No objection. The Assessment identifies that the noise on site is dominated by traffic noise from Sudbury Road and Melford Road, both of which border the site.

In terms of external areas, the assessment recommends that gardens should have a 1.8m close boarded fence in order to ensure that noise levels in external amenity areas are below BS8233 guideline vales. I

note this is proposed in the detailed soft landscaping proposals plan (produced by ELD, dated 04.06.19, drawing no HOPK 428/30-002) layout, and would recommend that this be required by means of condition.

In terms of internal areas, the Assessment identifies that it would not be possible to open bedroom windows facing the roads at night without exceeding both BS8233 guideline values and Who guideline values for L_{max} short-lived events (such as vehicle passbys). Therefore, it is recommended that bedrooms facing roads be fitted with standard thermal double glazing with an attenuation rating of 30dBRW or more, in conjunction with acoustic trickle ventilators with an attenuation rating of 35dB D_{nnw} or higher. I would recommend that this also be required by means of condition.

The assessment considers noise from the Howlett garage and concludes that during the monitoring period these were not significant, although audible – section 2.19 states that as the dominant noise on site is road traffic there was ‘insufficient noise from the Howlett site to enable a meaningful assessment using the guidance in BS 4142’. However, the assessment acknowledges that “there may be occasions during the workday when noisier activities may occur although these are unlikely to be particularly prolonged”. This therefore is a subjective decision – I do however note that in the case of plots 1-3 sensitive living areas (lounge) are located at the front of the property and thus further away from the garage. You may wish to suggest that the developer re-orientate the layout of the ground floors of plots 13-17 for the same reason. I understand that Howlett’s garage submitted a letter in response to the original application, in which they state that they operate on a 7-day basis including late night working – in light of this, and informed by knowledge of any planning restrictions on the garage site, you may wish to consider requiring the above specified glazing to rear bedroom windows of plots 1-3, and 13- 16 in order to provide enhanced acoustic protection in the event of such working.

OFFICER COMMENT - Officers concur with the EHO findings and resolve to impose condition(s) as suggested.

SCC Flood and Water

No objection. Suffolk County Council, Flood and Water Management have reviewed application and recommend approval to discharge condition 5 and 6. The scheme shall be fully implemented as approved.

SCC Strategic Development

No objection. The County Council previously set out the infrastructure implications in the consultation response letter dated 09 October 2017 in respect of reference DC/17/03100, which will form the basis of a future CIL funding bid.

SCC Highways

No objection. SCC Highways do not object to the proposal subject to conditions relating to details of access and associated works, manoeuvring and parking, electric charging points, and refuse / recycling points.

Natural England

No comments.

B: Representations

None received.

PART THREE – ASSESSMENT OF APPLICATION

1.0 The Site and Surroundings

- 1.1 The application site is located on the eastern side of Melford Road, on the southern fringe of Lavenham. The site is immediately south of Howletts garage, a car repair workshop and car sales showroom.
- 1.2 To the south of the application site is a single house on the Sudbury Road, agricultural land and a large group of homes on Melford Road. The southern site boundary is marked by a line of mature trees. To the east are homes fronting Sudbury Road and a hedge forming a field boundary. The eastern site boundary is lined with a roadside hedge, which is protected. To the west of the site is a high hedge on the opposite side of the road, with agricultural land beyond. The western site boundary is marked by an overgrown hedge.
- 1.3 The application site itself is grass and encroaching scrub. A footpath on the opposite side of Melford Road connects residential properties to the south west with the centre of Lavenham. The Melford Road in the vicinity of the site is within a 30mph zone. At the nearby junction of Melford and Sudbury Road are bus stops. These are within 200m metres of the site.
- 1.4 The development is not located either adjacent or opposite any listed buildings and the site is not located within a Conservation Area. The site is in Flood Zone 1.

2.0 The Proposal

- 2.1 Outline planning permission has been granted for up to 25 dwellings, including means of access. Approval of reserved matters in respect to appearance, landscaping, layout and scale are now sought.
- 2.2 The outline approval included means of vehicle access. Vehicle access is therefore not considered further in this report.
- 2.3 Key elements of the development are as follows:
 - Eight affordable units (35% provision) provided in a cluster at the north-eastern corner of the site.
 - Double storey dwellings with one single storey unit, including detached, semi-detached and terraced properties, with single level detached garaging.
 - The dwellings are set around a cul-de-sac type arrangement with single vehicle access provided via Melford Road.
 - The architectural response comprises a traditional vernacular.
 - Retention of hedgerow and trees at site boundaries.
 - Landscaped open space corridor provided along the site's southern boundary.
 - 3m wide landscape buffer provided to the northern boundary.
 - Proposed footpath extends along the Melford Road frontage.

3.0 The Principle of Development

- 3.1 The principle of development has been established by grant of outline planning permission DC/17/03100. The key test is whether the proposed appearance, landscaping, layout and scale of development responds appropriately to the character and amenity of the area, having regard to relevant guiding development plan policies, including the Lavenham Neighbourhood Plan (LNP). Considerations also include housing mix and affordable housing provision and layout.

4.0 Nearby Services and Connections Assessment of Proposal

4.1 This matter was dealt with at Outline.

4.0 Site Access, Parking And Highway Safety Considerations

5.1 Site access / egress has been established by the grant of outline planning permission DC/17/03100.

5.2 On-site parking provision is standard compliant.

5.0 Design And Layout [Impact on Streetscene]

6.1 The development layout is generally consistent with the indicative layout considered at the time of the outline application. A cul-de-sac type arrangement is typical of developments of this scale and noteworthy are the similar type arrangements in the village, including Butfield, The Glebe, Tenter Piece and Green Willows.

6.2 LNP Policy D2 calls for high quality design in new development. This includes incorporating safe and attractive pedestrian and cycling routes, low speed streets with plenty of trees and planting to limit the visual impact of parked cars. Car parking will not dominate the streetscape because garaging is mostly set well back from the internal streets. The cul-de-sac arrangement means vehicle speeds will be moderated and the footpath on the western side of Melford Road provides a pedestrian link to the village. The response to LNP Policy D2 is generally good.

6.3 The development comprises two-storey dwellings with, in the main, single-storey detached garaging. The prevailing scale of development to the south, on the western side of Melford Road, is two- storey. Likewise, dwellings to the north of the site that front the B1071, and those in Butfield and The Glebe, are also two-storey. These observations suggest the proposed development scale is consistent with the village character.

6.4 Whilst the scheme does only provide one single storey dwelling, this does not result in serious character harm given the prevailing character of the village. The scheme is technically in accordance with Policy CS15(xvi). It also runs 'in step' LNP Policy D2 which states that development needs to consider the specific needs of different groups in the community such as older people and applying the principles of a 'lifetime neighbourhood'.

6.5 There is some flexibility regarding the appearance of the scheme given the site's significant distance from Lavenham's historic core, the Lavenham Conservation Area, the Special Landscape Area on the village's eastern fringe and the absence of nearby designated heritage assets. The architectural language adopted across the development responds positively to the character of the area. Design elements are traditional and commonplace across Suffolk. The internal streetscapes will be visually attractive, add to the overall built form quality of the area and establish an appropriate sense of place for future residents.

6.6 On the whole the choice of materials and the traditional form and profiles of the dwellings are such that the development's appearance is deemed acceptable, consistent with the aspirations of the LNP, the Core Strategy and national design policy.

6.7 LNP Policy D1 states that applicants for major development proposals are required to actively engage in consultation with the Parish Council and the community, via the provision of a development brief, as part of the design process prior to any application being submitted. In

response the applicant notes that they met with members of the Parish Council in February and tabled an earlier layout for discussion and feedback, whilst also providing the Parish Council with a complete set of the current proposals ahead of formal submission. The applicant is of the view that at the February meeting, members of the Parish Council appeared generally content with the overall form, scale, design and layout of the proposal.

7.0 Landscape Impact, Trees, Ecology, Biodiversity And Protected Species

- 7.1 The layout includes a landscaped green corridor at the site's southern boundary, featuring the retention of the mature vegetation along this boundary linking to the protected hedgerow east of the site. This, and the retention of the northern hedgerows at the site perimeter, are appropriate landscape responses that will enhance the setting of the development and result in a sympathetic transition to the open countryside beyond. This is the significant landscape benefit of an internalised road layout, and one that responds positively to LNP Policy D2, which encourages development that avoids hard edges directly into open farmland. The retention of hedgerows and complementary landscaping at the site's fringes is also consistent with LNP Policy D1, which expects new development to 'retain and enhance vegetated boundaries as much as possible, particularly those of intact hedgerows and trees.'
- 7.2 In respect to the landscape planting detail, The council's Landscape Consultant describes the landscaping scheme as 'thorough' and sufficient to discharge the landscaping conditions attached to the Outline permission. Biodiversity considerations are adequately addressed by conditions (9 and 14) on the Outline permission and need not be assessed as part of this application.
- 7.3 The desire of the Council's Public Realm Officer to ensure the open space does not subsequently become the responsibility of the Council is noted and already addressed by the s106 agreement executed as part of the outline permission.

8.0 Land Contamination, Flood Risk, Drainage and Waste

- 8.1 The site is not located in a vulnerable flood zone area; therefore the risks of flooding are considered to be low. Nonetheless, the Lead Local Flood Authority (LFA) were consulted as part of the consultation process.
- 8.2 Infiltration rate testing has been performed and the site is deemed to be sufficient for housing. The surface water run off onto the highway has been assessed by the LHA, and Officers concur with LFA findings insofar as the sites sealed surfaces could be adequately managed. The scheme does not present concern in this regard, and there is little before Officers to suggest a flood and water compliant scheme could not be delivered, and that conditions 5 and 6 can be discharged.

9.0 Heritage Issues [Including the Impact on the Character and Appearance of the Conservation Area and on the Setting of Neighbouring Listed Buildings]

- 9.1 No issues.

10.0 Impact On Residential Amenity

- 10.1 The layout has been designed in a manner that nine rear gardens lie adjacent to the common boundary with the garage, noting the proximity of the garage workshop to the site's northern boundary. This is not considered a site responsive design, and there appears to be no compelling reason why the layout could not be designed in a manner that significantly reduces the number of private gardens set adjacent the garage site, which in turn would significantly limit the potential for reverse sensitivity complaints from residents.

- 10.2 The above said, the layout incorporates a 3-metre wide landscaped buffer, provided in order to mitigate the potential adverse impacts of the garage on the residential amenity of the development. The applicant has also submitted a Noise Assessment Report which assessed noise levels at two locations in proximity to the northern site boundaries in 2017, during which the doors to the repair bays of the garage workshop were open. The Report states that the principal noise affecting the site related to road traffic and that there were insufficient noise levels from the garage to enable a meaningful assessment to be undertaken using the guidance in BS 4142. The noise evidence, coupled with the proposed 3m landscaped amenity buffer, suggest that the northern amenity interface will be acceptable.
- 10.3 The EH Officer raises concern regarding the potential for light spill from the garage onto future residential properties. The applicant contends that the distances involved and orientation of the lighting should be able to ensure that any disturbance to future occupants is minimised. Officers agree.
- 10.4 The neighbouring southern dwelling is set sufficiently away from the development so as to ensure an appropriate residential amenity interface is provided. It is noted that the proposal has not attracted any residential amenity based objections.
- 11.0 Planning Obligations / CIL (delete if not applicable)**
- 11.1 The affordable housing cluster is acceptable given the modest number of dwellings involved. The Strategic Housing Officer raises no objection.
- 11.2 The housing mix provides for predominantly two and three bedroom houses, consistent with the identified local need, well integrated with three and four bedroom properties.
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PART FOUR – CONCLUSION

12.0 Planning Balance And Conclusion

- 12.1 The principle of the 25 dwelling development is established by the grant of outline planning permission DC/17/03100. The quantum of development accords with the outline approval.
- 12.2 There are elements of the scheme that are endorsed by Officers, which include: the retention of hedgerows, incorporation of northern and southern landscape buffers, adoption of traditional vernacular, standard compliant affordable housing provision, and a good mix of predominantly two and three bedroom dwellings which respond to local housing need. The design emphasis is welcomed, resulting in a visually attractive scheme with good social, economic and environmental benefits.
- 12.3 On the whole, the details submitted in support of the reserved matters application are deemed acceptable, notwithstanding some local policy conflicts. The reserved matters are recommended for approval.

RECOMMENDATION

- (1) That the Corporate Manager- Planning for Growth be authorised to approve reserved matters of appearance, layout, scale and landscaping subject to conditions:
1. Withdrawal PD rights

2. Noise attenuation