

## **Committee Report**

**Item 8B**

**Reference:** 1856/17

**Case Officer:** Jo Hobbs

**Ward:** Claydon & Barham.

**Ward Member/s:** Cllr Timothy Passmore. Cllr John Whitehead.

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## **RECOMMENDATION – APPROVE PLANNING PERMISSION WITH CONDITIONS**

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### **Details of Development**

#### **Description of Development**

Outline planning application (with all matters reserved except for access and spine road) for phased development for the erection of up to 269 dwellings and affordable housing, together with associated access and spine road including works to Church Lane, doctor's surgery site, amenity space including an extension to the Church grounds, reserved site for Pre-School and Primary School and all other works and infrastructure (amended description).

#### **Location**

Land North West Of, Church Lane, Barham, Suffolk

**Expiry Date:** 28/02/2020

**Application Type:** OUT - Outline Planning Application

**Development Type:** Major Large Scale - Dwellings

**Applicant:** Pigeon Investment Management Ltd And Mr John Cutting

**Agent:** Beacon Planning Ltd

**Parish:** Barham

**Site Area:** 24.1ha

#### **Density of Development:**

Gross Density (Total Site): 11 dwellings per hectare (dph)

Net Density (Developed Site, excluding open space and SuDs): 23dph

**Details of Previous Committee / Resolutions and any member site visit:** Resolved to refuse

**Has a Committee Call In request been received from a Council Member (Appendix 1):** No

**Has the application been subject to Pre-Application Advice:** Yes

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## **PART ONE – REASON FOR REFERENCE TO COMMITTEE**

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The application is referred to committee for the following reason/s:

It is a “Major” application for:

- a residential land allocation for 15 or more dwellings

**Details of Previous Committee / Resolutions and any member site visit**

Members of Mid Suffolk Planning Referrals Committee resolved the following on 14<sup>th</sup> March 2018:

“Minded to Refuse:

The application fails to demonstrate that the proposal would not have a significant and demonstrable adverse impact upon the natural and local environment including biodiversity contrary to paragraph 109 and 118 NPPF and the heritage interest in the site, including archaeological interests contrary to paragraph 131 and 134 NPPF

And that

The Committee are concerned that the information presently to hand is insufficient to determine the application in its present form. Instruct the Corporate Manager to report back on:

- Adequacy and content of ecological and landscape evaluation
- Adequacy and content of the archaeological information and impact upon heritage interests
- Adequacy and content of highways advice

With appropriate further advice as relevant and that the application be reported back in due course.”

This application as now reported has evolved from that point and is now accompanied by further information on ecology, landscape, archaeology and highway impact and mitigation that officers consider addresses previous concerns and resolution to refuse.

**Has a Committee Call In request been received from a Council Member?**

No

**Details of Pre-Application Advice**

There was a pre-application enquiry on part of the site under reference 3370/15, but material considerations such as the presence of a five year land supply, have evolved since this time. This report provides an up to date assessment of the proposals against the development plan and material considerations.

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**PART TWO – POLICIES AND CONSULTATION SUMMARY**

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**Summary of Policies**

Core Strategy Focused Review 2012:

FC1 – Presumption in favour of sustainable development

FC1.1 – Mid Suffolk approach to delivering sustainable development

FC2 – Provision and distribution of housing

Mid Suffolk Core Strategy 2008:

- CS1 – Settlement hierarchy
- CS2 – Development in the Countryside and Countryside Villages
- CS3 – Reduce contributions to climate change
- CS4 – Adapting to climate change
- CS5 – Mid Suffolk's environment
- CS6 – Services and infrastructure
- CS9 – Density and mix (of housing)

Mid Suffolk Local Plan 1998:

- GP1 – Design and layout of development
- HB1 – Protection of historic buildings
- HB7 – Protecting gardens and parkland of historic interest
- HB14 – Ensuring archaeological remains are not destroyed
- H7 – Restricting housing development unrelated to the needs of the countryside
- H13 – Design and layout of housing development
- H14 – A range of house types to meet different accommodation needs
- H15 – Development to reflect local characteristics
- H16 – Protecting existing residential amenity
- CL8 – Protecting wildlife habitat
- CL9 – Recognised wildlife areas
- CL11 – Retaining high quality agricultural land
- T4 – Planning obligations and highways infrastructure
- T9 – Parking standards
- T10 – Highway considerations in development
- T11 - Facilities for pedestrians and cyclists
- T12 - Designing for people with disabilities
- T13 – Bus services
- RT4 – Amenity open space and play areas within residential development
- RT12 – Footpaths and bridleways
- SC4 – Protection of groundwater supplies
- SC8 – Siting of new school buildings
- SC10 – Siting of local community health services
- Altered policy H4 – A proportion of affordable housing in new housing developments (July 2016)

**List of other relevant legislation**

- Town & Country Planning (Environmental Impact Assessment) Regulations 2017
- Equality Act 2010 (as amended)
- Human Rights Act 1998
- Town & Country Planning (Listed Buildings & Conservation Areas) Act 1990
- Natural Environment and Rural Communities (NERC) Act 2006 (any rural site)
- The Conservation of Habitats and Species Regulations 2010
- Localism Act
- Consideration has been given to the provisions of Section 17 of the Crime and Disorder Act, 1998, in the assessment of this application but the proposal does not raise any significant issues.

### **Other material considerations**

National Planning Policy Framework 2019

Suffolk County Council Parking Standards

Suffolk County Council Minerals Core Strategy 2008 – Policy 5

Suffolk County Council Emerging Minerals and Waste Local Plan (2018) – Policy MS1

Supplementary Planning Document for Social Infrastructure including Open Space, Sport and Recreation (2007)

Emerging Joint Local Plan – Preferred Options (Regulation 18) Consultation (July 2019)

### **Neighbourhood Plan Status**

This application site is not within a Neighbourhood Plan Area.

### **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**

##### **Daniel Poulter MP**

Concern over scope of development – need to ensure new, larger GP surgery is prioritised as part of the build of the site. Also have traffic/highway concerns.

#### **Town/Parish Council (Appendix 3)**

##### **Barham Parish Council**

1<sup>st</sup> response (joint with Claydon and Whitton Parish Council): Concerns including: Sewer capacity, surface water runoff, fresh water supply, traffic volumes/rat running via Henley, parking at both local schools, outside natural boundary of village, potential for further development to north, impact on sustainability of area, ecology. Recognise closure of Barham Church Lane would improve traffic flow and safety in area, support additional parking. Support: ease of access to church and reconnect church to village.

2<sup>nd</sup> comments: Comments have not changed to those previously submitted.

3<sup>rd</sup> response: Still object to application. Advice from traffic consultant suggests traffic counts taken in July (non-typical month with lower traffic flows); primary school drop-off trips assumed to be spread over an hour between 08:00 and 09:00 when in reality a 15-minute period of the peak hour; no mitigation for right hand turn on Claydon Church Lane; concerns over road safety impact on road network; queue lengths questioned; Mean, Maximum Queue (MMQ) lengths not accounting for full queue length; Transport Assessment should be remodelled after correcting these errors; primary school expansion for existing housing development in the catchment area; weight limits on Thornhill Road or Kirby Rise required; new primary school may allow other further development in area; delivery of new doctor's surgery not guaranteed creating public misconception; outside development boundary; ecology impact; foul water capacity - investment in existing network required; if approved require the following through condition:- restrict vehicle weight on all through roads south of spine road and on York Crescent; new spine road

completed and available at early stage of development; height of buildings to not affect view of church; sewerage system improvements should be taken before commencement on site.

4<sup>th</sup> response: (Response by Planning and Design Group on behalf of Barham Parish Council)

Consider the proposed development inappropriate through its countryside location, excessive scale and weight of cumulative negative technical impacts. Opposition from Parish Council and local community, 61 out of 66 public comments raised significant objection; development plan policies seek to resist development in open countryside to this scale, severe negative impact on both the character and appearance of the countryside to the north of Claydon, there would be a considerable social and environmental detriment to the local area; Council have sufficient land supply as of July 2018 which diminishes principle of development proposed, proposal unsustainable location for residential development; consider housing land supply position of July 2018 appropriate to use; focus for development in Key Service Centres such as Claydon should be re-use of previously developed land and allow infill as identified in core strategy policies CS1 and CS7; Housing requirements under policy FC2 of the Core Strategy Focused Review 2012 is opposed to piecemeal loss of open countryside, existing consents will meet housing needs in immediate area; question principle of development and consider proposals fail to deliver development in a sustainable location, neither conserving or enhancing the local character of Claydon and surrounding countryside; potential wider loss of countryside through further planning applications to north of Claydon, identified in Land Availability Assessment (sites SS0076 and SS0551), doubling the size of Claydon and remove break between Claydon and built-up area around Sandy Lane. No sustainable or a sound planning approach; matters leading to previous resolution to refuse still not addressed – highway network no adequate to accommodate cumulative impact of this and wider committed development and Transport Assessment now two years old; adverse impact to setting of St Mary and St Peters Church; impact on views of Shrubland Hall; archaeological concerns remain; query whether school, pre-school and doctor's surgery will be delivered; no information on how school will operate on site (plans).

5<sup>th</sup> response (dated 13<sup>th</sup> March 2019) from THaT Consultancy on behalf of Parish Council:

Question whether any revised supporting transport assessment information has been submitted for either this or planning application 18//00861 to support applications, and whether mitigation measures address impacts as a result of the proposed development. It is not clear how Local Highway Authority responded in November 2018 to the application 18/00861 as no further supporting information had been made public. Unclear as to how cumulative impact has been assessed and why 18/00861 requires no mitigation measures, but Norwich Road scheme (1856/17) requires pedestrian and cycle mitigation measures. Local highway network currently operating at or close to, capacity, proposed development will take this over capacity. Continue to also have the concerns of; carriageway width restriction at entrance to Ely Road scheme, Ely Road should become a 20mph road, safety measures for pedestrians and cyclists on Thornhill Road. In relation to Church Lane Barham development suggest a road safety audit is carried out before permission is granted to cover the new highway infrastructure proposed as part of development, sections of the existing highway network that will be operating close or over capacity, access routes between sites and schools and village centre, route along Barham Church Lane and northern outskirts of Ipswich.

6<sup>th</sup> response (received 3<sup>rd</sup> and 6<sup>th</sup> December 2019):

Continue to object to both applications at Ely Road (DC/18/00861) and Church Lane (1856/17):

- Highway concerns are not addressed by additional highways package submitted by developers
- Do not consider measures will benefit local communities or have regard for wishes of local residents/representatives
- Parish Council's views have always been side-lined in favour of the requirements of the developers
- Parish Council has significant concerns with SCC having control of the funds as to date they have not taken onboard the views/concerns of the Parish Council.

- No guarantees strategies will be delivered
- Query how report can claim to promote travel by bus when Suffolk County Council has cut subsidies to bus services in the area which has reduced the number of buses serving Barham.
- Earlier proposals to promote cycling included turning the footpath that runs beside Claydon Primary School into a cycle way, appalled at suggestion and significant concern over conflict with pedestrians.
- Argument to the council mainly based on financial contributions that are deemed to be a benefit to the village.
- Impact of cumulative developments in area
- Contrary to development plan policies – not sustainable growth.
- Approving this would open up to further proposed development to north on Norwich Road.
- THaT Consultancy report June 2018 identified that the existing highway network was not considered adequate to accommodate the cumulative impact of this and wider committed / proposed development. Severe highway impact likely.
- Encroachment to Church, impact on listed red brick wall, development beyond existing village envelope, loss of grade 2 agricultural land and safety of residents, especially children, unacceptable
- Also overcrowded school and GP surgery capacity concerns

### **Claydon and Whitton Parish Council**

1<sup>st</sup> response: Joint response with Barham Parish Council, detailed above.

2<sup>nd</sup> response: No further comments to add to original comments.

3<sup>rd</sup> response: Object on following grounds: Traffic will come through Claydon and traffic control measures would be required; parking in Claydon already an issue and will be worse with additional residents using local facilities; surgery, school and shops are of paramount importance; drainage of huge concern; over development of the site for the natural growth of the village; eastern extremity of the site is above the existing planning line for all the other buildings fronting The Slade and would potentially create a precedent and yet further development in Claydon towards what is one of our few natural habitats left in the village; right of way at the junction of Thornhill Road will be from the new development and will need traffic calming measures.

4<sup>th</sup> response: Claydon and Whitton Parish Council remain strongly opposed to this development for all of the reasons that have previously been submitted by the Parish Council. The revised plans do not change the views of the Parish Council that this development would severely impact on the traffic in Claydon, it would put pressure on local infrastructure and services that are at capacity and would destroy ecologically important green belt land.

5<sup>th</sup> response: Claydon and Whitton Parish Council remain opposed to this application for all the previous reasons stated. The minor changes made to the application do not have an impact on the problems with excess traffic in the village. The latest proposal shows no improvement to the problem of the roads.

### **National Consultee (Appendix 4)**

#### **NHS England**

Need to expand healthcare provision, extension, refurbishment or reconfiguration of the existing Barham and Claydon Surgery will be sought through CIL monies.

#### **Anglian Water**

Available capacity for wastewater treatment at Ipswich-Cliff Quay Water Recycling Centre, risk of foul water flooding but mitigation measure to be conditioned. Surface water acceptable if conditioned.

### **Highways England**

No objection

### **Historic England**

1<sup>st</sup> response: Impact on Church of St Peter and Church of St Mary (both GI) and Shrubland Hall (GII\*). Object on impact on significance of heritage assets.

2<sup>nd</sup> response: Impact on setting of Church; east - single storey and 7 plots; thicker planting on north boundary; impact on Shrubland Hall reduced to modest harm. Still impact - views obscured of church from Norwich Road, affect approach to church from west along Church Road, harm to significance.

3<sup>rd</sup> response: Units reduced to 269, self build removed, single storey at eastern end still confirmed on recent plan. Reduced impact to church, more rural setting; reduced impact to Shrubland Hall. Local Planning Authority now need to weigh harms against public benefits.

### **Natural England**

1<sup>st</sup> response: Insufficient information on soil quality and land quality, and insufficient information on impacts on Stour and Orwell Estuaries Special Protection Area (SPA).

2<sup>nd</sup> response: Habitats Regulations Assessment required and a contribution to mitigate visitor pressure to above sites. Survey and mitigation for Great Crested Newts acceptable. Protect newt habitat through Section 106 agreement. Agreed not Best and Most Versatile Agricultural Land.

3<sup>rd</sup> response: (December 2019): Further information required to assess the recreational disturbance impacts from this development. A Habitats Regulations Assessment - Stage 2: Appropriate Assessment will need to be undertaken (by the Local Planning Authority) to consider this issue.

### **Suffolk Wildlife Trust**

1<sup>st</sup> response: Further information on Great Crested Newts, Skylarks, and nesting opportunities in hedges to be lost.

2<sup>nd</sup> response: Query over location of receptor site. Condition newt relocation prior to planning permission being granted. Provision of skylark plots on neighbouring land, condition skylark mitigation for duration of development, brown hares still recued habitat, condition replacement hedge to be native species, still some adverse ecological impacts. If approved ecological mitigation and enhancement strategy to be secured.

## **County Council Responses (Appendix 5)**

### **Local Highway Authority**

1<sup>st</sup> response: S106 money requested; visibility splay on spine road; access for shared road too close to junction of spine road and Norwich Road; lagoon land - retaining wall query; 1m service strips if no footpath next to roads; trip generation info needed; rat-running through spine road concern; safety route to school to be demonstrated; bus operators - contact to see if they agree with route; school travel plan required; S38 to be entered into; no permeable paving on adopted roads; other sites not assessed.

2<sup>nd</sup> response: Cumulative impacts, with potential severe delays at key junctions - Station Road/Norwich Road (Claydon); Church Road/Ipswich Road (Claydon); Loraine Way/Lower Street/Burstall Road (Sproughton).

3<sup>rd</sup> response: Following the previous response asking for the cumulative effect of developments on junctions in Claydon, Barham, Bramford and Sproughton, meetings have taken place including all the developers for these sites. It has been concluded only this development has an impact on Station Road/Norwich Road and Church Road/Norwich Road junctions. The impact is during the peak hour in the growth year showing significant delays, these are not considered severe.

To improve safety for the pedestrian and cyclist, highway improvement schemes are required at these junctions and will be included in the conditions below. No objections subject to conditions and S106 contributions.

4<sup>th</sup> response (December 2019): Development would not have a severe impact on the highway network, therefore no objection subject to conditions and S106 contributions.

### **SCC Rights of Way**

Adjacent to footpath, no objections, informative notes requested.

### **SCC Travel**

Response to application part of comments from SCC Highways.

### **SCC Archaeology Services**

1<sup>st</sup> response: Area of Nationally Important Archaeology. Request field not ploughed. Recommend conditions. Further information requested on cycle path and depth of cremation burial (with evidence of understanding from church of this info).

2<sup>nd</sup> response: Geophysical survey and trenched evaluation in 2016; well preserved high-status Anglo-Saxon settlement equivalent to Scheduled Ancient Monument; condition remainder of site; Anglo Saxon under active farmland; new large trees on top as well, these should be shallow rooted; car park and new road - build up condition; object further info requested for blue area.

3<sup>rd</sup> response: Previous objections now addressed. Preservation in situ of archaeological remains in 'blue area' acceptable and planting in sensitive archaeological areas has been flagged as needing to use shallow rooted plants. The new road and car park in this area will need to be built up with no below-ground disturbance. An Archaeological Management Plan should be submitted outlining the strategy for preserving the area of the Anglo-Saxon settlement in situ. Require written confirmation that no groundworks (including ploughing, site stripping, landscaping, planting, services, fencing, attenuation or machinery movements) will be undertaken in this part of the site. In addition measures which will be put into place to ensure that no ground disturbance will occur in this area both during and post contribution works will need to be outlined and agreed through condition. (Written confirmation is required from the Church who will be transferred land that they understand no ground disturbance, including use as a cemetery, can be undertaken in the area.)

### **SCC Strategic Development**

Minimum of 2ha required for on-site provision of primary school; cost of land contribution to be offset by £77,682 to reflect required contribution for land and build cost for pupils to be generated by this proposed development, build cost £1,084,314; secondary school place provision within catchment from CIL totalling £1,080,110, there is a pre-school surplus in area, so no contribution required. Also request play provision,

libraries contribution through CIL (£58,320 or £216 per dwelling), appropriate waste facilities, support housing and broadband.

### **SCC Mineral Planning Authority**

The site is within the Minerals Consultation Areas Suffolk Minerals and Waste Local Plan (SMWLP) Safeguarding and Proposed Sites map. The corner of 1856/17 also clips the SMWLP safeguarding area for the Barham Quarry.

The closeness of this site to existing housing precludes the quarrying of the underlying sand and gravel to a large extent although as a sustainable alternative developers should use where possible the underlying sand and gravel in the construction of the sites. In addition 1856/17 should include any mitigation required to protect residents from the existing quarry and also not prejudice the development of the proposed extensions to the quarry (consideration in this instance should include potential noise, dust and visual impacts although may not be very significant).

### **SCC Lead Local Flood Authority**

Approval subject to conditions

### **SCC Fire Service**

Fire hydrants to be agreed through condition. Consultation with water companies for flow rates needed.

### **Suffolk Police**

Comments on earlier scheme: Design concerns including; lack of natural surveillance on car ports and positioning of garages set back from street; under crofts and rear parking courts too; planting on north west side on Norwich Road 1m max.; traffic near play area so request hooped railing; footpath on eastern side concern for crime; Doctors next to main road concern but understood why; request surgery built to Secured by Design standards.

Officer comment: No response received to revised scheme.

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## **Internal Consultee Responses (Appendix 6)**

### **Place Services - Ecology**

1<sup>st</sup> response: Special Protection Area (SPA) nearby; financial contribution required for visitor management measures – Recreational Access Disturbance Mitigation Strategy (RAMS) contribution to be secured through S106.

2<sup>nd</sup> comment: No objections, condition to secure RAMS contribution, and condition ecological mitigation and enhancements.

Post-committee resolution March 2018: No objections subject to mitigation and financial contribution; certainty for local planning authority on impacts on protected and priority species; skylark mitigation to be secured by condition; significant contribution to biodiversity net gain due to habitat creation; hedges and species rich meadows; brown hares will have retained agricultural land; if archaeology an issue, enhanced hedgerow boundary would provide shelter for species; open grassland rather than agricultural land would help hares; also could be off site; turtle doves - enhanced hedgerow will provide shelter but no records of species so no requirements; Biodiversity Enhancement Strategy for bats, hedgehogs, stag beetles, swifts - not required for development but needed for the proposals to demonstrate net gain; badgers prior to commencement check to assess impacts and mitigate; these will meet the Council's duties under Section 40 of the Natural Environment and Rural Communities Act 2006; newts - secure and implement; Habitats Regulations Assessment is being prepared.

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3<sup>rd</sup> comment: No objection subject to securing RAMS contribution, and ecological mitigation and enhancement measures. Following review of the Preliminary Ecological Appraisal, Great Crested Newt Habitat Suitability Index Assessment, Great Crested Newt addendum submitted in 2017, and supporting information relating to site layout, landscaping and ecology submitted December 2018 satisfied no adverse impact to protected or priority species, or European protected sites.

4<sup>th</sup> comment (December 2019): Object on basis that ecology studies are now out of date, no other objections to revised scheme.

5<sup>th</sup> comment (January 2020): No objection further to ecological review submitted by applicants to address December 2019 objection, subject to conditions and securing RAMS contribution.

### **Place Services – Landscape**

1<sup>st</sup> comment: Landscape strategy (LS) needed to include street trees, east/southern boundary planting, SuDS. Landscaping plan, maintenance and specification. Boundary planting to be conditioned. Landscape Visual Impact Assessment (LVIA) completed but Design and Access Statement does not relate to landscaping, so LS needed.

2<sup>nd</sup> comment: Landscape strategy received 06/18 but not consulted on. Woodland edge planting – recommend using rabbit fencing instead. Tree Strategy revised – planting on eastern boundary and how to mitigate views of development from Church. LVIA viewpoints need amending potentially following revised layout.

3<sup>rd</sup> comment: No objection subject to conditions. Application now includes LVIA, Illustrative Landscape Masterplan, Planning, Design and Access Statement, Indicative Visual Impact Assessment and Landscape Statement. The LVIA has been produced to the appropriate guidance with appropriate viewpoints and wirelines shown. Mitigation measures such as extensive tree planting throughout the development (including street trees, trees in rear gardens within hedgerows and public open spaces which are all key measures that should be used to inform and influence any detailed design guidance. The Landscape Statement demonstrates how the proposal has been influence by the landscape context and local character. The proposals are acceptable provided the landscape principles are carried forward as part of any future reserved matters application.

4<sup>th</sup> response (December 2019): The submitted School Plan (Drwg title: School scheme) shows the indicative layout for a future school, along with proposed open space and sports facilities. Although this is welcomed, we would expect the boundary between the proposed residential plots and the school site to be enhanced with additional soft landscape features such as a hedge and associated tree planting to help reduce noise impact. Other than this, our landscape condition recommendations dated 10/01/2019 still stand

### **BMSDCs Environmental Health**

No objections subject to noise condition

### **BMSDCs Environmental Health – Sustainability**

Object – insufficient information to assess scheme against core strategy policy CS3.

Officer response: The scheme is at outline stage and the information to address this objection would be provided at the reserved matters stage.

### **BMSDCs Policy and Infrastructure**

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Support the proposed development, development is in conformity with emerging site allocation LA002. In terms of the infrastructure proposed through this development, the identified needs of the Infrastructure Delivery Plan (IDP, 2019) are met in terms of the new primary school and early years setting and are identified as essential infrastructure for the delivery for the planned growth of the emerging Joint Local Plan. The scheme also contributes to the delivery of other key infrastructure required to enable the sustainable growth of the area, such as mitigation measures/contributions towards highways, health and open space.

### **BMSDCs Contamination**

No objections subject to conditions

### **BMSDCs Arboricultural Officer**

No objections subject to conditions (Arboricultural Method Statement, Tree Protection Plan and Monitoring Schedule).

### **BMSDC Heritage**

Consider the development would lead to less than substantial harm which causes some concerns, and that this must be weighed against public benefits as identified in the NPPF.

### **BMSDCs Strategic Housing**

1<sup>st</sup> response: Mix for private housing recommended. Mix for affordable housing - rented 65, shared ownership 25, shared equity/starter homes 15 with a total of 105 affordable units.

2<sup>nd</sup> response: Self build has reduced to 7 dwellings, 106 affordable dwellings shown (should be 105) in five locations is good, but 37 too many in a cluster. Also seek clarity as to what type of units 75, 76, 83 and 258 are.

3<sup>rd</sup> response: No objection, clause in S106 that affordable scheme (location and layout) be agreed at reserved matters stage.

4<sup>th</sup> response: Private housing mix request, for Reserved Matters stage. Affordable units - 94 dwellings, housing mix of 67 rented dwellings and 27 shared ownership.

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## **B: Representations**

At the time of writing this report at least 67 letters/emails/online comments have been received. It is the officer opinion that this represents 61 objections, 1 neutral comment and 4 supporting comments. A verbal update shall be provided as necessary.

(Note: All individual representations are counted and considered. Repeated and/or additional communication from a single individual will be counted as one representation.)

### **Objections based on:**

- Increase in traffic in Claydon and Barham, and impact on surrounding villages
- Strain on existing GP facilities, school, dentists and public transport
- Loss of high-quality agricultural land
- Loss of countryside and views, particularly of the Church
- Height of development
- Overlooking and loss of privacy

- Ecological impact (especially on protected species)
- Increased strain on insufficient drainage and sewage network
- Increased risk of flooding, especially to properties and the bottom of the hill
- Building works will create noise and dust pollution
- Application not sufficiently advertised
- Insufficient road network
- Insufficient infrastructure
- Dilution of village life
- Cumulative impact of other developments in the area (for example, the developments being discussed to the north of Claydon / Barham and the Henley / Ipswich Garden Suburb development)
- The village will become a suburb of Ipswich
- Light pollution
- The development should be limited to the existing eastern boundary
- No local need for this development
- Development would constitute excessive growth, and would shift the centre of the village
- Impact on the safety of the existing National Cycle Route
- Public transport in the area is insufficient, and has recently been cut further
- Local businesses may not benefit from extra footfall due to a lack of parking
- The development would set a precedent for other similar applications
- Change in planning system does not give clear guidelines or constraints with which to judge the application
- Missing documentation
- Development is purely for financial gain, with no consideration for village residents
- No funding has been agreed to build the proposed doctors' surgery
- Increased traffic will generate more pollution
- Previous application for a Travellers' site along the road was refused due to access issues
- Lack of parking in village centre
- Should not be approved unless funding for primary school and nursery are secured
- Site is recognized as having potential archaeological importance, and investigations must be undertaken before a decision is made
- No local employment
- No details of the designs of the properties, so cannot comment on their landscape impact
- No details of the visual impact of the proposed renewable energy systems
- Insufficient public footpaths, dangerous particularly for elderly and school children
- Extra strain on already poor broadband and mobile network services
- Impact on property value
- Suggested rate of construction was 5 houses a week. This would result in 5 years' worth of construction impact
- Not enough fresh water or facilities to provide for an estimated 900 residents
- There are already near constant road works through Claydon
- The Council can now demonstrate a 5-year land supply, so this development is not needed
- The new Neighbourhood Development Plan states that if the village has at least 3 years of houses in the pipeline then developments can be turned down or reduced considerably
- Insufficient parking proposed
- Traffic Surveys are inaccurate as they were undertaken during the school summer holiday

- Traffic Surveys were not conducted on roads to the north of the village (no mention of Church Lane Barham, 5 Ways Crossroads or Bells Cross)
- There are new homes for sale at the development in Great Blakenham which are not selling at present
- Allowing this application would encourage further developments, particularly along Sandy Lane
- Proposed mitigation measures are insufficient
- Access on Norwich Road would be very dangerous

Representation based on:

- If granted infrastructure must be improved, specifically a new larger GP surgery
- Traffic concerns

Support based on:

- Sustainable location
- Chronic need for more houses
- Mitigating proposals have been offered to St Mary's and St Peter's Church to minimise the impact on the listed building, and help preserve and improve it going forward
- Those objecting live in new estates themselves
- The proposed plot for the surgery would allow for expansion to meet the demand, and would help futureproof the healthcare provision locally

**PLANNING HISTORY**

**REF:** 1856/17

Outline planning application (with all matters reserved except for access and spine road) for phased development for the erection of up to 269 dwellings and affordable housing, together with associated access and spine road including works to Church Lane, doctor's surgery site, amenity space including an extension to the Church grounds, reserved site for Pre-School and Primary School and all other works and infrastructure (amended description).

**DECISION:** PCO

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**PART THREE – ASSESSMENT OF APPLICATION**

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**1. The Site and Surroundings**

- 1.1. The application site of 24.2ha, comprising of 13.23ha of Grade 2, 1.39ha of Grade 3 and 9.61ha of Grade 4 agricultural land on the northern fringe of Claydon, which is designated as a Key Service Centre in the Core Strategy. The site is within the Parish of Barham.

- 1.2. Claydon contains a number of services and facilities including a local convenience shop, primary school, secondary school and community/village hall, and is identified as a Key Service Centre in the Core Strategy.
- 1.3. The site is surrounded by open fields, bounded by Norwich Road to the west and Church Lane to the south of the site. The site is well related to the village and located immediately to the north of the existing settlement boundary.
- 1.4. Opposite the junction with Church Lane and Norwich Road to the west is the Grade II listed Henry VIII Farmhouse. Adjacent to the farmhouse, to the west of Norwich Road, are single storey commercial units accessed off Norwich Road. Beyond to the north and west is agricultural land and the A14.
- 1.5. Within the site is one hedgerow (running east to west to the western side of the site). The site is bounded by hedges on all boundaries, with high hedgerows interspersed with trees along the field boundary of the site to Church Lane. Immediately adjacent to the east boundary of the site is St Mary and St Peter's Church (Grade I listed building), with the churchyard boundary delineated by mature trees and hedgerows. Around 200m to the north east of the site is Barham Quarry, which is allocated to be extended bringing the quarry within 175m of the application site.
- 1.6. To the south of Church Lane is the existing settlement boundary for Claydon and a number of residential dwellings. To the south of Church Lane there is a mix of residential properties, of which mainly the rear gardens back onto the lane. At the north and southern ends, the properties front the lane. There are a broad mix of housing types dating from the later C20 including bungalows, terraced, semi-detached and detached properties. The predominant height of residential buildings in the area are two storeys. There are intermittent trees along either side of Church Lane to the south of the site, some of which are subject to Tree Preservation Orders. All protected trees are separated from the development site by Church Lane Barham however.
- 1.7. To the south of the site, on the corner of Church Lane and Norwich Road is the existing Claydon and Barham GP Surgery. This is a single storey temporary structure set within a hard-surfaced car park, bounded by mature hedgerow and trees.
- 1.8. The site topography is such that the site is sloping with the highest level to the north and east sections of the site where the Church is located, and the lowest to the south west of the site. To the west of the site is Norwich Road, the A14 and the River Gipping. The site is visible to the surrounding area. The site is not in an area of special character designation such as an Area of Outstanding Natural Beauty, but is within the vicinity of a Special Landscape Area, with land around the River Gipping to the west of the application site being covered by this designation. It also is within the Site of Special Scientific Interest (SSSI) Impact Risk Zone. The site is within the Mineral Consultation Area set by Suffolk County Council's Minerals Core Strategy 2008. The site is also within a Groundwater Source Protection Zone relating to groundwater as the site is located over a Principal Aquifer.
- 1.9. The site is not in, adjoining or near any Conservation Area. The significant listed buildings near this site are St Mary and St Peter's Church referred to above, Shrubland Hall (Grade II\* with historic park), Barham Manor including listed garden wall and gateway (Grade II) and King Henry VIII Farmhouse (Grade II).

- 1.10. Barham Hall is a large detached property set in substantial grounds. Shrubland Hall is a historic complex containing a number of designated heritage assets set within the Grade I registered park and garden, which is located approximately 800m from the northern site boundary. The top of the built form of Shrubland Hall is visible from the eastern end of the application site.
- 1.11. The Historic Environment Record identifies a number of archaeological finds within the vicinity of the site.
- 1.12. The site has been identified for allocation in the emerging Joint Local Plan – Preferred Options (Regulation 18) Consultation (July 2019), as part of a wider development site stretching further north to along Norwich Road. This site is allocated for 270 dwellings (reference LA002). At present this document gives an indication of the direction of travel of the council's potential future site allocations and consideration that the site is deliverable with the proposed development. But in planning terms this document has limited weight.
- 1.13. The site measures 24.1 ha and is located entirely in Flood Zone 1. There are public rights of way along the east boundary of the site (Bridleway 17 and 18), and the site is adjacent to National Cycle Route 51 which runs along Norwich Road. Claydon is on a regular bus route with services running Mondays to Saturdays between Ipswich and Stowmarket.

## **2. The Proposal**

2.1. The application is for outline consent for up to 269 dwellings. The means of access and the layout of the spine road are matters included in the outline consent for consideration under this application. There are three access points for the site including on the west boundary on Norwich Road, and points on Church Lane. All other matters including layout, scale, appearance and landscaping are reserved for further consideration should this application be granted approval. The proposals include indicative plans to demonstrate the following could be accommodated on the site:

- 24.17 hectares of land for residential development
- Spine road which would create new route through site to Church Lane, allowing the closure of Church Lane except for access to residents. Cyclists and pedestrians would still be able to travel through Church Lane.
- Detailed layout of a new priority junction from the eastern side of Norwich Road and main access off Church Lane
- Access to the doctor's surgery and primary school via priority junctions with Church Lane and Norwich Road respectively
- Land has been included for a 3-form entry primary school and pre-school, with separate site access onto Norwich Road (north west of site)
- Land for a doctor's surgery or community use (south west of site)
- 94 affordable dwellings
- Open space
- Extension to Church grounds, including a new vehicular and pedestrian access/egress to enhance safety and the creation of new overflow parking provision
- Single storey development on part of site to address heritage impact
- Agricultural land retained as meadow for the purpose of archaeological protection and biodiversity enhancement

2.2. Around 18.75 ha have been put forward for residential development (when excluding the school land) for 269 dwellings. The resultant density of the scheme is 14 dwellings per hectare. However, the site does provide significant open space for the protection of archaeological remains and biodiversity enhancement. The resultant net densities of the residential development is indicatively shown to be 23 dwellings per hectare.

2.3 Subsequent to the last committee where Members were minded to refuse this scheme, the applicant has materially amended the scheme with the following matters to fully address members' concerns:

- Further land has been protected from development or below-ground disturbance to the north east of the application site to protect the archaeological remains of an Anglo-Saxon settlement that remains in-situ on the site. Land will be maintained as a meadow providing habitat for Brown Hares and only planted with archaeology-friendly species with shallow rooted native species.
- Biodiversity enhancements and structural landscaping including: structural native planting of trees, shrubs and hedgerows along northern boundary, extensive tree planting throughout the development, Great Crested Newt habitat created at locations within the site, planted corridors to enhance bat habitat, dense hedgerows along site boundary to create opportunities for Turtle Dove nesting, log piles for Stag Beetles and a hibernation location for Great Crested Newts.
- Further supporting information including landscape assessment and transport assessment that demonstrates how the proposed development addresses landscape, transportation and highway safety matters.

2.4 For clarity, there have been three revisions to the illustrative site layout since the application was first submitted, the most significant amendments at each stage were as follows:

1<sup>st</sup> amendment: One self-build dwelling removed from the line of development closest to the Church to the east of the site to further reduce the impact on the setting of the Church.

2<sup>nd</sup> amendment: Development pulled much further back to the west to reduce the visual impact on the wider landscape and St Mary and St Peter's Church.

3<sup>rd</sup> amendment: Creation of meadow on field to north east of site to enable in-situ preservation of Anglo-Saxon remains on site and creation of habitat for biodiversity enhancements

2.5 Supporting information has been submitted with the application in the form of technical reports and plans to demonstrate the acceptability of the proposal in terms of landscape, heritage, transport and ecology amongst other matters.

### **3. The Principle Of Development**

3.1 The starting point for any planning decision is the development plan, as identified in Section 38(6) of the Planning and Compulsory Purchase Act 2004. Determination of any application must be made in accordance with the plan unless material considerations indicate otherwise. A key material consideration regarding the principle of development is the National Planning Policy Framework (NPPF) 2019.

3.2 This application site is outside of the settlement boundary for Barham and Claydon. Part of the site directly adjoins the settlement boundary for Claydon, which is located to the south of Church Lane Barham. The site is greenfield land as it is in agricultural use. Relevant local plan policies are policy H7 which seeks to restrict housing development unrelated to the needs of the countryside, and core strategy policy CS1 which identifies a settlement hierarchy and CS2 which also seeks to resist development other than those listed in the policy. The NPPF has changed direction since these policies were adopted as detailed further below, so as to affect the weight of these policies in determining this application.

3.3 The Core Strategy Focused Review (2012) identified this change in line with the National Planning Policy Framework. Reflecting this policies FC1 – Presumption in favour of sustainable development and FC1.1 – Mid Suffolk approach to delivering sustainable development identify a more positive approach to proposed development.

3.4 It should be noted however that policy FC2 – Provision and distribution of housing seeks to identify the number of dwellings in Key Service Centres that should come forward on greenfield sites, 100 between 2017 to 2022 and 200 from 2022 to 2027.

3.5 The NPPF identifies in paragraph 213 that the weight attributed to policies should be according to their degree of consistency with the NPPF. The closer the aims of the policy are to the NPPF the greater the weight that can be attributed to them.

3.6 The NPPF also identifies that planning decisions should apply the presumption in favour of sustainable development (paragraph 11):

*“For decision-taking this means:*

*c) approving development proposals that accord with an up-to-date development plan without delay; or d) where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:*

- i. the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed*
- ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.”*

3.7 Footnote 7 of the NPPF confirms that “out-of-date” includes the situation where the local planning authority cannot demonstrate a five year supply of deliverable housing sites or where the Housing Delivery Test indicates that the delivery of housing was less than 75% of the housing requirement over the previous three years. In this instance the Council can demonstrate a sufficient land supply, as shown in the Mid Suffolk District Council Housing Land Supply Position Statement 2019/2020 – 2023/24. This is a material planning consideration, but first the weight attributed to policies in the development plan must be ascertained.

3.8 The policies most important for determining the application are policy H7 of the local plan, CS1 and CS2 of the Core Strategy and FC2 of the Core Strategy Focused Review. These are considered to carry less weight as they are not entirely consistent with the aims of the NPPF. Policy FC1 of the Core Strategy Focused Review repeated the requirements of the former paragraph 14 of the NPPF (2012), which is replaced now with paragraph 11 (NPPF 2019) which is the more relevant consideration, and so this policy is given less weight. Policy FC1.1 seeking to conserve and enhance the local character of different parts of the district, is up-to-date and relevant to this application. These two policies seek to promote the principles of sustainable development.

3.9 Therefore with regard to the Housing Land Supply Position Statement, even in the presence of a sufficient land supply these key policies cannot be given full weight. Therefore paragraph 11d (ii) of the NPPF presumption in favour of sustainable development should apply in this instance given the above considerations, except for the provisions of paragraph 177 of the NPPF.

3.10 The site is subject to a Habitats Regulations Assessment (Appropriate Assessment). Paragraph 177 of the NPPF identifies that if development requires appropriate assessment because of its potential impact on a habitats site and this Appropriate Assessment concludes that there shall be an adverse impact on designated European sites the presumption in favour of sustainable development cannot apply. It should

be noted that there are not considered to be likely significant effects from this development, as outlined further in the ecology section to this report, and so the presumption in favour of sustainable development does apply to the proposed development.

3.11 It cannot be ignored that the policies most important for determining the application do not accord with the NPPF. Therefore less weight will still be given to these policies as identified above. Whilst tension with the development plan exists and is noted, that tension is considered to be less significant as a consequence, in light of the lesser weight afforded to the most important development plan policies relevant to this application where they are not consistent with the NPPF.

3.12 Therefore an assessment against the development plan is made, considering the material consideration of the NPPF and the purpose of the planning system to contribute to the achievement of sustainable development. The conclusion to this report will then consider whether the development should be approved, and whether the harms of approving would be outweighed by the benefits of the scheme.

#### **4. Nearby Services and Connections Assessment Of Proposal**

4.1. As noted in the introduction to this report, the site is located on the edge of the settlement boundary of Claydon. Claydon itself has a number of services and public transport connections to Ipswich and Stowmarket.

4.2 The site itself would have footpath access to the existing road network where there are footpaths where pedestrians can walk into the village centre or to bus stops.

4.3 Whilst there are a certain number of services in the village such as shops, schools, doctors and a community centre, future residents of this development would still be likely to use private car to travel for the purposes of employment and leisure uses.

4.4 It should be noted however that Claydon also has significant employment opportunities both within and close to the village. To the west of the site, off Norwich Road are a number of small business units at Hall Farm Cottages. There are also services and facilities that are located within the village centre. Claydon Business Park, near Great Blakenham to the west of the A14 off Gipping Road, approximately 1.5km from the proposal site, has a variety of businesses within offices, workspaces and warehouse units. There are also a number of businesses located to the south of Great Blakenham off Bramford Road including haulage firms and business units in Orion Avenue.

4.5 The site is close to the A14 and Ipswich Fringe and so cycling would be possible reducing that demand on private car use compared to some other areas of the district. Whilst around 7-8km from the site there are also railway stations at Needham Market and Westerfield providing sustainable transport links to the wider transport network.

4.6 New housing in this location would help to contribute to growth in the local and wider economy. Claydon and Barham is recognised as a Key Service Centre that has a range of local services and facilities which also provide employment opportunities for local residents. These include a selection of local shops, public houses and takeaways, a post office, a primary and secondary school, a doctor's surgery, a village hall, community centre, Church Hall, recreation grounds and children's play facilities. All of these are situated within 800m of the application site. Given the proximity of the site to these facilities, it is realistic to consider that residents will walk and cycle to use these, particularly as pedestrian and cycle connections will be improved as part of the development works.

4.7 The site is therefore considered to be relatively well connected and a sustainable location for this further development and is considered to promote inclusive communities as required by paragraphs 7, 8 and 91 of the NPPF.

#### *Doctor's surgery capacity*

4.8 The NHS were consulted on and responded to this planning application and identified there was one branch surgery within 2km but there was not sufficient capacity for this additional development. However it was considered that subject to requesting Community Infrastructure Levy (CIL) monies the existing surgery could be extended, refurbished or reconfigured to provide the required healthcare facility on the existing doctor's site in Claydon (to the south of the application site).

4.9 It is important to note that a doctor's surgery site is proposed on the application site. At present the evidence from NHS England is that this site is not needed to enable the healthcare provision required for this proposed development, existing residents and committed development in the catchment area of the doctor's surgery. However in March 2018 Barham and Claydon Surgery wrote in support of this application. The surgery noted it was their long-held ambition to upgrade their current facility and continue offering healthcare within Barham, Claydon, Great Blakenham and the surrounding area rather than a super hub located outside of these areas. The surgery considered the fully serviced plot of land proposed under this application was sufficient to meet their likely needs. But it is also important to note that provision of the land through the planning application would not necessarily lead to a doctor's surgery coming forward on the site, even with a CIL contribution from this development. The construction of the actual facility is not being secured and so this risk must be noted. For this reason some benefit can be attributed to the land being secured but this is tempered by the fact it may not be taken up as either a healthcare or community use.

4.10 The applicant still wishes to include land protected for a doctor's surgery in the application. It is intended that the Section 106 legal agreement that accompanies this application should there be a resolution to grant would protect the identified land for a period of time, after which it will be available for community uses. If there still is no update after active marketing and an agreed period of time the land owner would be effectively released from the covenant protecting the land for doctor's surgery or community uses. After this time the land owner would be able to apply for planning permission for any other use.

4.11 In terms of the location of the doctor's surgery or community facility proposed within the development, it is located on the edge of the existing built-up area and is in an accessible location. The principle of this use at this site is therefore considered acceptable under policy SC10 of the local plan.

#### *School capacity*

4.12 The capacity of schools in the local area has been assessed in terms of the need arising from existing residents, this development and committed developments in the school's catchments areas. The application site includes land for a new three-form entry primary school, and pre-school if required.

4.13 Due to the current uncertainty over the scale, location and distribution of housing growth in the Claydon locality it is not clear at this point in time what the most sustainable approach for primary school provision is, but nonetheless the current Claydon Primary School is at capacity and there is a capital project being pursued to expand it to 630 places in order to deal with existing growth in the locality. Further expansion of this school beyond 630 places is not a tenable option. The County request a site for a new primary school is secured on this application site.

4.14 Suffolk County Council have identified that a minimum of 2 hectares is required for on-site provision for a new primary school. A S106 agreement would secure this land and a proportionate contribution towards the build cost of this primary school to accommodate pupils from the proposed development of 269 dwellings. An Option Agreement between SCC and the applicant is being secured to this effect. A further £1,230,054 is identified for secondary school place provision within the catchment, which would be obtained through CIL monies. There is a pre-school place surplus in the area, so no S106 contribution is required for this.

4.15 In terms of location of the proposed school, it is located to the edge of Claydon and outside of Barham. However, the site is accessible on foot and with the proposed development would be connected to the existing built form. The principle of a school site in this location is therefore considered acceptable under policy SC8 of the local plan.

4.16 The concern raised in letters of representation regarding the timing of delivery of the school are noted. However it would not be reasonable to require this development alone to develop and provide a two form entry primary school as the proposed development is not large enough to generate the need for the entire school. It is only reasonable to require the applicant to mitigate the impact its development will have, which this scheme secures through the S106 agreement. The provision of land for a school to come forward to serve this development and the wider community however is considered to be a significant benefit in planning terms, and will help provide appropriate primary school facilities in the surrounding area.

4.17 The proposed development is therefore considered to be in a location on the edge of Claydon where the need to travel is reduced to some degree, meeting the requirement of policy CS6 of the Core Strategy and in a location to support the existing bus network in line with policy T13 of the local plan. These development plan policies are considered to carry full weight as their aims align with paragraphs 91 and 103 of the NPPF, which also seeks significant development to be located where it limits the need to travel, offers a genuine choice of transport modes and promotes social interaction. The provision of other infrastructure is considered further in section 11 of this report below on Planning Obligations and CIL.

## **5. Site Access, Parking And Highway Safety Considerations**

5.1. The proposed development of 269 dwellings has been considered in terms of impact on the wider road network through the Transport Assessment submitted with the application. The site access through Claydon and along Norwich Road and connections to the wider road network have been considered for road capacity and highway safety, as required by local plan policy T10 and paragraph 109 of the NPPF. Paragraph 109 of the NPPF identifies that development should only be refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe. Paragraph 111 of the NPPF also seeks Travel Plans for development that would generate significant amounts of movements. The local plan policy is considered to align with the NPPF, although the NPPF provides a higher test as to when development can be refused on highways grounds. Local plan policy T10 is therefore given less weight in the context to cumulative highway impact.

### *Impact on wider network*

5.2 The Transport Assessment submitted with the planning application assessed the likely impact of vehicular traffic associated with the proposed development with other existing development both constructed and granted planning consent. Traffic modelling was undertaken to consider the impact of

this development on key local junctions using recent traffic survey data. Further to this, the cumulative impact of this development with other surrounding planning applications was considered through a Transport Assessment Addendum (2019). These applications included the following applications and sites:

- 18/00861 – Land off Ely Road, Claydon
- 18/00233 – Land to East of The Street, Bramford
- 18/02010 – Land East Side of Bramford Road, Sproughton

5.3 The Highway Authority carried out analysis of the applications Transport Assessments/Statements which indicated delays at a number of junctions in Claydon and Sproughton and all applicants were asked to enter into a cooperative approach to consider any mitigation measures.

5.4 Following further analysis it was determined that the sites in Claydon and Barham are too geographically detached by the A14 to give rise to significant impacts on the junctions in Bramford/Sproughton, and vice versa, or to junction 52 of the A14. The assessment submitted with the application concluded that the proposals under this application would have an impact on Station Road/Norwich Road and Church Lane Claydon/Norwich Road junctions in Claydon only. The impact identified would be during the peak hour in the growth year and would lead to delays during a 15 minute period during the peak morning rush hour and another 15 minute period during the peak late afternoon rush hour. Whilst the highway authority consider there to be existing significant delays, they are for a relatively short period of time each day. The test as set out by paragraph 109 of the NPPF is as to whether the highway impact would be severe. The highways officer opinion in this instance is that the impact would not be severe.

5.4 As identified above the local plan requires development to ensure appropriate road capacity and road safety. Whilst the development is considered to not lead to any issue with road safety, there would be delays on the local highway. However, given the age of the local plan policy, compliance with the NPPF needs to be assessed. The NPPF places a higher test on the capacity of the road network than the local plan, and as a more recent material consideration this is the basis for decision taking in this regard. The proposed development would not lead to a severe impact on the local highway network. For this reason it is not considered reasonable to refuse the development on this basis.

5.5 Mitigation however is required and to be secured through S106 for pedestrian and cycle improvements to both the Norwich Road/Station Road junction and Norwich Road/Church Lane Claydon junction.

5.6 Concern was also raised by Barham Parish Council through a traffic survey they submitted have been considered by the Highway Authority. The Highway Authority is content with the Transport Assessment submitted with the application that they have reviewed, and the assumptions this assessment made and the way in which data was collected and analysed, and in turn so are officers.

5.7 Concerns raised by Members at the last committee where this application was considered included the cumulative highway impact of this development with the proposed development on Ely Road in Claydon of 63 dwellings. Since this last committee meeting the applicants for this application have sought to address that concern as detailed in the following section.

*Further cumulative highway assessment*

5.8 To address the concern of Members and of Barham and Claydon and Whitton Parish Councils the applicants have undertaken further work to assess the cumulative highway impact of both proposed developments at Ely Road (application reference DC/18/00861) and this application. This work has sought to understand the issue, engage with both parish councils and identify further mitigation measures.

5.9 The applicants have met with the parish councils to understand their concerns relating to these planning applications and later to present further proposed mitigation measures. The improvements to Church Road Claydon/Norwich Road junction and the Station Road/Norwich Road junction, both in Claydon, have been discussed with the parishes.

5.10 During these discussions with the parish councils it was clear that there were concerns over the wider traffic issues in Claydon and Barham, and traffic passing through the villages to the A14. It must be noted that the development Members are considering today can only be required to mitigate its own impacts, and cannot be required to resolve wider highways issues in the area.

5.11 Since Members considered these proposals, draft route options for the Ipswich Northern Route have also been published. This however at present holds limited weight in any planning decision as the proposals are at such an early stage in their development.

5.12 Following the initial engagement with the parish councils, the developers considered the feedback given at the meetings and produced revised plans for highway improvements for pedestrians and cyclists in Claydon. It must be noted that whilst more significant highway improvements were suggested such as traffic lights at key junctions in Claydon, this application can only seek to mitigate the impacts it has.

5.13 The additional queuing identified above would lead to an impact on the ability of pedestrians and cyclists to safely move through Claydon. For this reason improvements have been put forward on the above two key junctions in Claydon and in the wider area. These are detailed further below.

5.14 The following highway improvements has been secured in relation to this application:

S106 contribution of £115,500 to improve public rights of way

Creation of new road to north of village between Norwich Road and Church Road Barham

Improved pedestrian and cycle links to the north of Claydon

Improved pedestrian access to Barham Church from Claydon

Improvements to Station Road/Norwich Road junction including;

- Widening of existing footways on Station Road on the approach to the junction to allow cyclists to leave the carriageway and use dedicated cycle crossing points;
- Providing a new uncontrolled cycle crossing on Station Road; and
- Upgrading the existing pedestrian crossing on Station Road with new dropped kerbs and tactile paving.

Improvements to Church Lane Claydon/Norwich Road junction including;

- Upgrading the existing uncontrolled pedestrian crossing with new dropped kerbs and tactile paving;
- Widening the existing footway to 2m with maintainable highway land (from Church Lane junction to the existing bus stop and shelter located to the south of the junction);
- Ensure visibility by trimming vegetation (and possible removal of tree to clear visibility splay); and

- Restrict parking on Church Lane Claydon during peak periods on road between Drury Road and Church Lane/Norwich Road junction approach or parking to be removed completely.

Financial contribution toward transport improvements in the village to encourage walking and cycling, safer routes to school and improve safety for pedestrians and cyclists.

Extension to speed limit on Norwich Road

5.15 A Travel Plan will also be secured for this development to ensure sustainable transport modes are promoted for future residents.

5.16 In addition to this the application at Ely Road in Claydon would also secure improved pedestrian and cycle facilities to the west of Claydon and provide dropped kerbs on Ely Road and Thornhill Road within Claydon to enable a safe route to schools. A proportionate contribution to the above works to the junctions in Claydon and the cycle network will be secured through the S106 agreement for this scheme.

5.17 The above proposed highway measures are considered to promote walking and cycling in the village, provide a safe route to school for new and existing residents and ensure pedestrian and cyclist safety.

5.18 The Local Highway Authority (LHA) have raised no objection subject to condition and S106 contributions as set out above.

5.19 From an officer's perspective it is considered that the applicants have carried out meaningful engagement with the parish councils as part of looking to address any cumulative impacts from the two proposed developments. Whilst pre-existing highway issues cannot be addressed, it is not considered reasonable to require the developers to go any further than the measures outlined above as these relate to existing highway issues in Claydon and it is not reasonable to require them to resolve these. Also requiring mitigation to address existing highway issues would not meet the tests of planning conditions set out in the NPPF and Regulation 122 of the Community Infrastructure Levy Regulations 2010 (as amended). Subject to no further comment from the LHA but noting they previously raised no objection, the proposed highway mitigation package is considered to be a positive aspect to this scheme now and is considered to adequately mitigate the development's impact and go further to provide improvements for cyclists and pedestrians in Claydon. The highway improvement proposed is a benefit to the overall scheme.

5.20 Other matters raised by the Highway Authority in earlier consultation responses have been adequately addressed through the revised illustrative layout plan, or can be secured at the reserved matters stage (i.e. parking and turning areas).

5.21 Highways England have been consulted and raised no objection in terms of the impact on the trunk road A14 and its junctions near to Claydon and Barham.

#### *On site access and other highways matters*

5.22 The application seeks detailed consent for the layout of the new junction from the eastern side of Norwich Road and the redirected route of Church Lane Barham along the new spine road to a new junction onto Church Lane Barham. Church Lane Barham would still remain open for existing residents, and cyclists and pedestrians would still be able to travel along this existing road. The Highway Authority is content that the proposals will be safe in highways terms. The provision of an alternative road to

Church Lane which would be wider and enable cars and buses to pass without needing to stop is a benefit to this scheme.

5.23 Whilst the development is only at outline stage, it is important to ensure an adequate amount of parking can be provided on site for the proposed number of dwellings in line with policy T9 of the local plan and the published Suffolk Parking Standards. This development plan policy is given full weight as it is considered to align with paragraphs 105 and 106 of the NPPF in providing minimum parking space standards unless compelling reasons justify otherwise. The indicative site layout plan shows parking and garage spaces can be provided for each dwelling. The final layout and provision would be agreed through reserved matters, and there is considered to be sufficient space to be able to secure parking to the required standards through planning condition, and in accordance with policy T9 of the local plan.

5.24 Sufficient cycle parking for two cycles per dwelling plus visitor cycle parking could be provided within garages of houses/bungalows or through covered and secure storage units in rear gardens of flats. This would be secured at the reserved matters stage. Also refuse bins could be stored in rear gardens, with refuse storage and collection areas being designed into the reserved matters. A condition would be used to secure these to an appropriate design and location.

5.25 The proposed development has a direct relationship with the public rights of way network around the site. From a perspective of recognising the importance of promoting health lifestyles, the improvements to the quality of the public footpaths and bridleway is a benefit, giving potential for recreation and providing green links. A contribution of £115,000 is being sought via a S106 agreement to improve the following public rights of way:

- Public Footpath FP13, 14 and 16 - Conversion of these public footpaths to bridleway
- Public Footway FP11 – general improvements to route and remove obstructions
- Bridleway 17 and 18 - improvements to surface material
- Barham permissive path – Order to formalise the route, widen and other improvements

5.26 The Highway Authority are content with all other matters and raise no objection, subject to conditions on appropriate visibility splays, a road safety audit, residents travel pack and Travel Plan, vehicle turning and parking (including cycles and electric vehicle charging points), road and footpath construction details, surface water disposal from roads, provision of roads and footpaths to binder course level prior to occupation, storage of refuse bins and construction management plan (including hours for deliveries and construction works on site). A Section 106 agreement is also required to secure the public rights of way improvements detailed above.

5.27 Contributions for bus stops along the spine road are also sought, but these would be deliverable through CIL under the published CIL Position Statement. On this basis the development is considered to be acceptable in highway terms.

5.28 The proposed development is therefore considered to meet the requirements of both paragraphs 109 and 111 of the NPPF and policies RT12, T10, T11 and T12 of the local plan ensuring there is not a severe impact on the road network, provision of safe access and egress from the site, the safe and free flow of traffic and pedestrian and cyclist safety, accessibility of roads and footways for those with disabilities, improvement to public rights of way, suitable capacity in the road network, adequate parking and turning for cars and service vehicles and pedestrian and cycle links.

## **6. Landscape and Heritage**

6.1. The site is located on the edge of the existing settlement boundary and within the Rolling Estate Farmland Landscape Character Area. The character type of Ancient Estate Claylands is also located directly adjacent to the north eastern corner of the site. The site displays typical characteristics associated with the rolling farmland landscape character of gentle sloping fields and hedgerow field boundaries.

6.2 The landscape of the site is a typical arable field with vegetated boundaries on all sides. The site is contained along most part of the southern boundary to Church Lane by mature hedgerow with interspersed trees. In the southern corner, the hedgerow is less dense affording views of the fields from Church Lane. There is a small copse of trees at the junction with Church Lane and Norwich Road, and along the western boundary of the site to Norwich Road there is an open grass verge and ditch.

6.3 The northern boundary to the site is to the adjacent open fields. An established mature hedgerow and trees form the eastern boundary to the adjacent to the Church grounds. It is considered the landscape and heritage issues interlink with this proposed development.

6.4 The site is located near a Special Landscape Area (SLA) but not within one. There is no policy requirement in the local plan regarding development adjacent to an SLA. Core Strategy policy CS5 seeks to protect and conserve landscape qualities and encourage development that is consistent with the overall character of the area. These policies are considered to align with paragraph 170 of the NPPF which seeks to contribute to and enhance the natural and local environment by recognising the intrinsic character and beauty of the countryside, and so can be given full weight.

6.5 Local plan policy HB1 seeks to protect historic buildings which includes their setting. Core strategy policy CS5 also seeks to enhance the historic environment. The NPPF identifies in paragraph 193 that when considering the impact of a proposed development on the significance of a designated heritage asset great weight should be given to an asset's conservation. However Policy CS5 requires development to actually maintain and enhance the historic environment which exceeds the statutory duty of the Planning (Listed Buildings and Conservation Areas) Act 1990 and goes further than paragraph 192 of the NPPF 2019 which requires decision makers to "take account of the desirability of sustaining and enhancing the significance of heritage assets". Policy CS5 is therefore considered to be out-of-date in this regard. CS5 also does not acknowledge the balancing exercise under paragraph 196 of the NPPF to be undertaken where the harm is less than substantial. Policy HB7 seeks to refuse development that would adversely affect the character, appearance or landscape features of gardens or parklands of historic interest. This policy is more restrictive than the approach taken in the NPPF which seeks to balance the harm against the public benefits of the development. These development plan policies therefore are also accorded less weight in this regard.

6.6 The key receptors that share intervisibility with the site are:

- Views from the adjacent Church of St Mary and St Peter's and surrounding churchyard
- Distant views of Shrubland Hall
- Residents of Barham Hall and other residents on Church Lane
- Users to public rights of way along the south of the site, along the northern edge of the site and along the east boundary of the site.

6.7 The application has been through a number of revisions, to address landscape and heritage concerns. The extent of built form has been moved away from the east and north-east boundary to lower lying land, and the development on the eastern edge single storey. These sit more comfortably within the land levels on the site, reducing their visibility within the wider landscape and in turn reducing the impact

on the setting of the Church and retaining the relationship of connected views between it and Shrubland Hall.

6.8 Amendments to the scheme improve the relationship with heritage assets and wider landscape and visual impact when compared with the previous plans presented to Members. This is supported by a Heritage Statement Addendum, confirming that the development will see less than substantial harm to heritage assets with a modest impact on the St Mary's & St Peter's Church and limited impact upon Shrubland Hall. This is considered further in the heritage section of this report. Proposed landscaping will further mitigate the impact of development. The parameters plan was also updated to include the Strategic Native Buffer Planting, and a Landscape Strategy plan was produced.

6.9 To reinforce the landscape character, the proposed development has sought to retain existing hedgerow field boundaries and trees. Further to this field boundaries previously lost to the north east corner of the site are being reintroduced and a strong green corridor along the spine road is proposed.

6.10 The development would have some landscape impact to the above key receptors. However, the impact has been reduced through amendments to the proposed development, pulling back the development from the key heritage asset of the church and introducing structural landscaping and reinforcing existing hedgerows and trees. The development would lead to harm to the existing landscape character. The current open fields would be developed and there is no avoiding the impact and harm that this would have to the landscape and historic importance regarding the setting of the Church (as detailed further below), contrary to policy CS5 of the core strategy. However, this harm is mitigated to some extent by the fact the development site is not within a protected landscape area and that the proposed development landscape strategy looks to retain existing hedgerows and field boundaries, and provide significant new structural planting. These would enhance the existing landscape character, as well as have ecological benefits as identified in the above report. The level of conflict with core strategy policy CS5 and paragraph 170 of the NPPF is therefore reduced to some degree.

6.11 The site is currently an open area of agricultural land which is openly visible from a number of viewpoints. There can be little doubt that a development in this location would have an impact on the landscape of the area and, therefore, the landscaping and design of the scheme is an important aspect of the proposal. The extent of the information provided with the application to date and the evidenced discussions that the applicants have had with the church, local community and Historic England, demonstrate that the applicants are aware of the sensitivity of developing this site and have sought to address the relevant issues wherever possible. Detailed design will be a key factor however, in terms of the principles of development that this proposal seeks to establish, it is considered that the proposal shows that a sensitive design solution can be provided.

6.12 Subject to mitigation measures including extensive tree planting including street trees, trees in rear gardens, within hedgerows and public open spaces, it is considered the proposal has been influenced by the landscape context and local character and vernacular. The proposed development would be acceptable in terms of landscape impact provided these characteristics were carried through to the reserved matters stage. It should be noted that the Council's Landscape consultant, Place Services, has not raised an objection to this scheme subject to securing the above landscaping principles and conditions requiring the advance planting of landscaping prior to commencement of development, and landscape management plan and landscaping strategy. The scheme is therefore considered to lead to some conflict with CS5 and paragraph 170 of the NPPF that seek to protect and conserve landscape qualities, but this is considered to be mitigated to a degree by improvements to the existing landscape features and proposed ecological improvements. This is considered further in the conclusion to this report.

## Heritage

6.13 Paragraph 192 of the NPPF states that in determining planning applications, local planning authorities should take account of:

- the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;
- the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and
- the desirability of new development making a positive contribution to local character and distinctiveness.

6.14 There have been a number of revisions to the scheme since previous consideration, but for the sake of clarity this assessment will focus on the scheme as proposed. Following the pulling back of the development further to the west the impact to the setting of St Mary and St Peter's Church is now considered to be on the lower end of "*less than substantial harm*" and minimal harm to Shrubland Hall – which is again on the lower end of "*less than substantial*" for the purposes of paragraph 196 of the NPPF.

6.15 There would remain an impact on the setting of St Mary and St Peter's Church, as the development would erode the existing rural setting and open landscape around the Church, which would affect its significance. Its elevated position overlooking the Gipping Valley heightens its role as a landmark feature and the encroachment of modern development to its western perimeter would diminish its isolated position away from the village and above the river valley. As identified by Historic England and the Council's Heritage Officers there would be some modest harm to the significance of the Church from this development, however as this is considered to be less than substantial harm for the purposes of paragraph 196 of the NPPF, the benefits of this scheme may be weighed against this harm. This balance is dealt with further in the conclusion to this report.

6.16 The effect of pulling the development further to the west and reducing the ridge heights on development to the eastern side of the site leads to a reduction in the mass of the development at the eastern end. In views from the ground this brings the height of the development down to approximately the height of the treeline. This would help to reduce the impact of the development in views from Shrubland and lead to minimal harm to the setting of this Grade II\* listed building and Grade I listed historic parks and gardens. The level of harm is considered to fall below the less than substantial harm level identified in paragraph 196 of the NPPF.

6.17 The existing and proposed natural landscape buffers to the east of the site are also key in softening the visual impact of the development, as outlined above in the Landscape section of this report.

6.18 With regard to other heritage assets in the vicinity of the site, Barham Hall is considered to be at a sufficient distance, with changing land levels and siting of development much further away from this asset, from the heritage asset to not adversely affect its significance. There would be little harm to the special interest of the listed wall and gateway at this site too as the development site contributes little to its significance, even though it is considered to be within the setting of this asset.

6.19 Furthermore, there would be some impacts to the Grade II Henry VIII Farmhouse, but these impacts would not be detrimental to its setting or significance of the heritage asset as it has already been greatly altered with more recent development to the north of Claydon.

6.20 Members may also wish to note the consideration of the impacts on heritage assets is the response from the Church, who have taken the opportunity to respond to the consultation on this proposal. The response from the Church notes that;

- During the process, they have found the applicants have appreciated their issues and come forward with practical proposals to address them.
- They have had several meetings to discuss the impacts on the Church.
- They believe that certain aspects of the proposal significantly reduce the impact on the Church and must be protected in the plans progress into actual development. Those aspects are;
  - The land to be gifted to the Church as an expansion of church grounds to provide a break between the churchyard and housing.
  - The financing by the developer of the overflow car park.
  - Provision of new alternative access into the church through the development.
  - New footpath link running up Church Lane.
  - Restriction of housing nearest the Church to bungalows.
- They understand the developers will contribute to an extension to the Church hall.

6.21 The NPPF sets out that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal, including securing its optimum viable use. The response from the Church is of particular interest in this regard, as the development is acknowledged to give rise to some harm to the setting of the Church, but also brings about a number of benefits to/for the Church which require balancing. The balancing exercise, as set out in paragraph 196 of the NPPF is therefore engaged and will be undertaken in the Conclusion section of this report. In doing so the Council is meeting its duties to consider the harm to the setting of these heritage assets, and the requirements of Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 to protect the special architectural and historic interest.

6.22 The proposed development therefore leads to some minor harm against policy CS5 of the core strategy and paragraph 170 of the NPPF in relation to protecting landscape qualities (although it should be noted the landscape is not a valued landscape for the purposes of paragraph 170 of the NPPF), and minor harm against local plan policy HB1, policy CS5 of the core strategy and paragraph 193 of the NPPF in relation to protecting heritage assets. As required by the NPPF these heritage harms are balanced against the public benefits, and considered in the wider planning balance in the conclusion to this report.

### *Archaeology*

6.23 The site was considered by Suffolk Archaeological Service to have high potential for archaeological interest given its topographically favourable location overlooking the River Gipping, and the fact it is in an area of light, sandy soils which tended to attract early occupation. Local plan policy HB14 seeks to ensuring archaeological remains are not destroyed, which is in line with paragraph 189 of the NPPF that requires where a site has the potential to include heritage assets with archaeological interest, an appropriate desk-based assessment and where necessary field evaluation should be provided. The local plan policy is therefore given full weight.

6.24 In 2016, pre work was conducted on the site (excluding the reserved site for a primary school). This work included a geophysical survey, assessment of previous metal detected finds from the site and a trial trench evaluation of 3.5%. This work showed activity on the site from the Neolithic through the Bronze Age and Iron Age. Settlement continued through the transition to Roman rule and on into the Anglo-

Saxon period. Analysis of the metal detected finds suggests high status Anglo-Saxon activity to the most north easterly part of the site with direct evidence of settlement shown by the excavation of a sunken featured building, containing an inhumation radiocarbon dated to the late sixth-early seventh centuries, and the identification of a buried dark earth deposit. Evidence of further probable Anglo-Saxon structures was identified in the form of a number of postholes. The Anglo-Saxon evidence therefore appears to indicate the presence of a high status middle to late Anglo-Saxon settlement, which is of potentially national importance. This settlement probably relates to the Anglo-Saxon Church of St Mary's, which is located on the edge of the proposed development area (BRH 017).

6.25 There is very high potential for extensive below ground archaeological remains to survive in the land to the north east of the application site. There are potentially nationally important Anglo-Saxon remains that should be preserved in situ. It has been agreed with the applicant to preserve this land as a meadow, and this area of the site should not have any ground disturbance of any kind and therefore the track and Church carpark indicated would have to be built up to avoid damaging the archaeology. It would also mean that this area of the site would not be a suitable place on which to put a site compound or to plant landscaping with deep roots. The retention as a meadow would also prevent further disturbance from ploughing, which is an improvement on the current status of this land with regards to preserving archaeological remains.

6.26 Conditions are therefore recommended to ensure appropriate preservation in-situ of the Anglo-Saxon below ground remains through no development or ground disturbance from agriculture and ensuring shallow-rooted landscaping species within the north east part of the site, and conditions for the remainder of the site to record and store and other artefacts found on site. The development is therefore considered to comply with the requirements of policy HBE 14 of the local plan and paragraph 189 of the NPPF.

## **7. Trees, Ecology, Biodiversity And Protected Species**

### *Trees and hedges*

7.1 Whilst a small number of trees and sections of hedgerow are proposed for removal these are generally of limited amenity value and/or poor condition and their loss will have negligible impact on the character of the local area. This loss also should be balanced against the extensive planting proposal as detailed above. Any approval issued would require a detailed Arboricultural Method Statement, Tree Protection Plan and monitoring schedule through conditions of the permission in order to help ensure the protective measures referred to are implemented effectively. The proposed development is therefore considered to preserve and protect the landscape qualities of this site with regard to trees and hedges, in accordance with policy CS5 of the core strategy.

### *Ecology*

7.2 Local plan policy CL8 seeks to protect rare or vulnerable species, especially those protected by law. Core strategy policy CS5 seeks to protect and enhance biodiversity, protected sites, wildlife corridors and ecological networks. These requirements are considered to be supported by the relevant paragraphs in the NPPF, including 170 on minimising impacts on and providing net gains for biodiversity, 175 which seeks to avoid, mitigate, or compensate for adverse impacts or lastly refusing harmful development, and looking for opportunities to incorporate biodiversity improvements in and around developments should be encouraged, especially where this can secure measurable net gains for biodiversity. Therefore the above development policies are considered to carry full weight.

7.3 A Preliminary Ecological Appraisal (PEA) was undertaken and submitted with the original application documents, together with a Habitat Suitability Index assessment report given the location of ponds and confirmed records of Great Crested Newts (GCN) within the local area. A mixture of habitats have been identified but there are no constraints from an ecological perspective that would preclude development of the site.

7.4 Further ecological assessments including a Great Crested Newt addendum (December 2017) and Skylark Plot Mitigation Area were submitted, along with information provided in December 2018 relating to the site layout, landscaping and ecology mitigation and enhancement.

7.5 These reports identified a number of protected sites within 2km of the site. This included within 2km of the site – Sandy Lane Pit, Barham Site of Special Scientific Interest (SSSI), Great Blakenham Pit SSSI, Rede Wood Local Nature Reserve (LNR, and within 1km of the site there were eight County Wildlife Sites (CWS) including the River Gipping CWS. There were also 10 ponds and 2 ditches identified within 500m of the site. The reports go on to recommend protection measures for reptiles, nesting birds, badgers, bats, hedgehogs and Brown Hares

7.6 A suitable mitigation strategy for Great Crested Newts (GCNs) from habitat loss and disturbance of terrestrial habitat will be agreed. This is likely to include installing newt fencing over the winter period along the eastern, south-eastern and western boundaries of the site to prevent newts from entering the site once they emerge from hibernation. A new receptor site could be prepared the following spring and be opened to prevent habitat fragmentation, which is likely to be located on the eastern side of the site in order to improve connectivity between the wooded habitat of Barham Hall and Sandy Lane Pit and Barham SSSI. However the final details would be agreed through condition at the reserved matters stage once the site layout is determined. Rough grassland to the eastern part of the site would be managed on a continuous basis for GCN habitat management. Hedgerow along the northern border of the site will provide connectivity between the above SSI and the ponds to the west of the scheme.

7.7 Skylark mitigation is proposed through providing land for foraging/breeding habitat for Skylarks on agricultural land to the north east of the application site. This is outside of the application site, but within land owned by the applicant. Therefore this mitigation can be secured through condition to ensure its provision in perpetuity.

7.8 The indicative site masterplan and landscape masterplan demonstrate how the site will be developed with large areas of open space and good levels of planting including site boundaries. This provides excellent opportunities for on-site mitigation. The site layout also provides significant contributions to biodiversity net gain due to proposed wildlife friendly habitat creation. The increased number of hedgerows on site will provide more opportunities for foraging and commuting routes for bats, as well as more roosting opportunities. The species rich meadows would provide opportunities for invertebrates and suitable terrestrial habitat for reptiles and Great Crested Newts.

7.9 The enhanced hedgerow boundary to the north of the site would increase shelter opportunities for Brown Hares, and the retained field to the north east of the site (protecting the Anglo-Saxon village in-situ) would provide open grassland habitat. Enhancements are also proposed for hedgehogs (hedgehog friendly fencing), Stag Beetles and swifts (swift bricks for nesting on houses), which are priority species identified within 500m of the site. Securing enhancement for these is not required from the development, but contributes to net gain for biodiversity on the site.

7.10 All of these enhancements would be secured through a Biodiversity Enhancement Strategy, which would be conditioned.

7.11 These ecological reports, and subsequent update in January 2020, include sufficient information to assess the impacts of development on designated sites, protected species and priority species/habitats, and the Council's Ecology Consultant has confirmed that the requisite mitigation can be secured by condition. Conditions have been requested relating to a copy of the European Protected Species Licence to be submitted, ecology mitigation and enhancement measures (including Ecological Clerk of Works on site during construction), a follow-up badger survey, Skylark mitigation scheme on fields adjacent to development site, biodiversity enhancement strategy, landscape and ecological management plan and wildlife sensitive lighting scheme.

7.12 Suffolk Wildlife Trust have also considered these details and identified some ecological harm in terms of loss of brown hare habitat, in particular. However, they have identified that ecological enhancements can be secured and that these should be secured by a condition.

7.13 The proposed development is therefore considered to ensure appropriate mitigation and enhancement of protected and priority species and would provide a net gain for biodiversity with the Biodiversity Enhancement Strategy identified. The strategy for biodiversity enhancement has been improved with provision of further land to be secured for Brown Hare habitat since Members last considered these proposals and are considered to secure a number of enhancements through the Landscape Strategy for protected and priority species. The proposals are therefore considered to meet the requirements of local plan policy CL8, core strategy policy CS5 and paragraphs 170 and 175 of the NPPF.

7.14 The site is also within the Site of Special Scientific Interest Risk Impact Zone for the Stour and Orwell Estuaries Special Protection Area. Policy CL9 of the local plan seeks to prevent development which would harm nature conservation interest of nationally designed wildlife areas. Further to this under the Conservation of Habitats and Species Regulations 2017 requires the competent authority (the council in this instance) to have regard to the Habitats Directive in the exercise of its functions. A Habitats Regulations Assessment was therefore required to be completed for this application, to assess the impact on recreational pressures as noted above.

7.15 Further to the submission of information identifying the potential for recreational opportunities in the vicinity of the site it was concluded that there would not be 'likely significant effects' from the proposed development, subject to an appropriate financial contribution being secured towards visitor management measures at the Stour and Orwell Estuaries Special Protection Area/Ramsar. It should also be noted at the request of the highway authority a contribution is being sought to widen and resurface the footpaths and bridleway around the site. The impact on European Protected Sites was therefore concluded to be acceptable and in accordance with policy CL9 of the local plan and other requirements under the Conservation of Habitats and Species Regulations 2017.

#### *Agricultural Land*

7.16 The Best and Most Versatile (BMV) agricultural land is sought to be retained in both local plan policy CL11. This aim is further identified in paragraph 170 of the NPPF, the local plan policy is therefore given full weight.

7.17 In this instance the 24.1ha site is comprised 13.23ha of Grade 2 land, 1.39ha of Grade 3 land and 9.61ha of Grade 4 land. Best and Most Versatile Land (BMV) includes those in classifications 1-3a and, therefore, the development of this site would result in the loss of a total of 14.62ha of BMV land.

7.18 Natural England have been consulted on this application as the site area is over 20ha. However, as the loss of BMV land is less than 20ha, 14.62ha in this instance, Natural England do not raise an objection to the proposals. Even when considered cumulatively with the potential loss under application 18/00861 of 3.37ha of Grade 3 land, it would still not be above 20ha.

7.19 The loss of agricultural land is therefore a slight conflict with local plan policy CL11 and paragraph 170 of the NPPF, but it is noted there is no objection from Natural England. This is weighed in the overall planning balance of this scheme in the conclusion to this report.

## **8. Sustainability**

8.1 The wider sustainability of the site has been considered. The site accessibility in terms of reducing reliance on private car use has been considered above. The construction of the development also requires consideration in terms of sustainability. The development would be required to be built to Code for Sustainable Homes (CfSH) level 6 by 2016 under policy CS3 of the core strategy. However, the Written Ministerial Statement made in March 2015 is clear that requirements should not be set over CfSH level 4 due to revised Building Regulations Part L1A and Part G that came into force in 2015.

8.2 Meeting revised Building Regulations is considered to provide a good standard of construction, carbon dioxide emissions rate, energy performance of buildings and reduced water usage of 125 litre of water per person per day. Whilst the design and orientation of dwellings would be determined at a reserved matters stage along with the required compliance with Building Regulations, it is considered that the requirements of paragraph 150 of the NPPF which seeks to reduce greenhouse gas emissions could be adequately met.

8.3 A report has been submitted by the applicants titled Sustainability and Renewable Energy Statement. Within this document it identifies amongst other matters measures to ensure energy and resource consumption are reduced insofar as possible. Whilst the application is at outline stage a number of measures have been identified in this statement:

- fabric first approach to reducing energy consumption – through a high standard of air-tightness and through enhanced levels of insulation in a building's walls, floor and roof.
- all dwellings would comply with Building Regulations in terms of water use, this is currently set at a maximum of 125l/p/p/day, and would be fitted with a water meter and water butts
- a Site Waste Management Plan which would provide detail on recycling or re-use of waste. It is envisaged that the developer would sign up to the Considerate Constructors Scheme.

8.4 It is noted that there is an objection from the Council's Sustainability Officer to the scheme on the basis there is insufficient information submitted with the application to assess against Core Strategy Policy 3. The amount of information submitted with this outline application is not as detailed as it would be at the reserved matters stage when more information of the detailed design, layout and construction of the dwellings can be identified. This information cannot be determined at the outline stage. A condition is therefore recommended to secure a Sustainability and Energy Statement to detail the measures to be taken to satisfy the objections of the council's Sustainability Officer.

## **9. Design And Layout, Open Space and Affordable Housing**

### *Design*

9.1 Whilst this application is only at outline stage, it is important to assess whether a good standard of design can be achieved for the number of housing proposed when considering all other requirements

such as appropriate wildlife buffers, tree protection areas, open space and play space provision, surface water features, road and parking layout and appropriate private amenity space for future residents.

9.2 Policy CS5 of the core strategy seeks to ensure a high quality of design is achieved that respects local distinctiveness, enhancing character and appearance of the district. Policy CS9 of this core strategy also seeks to ensure an appropriate density and mix of housing, with a minimum density of 30 dwellings per hectare. Local plan policies GP1 on design and layout of development, H13 on design and layout of housing development, policy H14 on a range of house types to meet different accommodation needs, and H15 on development to reflect local characteristics all aim to seek a good standard of design.

9.3 These development plan policies are consistent with a number of paragraphs in the NPPF. Paragraph 124 identifies good design is a key aspect of sustainable development, and high quality buildings and places is fundamental to what the planning and development process should achieve. Paragraph 127 goes on to identify that developments should add to the overall quality of the area, are sympathetic to the surrounding built environment and landscape setting, establish and maintain a strong sense of place, optimise the potential of the site to accommodate development and open space to support local facilities and transport networks, create places that are safe inclusive and accessible, and which promote health and well-being. Regarding the efficient use of land and appropriate densities, paragraphs 122 and 123 of the NPPF ensure an efficient use of land, whilst considering accessibility, character and setting of an area, that it is well designed, attractive healthy places and other policies in the NPPF are adequately considered. The development plan policies are therefore given full weight.

9.4 The illustrative layout has been amended as this application has been negotiated. The resulting scheme now is one that takes account of the existing landscape features, heritage settings and important habitats on site. With regards to design the indicative masterplan has shown it is possible to retain these above important features on site and provide a range of dwelling sizes, a generous amount of open space, parking and private gardens. . A condition has been recommended to require the mix of private market housing to be agreed. The indicative mix given by the applicant is as follows:

- 2no. 1 bed apartments
- 1no. 2 bed flat over garage
- 20no. 2 bed bungalows
- 16no. 2 bed semi-detached
- 57no. 3 bed semi-detached
- 36no. 3 bed detached
- 4no. 4 bed semi-detached
- 35no. 4 bed detached
- 4no. 5 bed detached

9.5 The applicant also identifies the potential for a hierarchy of streets to the development, where the primary street will incorporate traffic calming measures such as raised tables at locations where green corridors and pedestrian thoroughfares intercept the road. There could then be a lower order of streets that access small clusters of properties and are likely to be designed on the shared space concept where pedestrians are given priority.

9.6 Consideration has also been given to the scale and appearance of the development. All properties would be a maximum of two storeys, as shown on the indicative building height plan, and single storey to the east of the site to ensure the level of harm to the setting of the Church is reduced to an acceptable degree. The new homes will comprise a mix of detached, semi-detached and terraced dwellings, together with apartments. Within the overall site layout a variation in building height and form can add visual interest to streets and aid orientation and legibility. These matters will be determined at the reserved

matters stage, but as a broad principle, development density will consider the topography of the site, which rises to the east, as well as the potential to impact upon existing residential properties on Church Lane.

9.7 Further consideration would be required at the reserved matters stage for the full design details to ensure the provisions of Section 17 of the Crime and Disorder Act 1998 could be met, and appropriate materials are used. The comments from Suffolk Police are noted and can be addressed at this stage.

9.8 With regards to the net density of the site, this would be 23 dwellings per hectare. This is lower than the 30 dwellings per hectare identified in core strategy policy 9. There are site specific constraints however such as the setting of the listed building and respecting the character and layout of adjoining development. A higher density would conflict with the edge of settlement character of the area. At the reserved matters stage it will be important to ensure the density along Church Lane Barham frontage respects the character and layout of existing dwellings along this road, to ensure the new development follows a similar density to the existing.

9.9 In this regard, the illustrative design and layout is considered to credibly provide a positive approach to the development of this site which incorporates strong and well-thought-out design elements to reflect local distinctiveness and create a positive sense of place. An appropriate scheme is considered to be achievable at the reserved matters stage to be in accordance with local plan policies GP1, H13, H14 and H15, policies CS5 and CS9 of the core strategy and paragraphs 124, 127, 122 and 123 of the NPPF.

#### *Open space and green infrastructure*

9.10 Local plan policy RT4 seeks amenity open space and play areas within residential development. Development of 10 or more dwellings should provide open space and play space. The requirement to provide open space for the benefit of recreation and health is seen in paragraph 91 of the NPPF which seeks to ensure planning decisions achieve healthy, inclusive and safe places, including open space and accessible green infrastructure. Paragraph 96 also identifies access to a network of high quality open spaces is important for the health and well-being of communities. Finally paragraph 98 identifies planning decisions should protect and enhance public rights of way, taking opportunities to provide better facilities for users, which echoes local plan policy RT12. The local plan policies are therefore considered to align to the aims of the NPPF and are given full weight.

9.11 The requirements for providing open space and play are further detailed in the Supplementary Planning Document for Social Infrastructure including Open Space, Sport and Recreation (2007). As this is outline consent it is not possible to specify the exact amount of open space needed, as the dwelling size mix is not yet known. However, the proposed plans provide a large amount of open space for informal recreation and so the requirement of 2,690sq.m. for play space and 8,070 sq.m. for open space could be met on the site (when using the standards in the above document, if the maximum number of people per dwelling were assumed (5 people) for the 269 dwellings). The development is therefore considered to provide more than sufficient open space and play space that can be secured through a Section 106 agreement and designed on site at the reserved matters stage.

#### *Affordable housing*

9.12 The proposed development would require 94 affordable units on the site to meet the requirements of 35% affordable housing under altered policy H4. Paragraph 64 of the NPPF seeks major development to have at least 10% affordable housing. As this local plan policy was updated in 2016 reflecting local

housing need based on house prices, rents, affordability and housing needs it is considered to align with the NPPF and carry full weight.

9.13 The illustrative masterplan has demonstrated how the affordable housing would be located in at least seven locations on the site to ensure affordable dwellings are integrated into the wider scheme. The final choice of materials will be important to ensure all dwellings on site are 'tenure blind' and no differentiation can be made on tenure based on appearance or materials. An appropriate affordable housing mix has been identified by the Council's Strategic Housing Officers and would be secured through a Section 106 agreement. This comprises of 6no. 2 bed apartment, 6no. 2 bed flat over garages, 8no. 2 bed bungalows, 41no. 2 bed semi-detached houses and 33no. 3 bed semi-detached houses. This final mix however would be agreed at the reserved matters stage. The requirements of policy H4 and paragraph 64 of the NPPF are therefore considered to be met.

9.14 Overall the design of the scheme is considered to have been adequately demonstrated to show that all considerations including ecology, landscape features, open space and affordable housing can be provided on the site to a high quality standard of design. These will ultimately be determined through the reserved matters, but the illustrative plan submitted demonstrates a high quality standard of design is possible within this site.

## **10. Impact On Residential Amenity**

10.1 Local plan policy H16 seeks to protecting existing residential amenity. This requirement is also identified in paragraph 127 of the NPPF which requires good design to create places with a high standard of amenity for existing and future users. The local plan policy is considered to align with the NPPF and carries full weight.

10.2 There are residential dwellings to the south of the site along Church Lane Barham. There are intervening landscape features along this boundary which will provide some natural screening to the proposed development. Given the distance and intervening landscaping and road it is considered an appropriate scheme can be identified to protect the amenity of residents along Church Lane Barham.

10.3 Dwellings on Norwich Road are set at a sufficient distance from the development site to not have a significant adverse effect either.

10.4 There is potential for residents of the scheme to use one access of the spine road to travel along Church Lane Barham into the village, leading to disturbance from noise, fumes and possibly car lights. It is considered likely that residents will use the spine road to access Norwich Road, as this is a wider road. Also the residents of Church Lane Barham will have less traffic from the re-aligning of this road. Whilst there may be some disturbance from traffic from new residents, it is not considered to be sufficient to refuse the scheme on this basis.

10.5 The Councils' Environmental Protection Officer (EPO) has raised the issue of the proximity of the development to the A14 (approximately 250m) as having the potential to affect the amenity of occupants if not suitably mitigated. However, given this distance officers are confident that appropriate noise mitigation can be achieved at the reserved matters stage through appropriate design features on the dwellings. A condition is recommended as such.

10.6 This would not give rise to such significant impacts that the scheme would lead to an unacceptable level of amenity in terms of policy H16 of the local plan and paragraph 127 of the NPPF and these policies are therefore complied with.

## **11. Surface water, foul water, contamination and minerals**

11.1 The site is located on a Principal Aquifer and within the Inner and Outer Zones of a Groundwater Source Protection Zone. It is therefore important to ensure no contaminants enter groundwater from this site, in accordance with policy SC4 of the local plan.

11.2 The site is located within Flood Zone 1, the lowest area of flood risk, even when applying a 65% climate change allowance, which is where development is directed to in accordance with paragraph 155 of the NPPF. Therefore there is no need to apply the sequential or exceptions test under paragraph 163 of the National Planning Policy Framework.

11.3 There are however surface water flow routes due to the topography of the site, with water likely to pond in the south west corner of the site. To ensure the proposals are in accordance with core strategy policy CS 4 on Adapting to Climate Change and paragraph 150 of the NPPF which seeks to avoid increasing vulnerability to impacts of climate change, the development needs to demonstrate it does not increase flood risk elsewhere. Paragraph 170 of the NPPF also seeks to ensure new development does not contribute to water pollution, and as this site is in an Outer Zone of a Groundwater Protection Zone and Principal Aquifer the water quality of surface water run-off is a key issue. As the provisions of the development plan policy CS4 and the NPPF align, this policy is considered to carry full weight.

11.4 The surface water that would potentially collect in the south west corner of the site would be positively drained and the risk of flooding mitigated under the proposed strategy put forward. The proposed development would create impermeable surfaces which could lead to an increase risk of overland flow on the site. It is proposed to ensure at the reserved matters stage to ensure that suitable overland flow routes are created, and surface water disposed of through a hybrid system of infiltration in areas where there is sufficient permeability (mostly to the east of the site where the ground is higher) and a system of positive discharge to Anglian Water Sewers and, in line with paragraph 165 of the NPPF. Anglian Water have confirmed agreement to accept these flows of surface water.

11.5 Infiltration structures have been designed to the adequate standard to drain within an appropriate time for the 1 in 100 year return period rainfall event (including the appropriate climate change allowance). A suitable maintenance and management of the system will also be secured through condition.

11.6 The safety of the potential surface water attenuation feature has been considered. The basin would usually be dry and not contain water. The slopes of the attenuation basin would be to the required Suffolk County Council SuDS Guide, although the water depth would be higher than advised in the above document. Planting of low-level landscaping has been suggested to deter entry to the feature, and a knee rail fencing to prevent younger children from entering the basin. Subject to these features it is considered there would be minimal risk from the proposed feature.

11.7 The Lead Local Flood Authority (LLFA) have no objections to the proposed surface water drainage strategy subject to appropriate conditions to require infiltration drainage first where possible and a two-stage treatment process for surface water, both of which would be specified in any conditions.

11.8 Anglian Water has indicated they have capacity for wastewater treatment but there is potential of some foul water flooding. However an appropriate mitigation scheme can be secured through condition.

11.9 The use of the land is agricultural. The likelihood of contamination being found on the land is low, but there is a record of contamination on the site. Conditions are recommended to address potential contamination on site in accordance with paragraph 178 of the NPPF.

11.10 The potential for the additional traffic to have an adverse impact on the surrounding air quality has been considered, but due to the scale of the development it is unlikely to result in a deterioration of good air quality in area, meeting the requirements of paragraph 180 of the NPPF.

11.11 The proposed development would therefore meet the requirements of the policy SC4 and the NPPF to protect groundwater and ensure the development does not increase flood risk elsewhere.

### *Minerals*

11.12 The site lies within the mineral consultation area under Suffolk County Council's Mineral Core Strategy 2008. Policy 5 of this document requires that any proposed development on unallocated sites over one hectare will be safeguarded from development unless it can be shown that sand and gravel present are no of economic value or that mineral will be worked prior to development taking place. This is considered to align with paragraphs 203 and 204 of the NPPF, and so can be given full weight.

11.13 In this instance the Mineral Planning Authority have no objections, as the site is not suitable for extraction due to its close proximity to existing dwellings. A condition has been requested to ensure any mineral extracted from site during construction process is quantified.

11.14 The proximity of this development to the quarry has been considered to ensure there would be no adverse impact on residential amenity to future residents of the development, and conversely there would be no cause for complaints which could restrict the works of the quarry.

11.15 The proposed development would be located at some distance from the quarry, particularly now the development has been sited further to the south west within the site away from the quarry. There would be a good degree of physical separation and intervening topography would limit adverse amenity impacts including noise and dust, and any adverse visual impact. This would not give rise to such significant impacts that the scheme would lead to an unacceptable level of amenity in terms of policy H16 of the local plan and paragraph 127 of the NPPF.

## **12. Planning Obligations / CIL**

12.1 A number of contributions are proposed to be secured to meet the infrastructure requirements of the proposed development, as required by altered policy H4 (affordable housing), and policies T4 (highways) and RT4 (recreational space) of the local plan and core strategy policy CS6. These policies to secure infrastructure are considered to be in line with paragraph 34 and 94 (relating to schools) of the NPPF, and therefore given full weight.

12.2 A Section 106 agreement would be required and would include:

- Affordable housing
  - o This shall include 35% of dwellings as affordable dwellings
  - o Properties must be built to current Homes England requirements and NDSS 2015 and Lifetime-Homes standards
  - o The council is granted 100% nomination rights to all the affordable units on first lets and 75% on subsequent lets.

- The affordable units will be built out in phases across the development to be agreed at Reserved Matters stage if the outline application is approved. The indicative plan showing the location of the affordable homes is seen as acceptable with dwellings distributed across the site.
- Shared Ownership units to a maximum initial share purchase threshold to be agreed through S106
- Affordable housing units must be transferred freehold to an approved RP or to the district Council.
- Where there are more than 15 affordable units, they should not be located in clusters of more than 15 units.
- Adequate parking provision is made for the affordable housing units
- On site open space and includes management of the space to be agreed and requirement for public access at all times.
- Providing land and contribution to Church within their extended grounds - £60,000 (for info provisions of laying of carpark, access route to/from church, footpath link relating to archaeology will be covered by planning condition)
- Recreational Access Disturbance Mitigation Strategy contribution - £121.89 per dwelling (up to £32,788.41)
- Primary school build cost - £1,232,175
- Improvements to Church Lane Claydon/Norwich Road junction and Station Road/Norwich Road junction; Financial contribution toward transport improvements in the village to encourage walking and cycling, safer routes to school and improve safety for pedestrians and cyclists; and Norwich Road extension of Speed Limit on Norwich Road. The total cost of these works are estimated at £98,250 to be apportioned between this and Norwich Road application (reference 18/00861).
- Travel Plan
- Public Rights of Way improvements of £115,500 for:
  - Public Footpath FP13, 14 and 16 - Conversion of these public footpaths to bridleway
  - Public Footway FP11 – general improvements to route and remove obstructions
  - Bridleway 17 and 18 - improvements to surface material
  - Barham permissive path – Order to formalise the route, widen and other improvements
- Protect land for potential doctor's surgery/community use for period of time, if no demand a further planning application would need to be made to determine use of land.

12.3 The development would be liable for CIL contributions, which would be sought for provision of secondary school places for this particular development, library services and healthcare provision. Liability would be calculated at the reserved matters stage and collected on commencement of development.

12.4 Provided these S106 contributions are secured there is no objection from the Local Education Authority regarding school capacity, the Local Highway Authority regarding impact on Public Rights of Way, or in relation to ecological impact on protected sites, affordable housing provision and open space provision.

### **13. Delivery**

13.1 The NPPF makes clear in paragraph 59 that it is the Government's intention to significantly boost the supply of housing and in support of that objective it is important that a sufficient amount and variety of land can come forward where it is needed, that the needs of groups with specific housing requirements are addressed and that land with permission is developed without unnecessary delay. Paragraph 76 of the NPPF also identifies to help ensure proposals for housing developments are implemented in a timely manner, a shorter time limit can be considered, provided it does not affect its deliverability or viability.

13.2 The deliverability of a development is an important factor in an assessment as to its sustainability (in terms of its benefits) and in terms of its contribution to the supply of housing in the District; considered to be more compelling in the event that there is a demonstrable shortfall in housing supply.

13.3 The NPPF defines deliverable:

*"To be considered deliverable, sites for housing should be available now, offer a suitable location for development now, and be achievable with a realistic prospect that housing will be delivered on the site within five years."*

and:

*"Sites with outline planning permission... should only be considered deliverable where there is clear evidence that housing completions will begin on site within five years."*

13.4 The PPG gives further guidance on those considerations under the chapter heading, '*Housing and economic land availability assessment*' and including three, important concepts: suitability, availability, and achievability. Whilst primarily aimed at aiding the plan-making process, the principles are no less useful when considering the deliverability of this development. The PPG also identifies information relating to site viability, ownership constraints or infrastructure provision, and a statement of common ground between the local planning authority and the developer confirming the anticipated build-out rates.

13.5 To detail the delivery of this site further a Delivery Statement has been submitted in support of this application.

13.6 The statement identifies the timescale for delivery of the dwellings beyond the permission being granted and other examples of delivery on sites the applicant has been involved with.

13.7 The statements and assumptions made in the Delivery Statement is considered to be fair and reasonable by officers. There is some uncertainty over which developer would take on the majority of the site, although Pigeon Investment Management have identified that they would develop the single storey phase to the east of the site. The applicant advises there has been a significant interest in the remainder of the site with home builders and a strategy has been agreed with the landowner to deliver the new homes. There has also been significant work to engage with stakeholders and consultees, with a good degree of supporting information for what is currently an outline consent. These will only assist the timescale for delivering this site.

13.8 The site is considered to be suitable for development, as detailed further in the conclusion and planning balance to this report, providing significant benefits of housing, affordable housing, a highway improvement through the spine road compared to the existing Church Lane, the benefit of biodiversity net gain and securing the preservation of the Anglo-Saxon remains on site. The site is available as there are no known legal or ownership problems relating to this site. The developer also has a delivery record as demonstrated in the Delivery Statement. The development is also considered achievable as there are no

known viability issues when taking account of the Section 106 provisions and required Community Infrastructure Levy payments.

13.9 The applicant has also agreed to a shortened timescale for the time limit for commencing the planning permission, which would be in line with the delivery timetable they have presented. The site and development proposed is therefore considered to be suitable, available, and achievable, with officers not considering that there are any constraints that would unduly inhibit delivery.

13.10 The evidence presented in the Delivery Statement is considered to demonstrate that the site is deliverable in line with the considerations of the NPPF and PPG, and therefore substantial weight is given to the consideration of housing delivery in this instance, where: the development would of itself make a significant contribution by way of housing delivery and there is support for an assertion that the development is deliverable; and, further, where there is a confidence and reasoned expectation that the development would make a valuable contribution to the five-year land supply period in the short-term and at an expeditious rate.

13.11 The consideration of delivery and weight will be balanced in the conclusion to this report.

#### **14. Other matters**

14.1 Section 143 of the Localism Act 2011 on local financial considerations requires consideration to be given to the financial benefits a development would bring to the council through grant income, such as New Homes Bonus, Community Infrastructure Levy, Council Tax and Business Rates. However the financial benefits this scheme would deliver need to be weighed against the different issues raised above and put into the planning balance when considering the merits of the application.

14.2 Fire hydrants would be conditioned on any permission issued.

14.3 It is noted that Suffolk County Council request some housing on site is housing with care for older people. A mix of housing is proposed on the application site with a good number of bungalows, but none specifically for older people. In the absence of a clear policy requirement for housing for older people in the development plan it is not possible to insist it is provided.

14.4 Superfast Broadband connections are also requested by the County and provision supported by paragraph 112 of the NPPF. This is a service provided by a private company and so cannot in itself be secured through planning consent. A condition can be applied to ensure there is sufficient space for the required cabling to each dwelling within the development and is recommended as such.

14.5 The application was screened as to whether an Environmental Impact Assessment (EIA) was required under reference 5029/16. No EIA was deemed necessary. It should be noted however that the above screening did not include the land for the school site but was for 300 dwellings rather than the proposed 269 under this application. Since the screening there is now also the planning application for 73 dwellings at Ely Road, which should be considered for cumulative impacts. However, even having regard for the above matters, the scale and nature of the proposed development, along with the character, constraints of the surrounding area, it is not considered that the proposed development would result in significant effects on the environment, whether in isolation or in combination with any other developments in the locality. There are no new significant constraints that would alter the previous conclusion to the screening opinion issued on this site and an Environmental Impact Assessment under the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 was not required to assess the environmental impacts of the scheme and this remains the case.

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14.6 The Joint Local Plan Preferred Options Regulation 18 was published in July 2019. In this document this site was identified to be allocated for approximately 270 dwellings under allocation LA002. The requirements of this allocation identified that any development on this should comply with:

- i) The relevant policies set out in the Joint Local Plan;
- ii) Design, layout and landscaping is sympathetic to the setting heritage assets;
- iii) Provision of appropriate landscaping and noise mitigation addressing the compatibility of neighbouring quarry site;
- iv) A free serviced site of 3ha should be reserved for a new pre-school and primary school plus proportionate contributions towards the build costs;
- v) Contributions, to the satisfaction of the LPA, towards secondary school provision;
- vi) Contributions, to the satisfaction of the LPA, towards healthcare provision; and
- vii) Contributions, to the satisfaction of the LPA, towards additional Household Waste Recycling provision.

14.7 This allocation is at present at an early stage in the plan making process, and so limited weight can be given to this allocation in terms of deciding this planning application. This does however give an indication of the direction of travel as to how the authority will meet it identified housing needs over the next plan period.

14.8 To arrive at the suggested allocations in this document a comprehensive review has been undertaken of all the sites put forward by landowners to formulate this draft joint local plan. This assessment has considered the sustainability of the sites overall to determine which provide a more sustainable form of development for growth in the district as a whole. This site has been identified by the Council as a preferred location for development on this basis. Members must have caution in placing significant weight on this consideration of the emerging allocation, but this does indicate how the Council will meet its housing needs in the most sustainable way.

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## **PART FOUR – CONCLUSION**

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### **15. Planning Balance and Conclusion**

15.1 Since Members last considered this application there has been submission of further information and material considerations have substantially evolved. The highway impacts have been further assessed and tested both individually for the site and cumulatively with other proposed developments in the surrounding area, a better resolution for protecting Anglo-Saxon remains on site has been found, and further ecology mitigation has been secured through a meadow for Brown Hares and other significant enhancement strategies as outlined above.

15.2 The starting point for any planning decision is the development plan, as identified in Section 38(6) of the Planning and Compulsory Purchase Act 2004. Determination of any application must be made in accordance with the plan unless material considerations indicate otherwise. A key material consideration regarding the principle of development is the National Planning Policy Framework (NPPF) 2019.

15.3 The principle of development on this site is not supported by local plan policy H7, CS1 and CS2 of the Core Strategy and FC2 of the Core Strategy Focused Review. These however are considered to be out-of-date and not be consistent with the aims of the NPPF and therefore accorded less weight. Policy FC1 of the Core Strategy Focused Review repeats the requirements of the former paragraph 14 of the NPPF, which is replaced now with paragraph 11 which is the more relevant consideration and so this policy

is afforded less weight. Policy FC1.1 seeking to conserve and enhance the local character of different parts of the district, is up-to-date and relevant to this application. These two policies seek to promote the principles of sustainable development. This conflict with the development plan is noted but is not necessarily fatal when considering other material considerations. Whilst it is noted this site has been identified for development in the emerging local plan, this is at an early stage and so limited weight can be given to this at present.

15.4 Whilst the council can currently demonstrate a sufficient land supply, the above policies being out-of-date and comprising the most important policies for determining the application require the application to be considered in terms of paragraph 11d (ii) of the NPPF. This directs that development should be approved unless the adverse impacts of doing so significantly and demonstrably outweigh the benefits.

15.5 In this instance the benefits are considered to be as follows. The following benefits are significant and considered to attribute significant weight:

- 269 new dwellings, of which 35% would be affordable which is the policy requirement
- net gain for biodiversity with the proposals for habitat enhancement compared to the existing situation
- sustainable location of site, reducing the need to travel and promoting sustainable transport routes
- securing land for a new primary school and pre-school
- provision of new road through site to Church Lane Barham, which at present is narrow and without a continuous footpath provision
- upgrading, widening and resurfacing of bridleways, footpaths and permissive paths in vicinity of the site
- a significant area of public open space
- securing extension to the church grounds and improving accessibility on foot to the Church
- wider highway improvements for pedestrians and cyclists in Claydon

15.6 There would also be the following benefits which attribute moderate weight:

- some short-term economic benefits from construction jobs during the build-out of the site;
- longer term economic benefits of additional spend from new residents for local services such as shops and public transport
- jobs created at the new primary school and pre-school

15.7 The issue of this development not securing the build of the school and doctor's surgery is noted but it would not be reasonable to require this development to do so as it is not of a sufficient size to justify either. The benefits of the school site however remain, and it should be noted the provision of land for either a doctor's surgery or community use carries some weight although this must be reduced to note there is no certainty either use can come forward at this stage.

15.8 The harms identified in the above report include the following:

- Conflict with policies relating to the principle of development of CS1, CS2, H7 and FC2 regarding principle of use, although these policies are noted to carry less weight as explained above
- Landscape harm and subsequent conflict with CS5, although this is considered to be sufficiently mitigated by the strengthening of existing landscape features and extensive site wide planting
- Less than substantial harm to heritage assets, leading to some conflict with HB1 and CS5 (although as explained above these policies go further than what is required NPPF in requiring "*enhancement*" to heritage assets and any conflict should therefore be reduced accordingly)
- Loss of grade 2 and 3a agricultural land, conflicting with CR11, although no objection has been raised by Natural England and as the cumulative loss is less than 20ha this is considered acceptable

15.9 Whilst it is noted that there would be some delays to the road network with this and other proposed developments in the surrounding area, this delay would not be severe. Whilst it is identified that the development would lead to delays at two key junctions in Claydon, the highway impact would not be severe, and the delays would only occur for a relatively short period of time of 15 minutes at AM and PM rush hour peak times. Therefore the proposed development would be in accordance with the requirements of the NPPF and there would not be a conflict of policy. The applicants have also gone further to provide additional pedestrian and cycle improvements within the village of Claydon responding to Members concerns.

15.10 The development would lead to some harm to the existing landscape character. The current open fields would be developed and there is no avoiding the impact and harm that this would have to the landscape and historic importance regarding the setting of the Church (as detailed further below), contrary to policy CS5 of the core strategy. However, this harm is mitigated to a degree by the fact the development site is not within a protected landscape area and that the proposed development landscape strategy looks to retain existing hedgerows and field boundaries and provide significant new structural planting. These would enhance the existing landscape character, as well as have ecological benefits as identified in the above report. The level of conflict with core strategy policy CS5 and paragraph 170 of the NPPF is therefore reduced to some degree.

15.11 The proposal will result in a less than substantial harm to the setting of the neighbouring Grade II\* St Mary's and St Peter's Church Grade II listed buildings and Grade II\* listed Church. This harm to the designated heritage assets is a disbenefit of the scheme which needs to be treated with the utmost importance in light of the statutory duties set out in section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

15.12 In determining this application Officers are mindful of the specific duty imposed on the local planning authority with respect to the need to have special regard to the desirability of preserving the listed building or its setting, as set out in section 66 of the above Act.

15.13 Paragraph 196 of the NPPF states that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal. The benefits are considered to be significant and include the contribution towards the Council's housing targets, provision of affordable housing, provision of land for new primary school, pre-school, provision of land for church expansion, including delivery of a new car park and improved access arrangements, highway improvements of the new spine road and creating an improved access over the existing Church Lane Barham within the surrounding highway network, contributions to improve public rights of way in the area, a significant area of informal open space and net gain for biodiversity and delivery of dwellings in a sustainable location. It is considered that these material considerations would outweigh the less than substantial harm to the heritage asset, even where a considerable importance and great weight is applied to the desire to keep the affected asset from harm.

15.14 Officers have therefore applied the balance required by paragraph 196 of the NPPF and had special regard to the desirability of preserving the setting of the listed building as required by section 66 of the listed buildings Act and given the harm considerable importance and weight. The outcome of this balancing exercise is that those public benefits identified outweigh the less than substantial harm, having given considerable importance and weight to the harm identified.

15.15 When considering the wider planning balance in terms of sustainable development, this scheme would lead to up to 269 deliverable dwellings of which 35% would be affordable dwellings in a

sustainable location and providing a site for a two-form entry primary school and pre-school. These matters are given significant weight in the planning balance.

15.16 The harm to the landscape is present but as the site is not within a protected landscape and through the proposed retention and planting of hedgerow boundaries the landscape harm is mitigated to a degree. The heritage harm is considered to be less than substantial and outweighed by the public benefits. And finally the loss of agricultural land leads to some harm, but the extent of higher grade agricultural land lost is only on part of the site. Overall it is recommended that the benefits of this deliverable housing in the sustainable location outweigh the landscape harm, the less than substantial heritage harm to the setting of St Mary and St Peter's Church and the harm of loss of best and most versatile agricultural land that would result from this scheme and the proposed development is considered to on balance be a sustainable development. The illustrative masterplan provides enough certainty at this outline stage that all other considerations could be adequately met at the reserved matters stage, or through the Section 106 agreement, planning condition or Community Infrastructure Levy the site would be liable for.

15.17 The site is in a sustainable location for the level of housing proposed and the harms presented by the proposed development are considered to be moderate and outweighed by the benefits identified above. The site is identified as an emerging site allocation for 270 dwellings, and whilst this has limited weight in planning terms this does give an indication of the direction of travel as to where housing could be most sustainably located to meet the authority's housing need. As identified in paragraph 59 of the NPPF, it is the Government's intention to significantly boost the supply of homes and this is considered to be an appropriate location to do so, and further support the supply of homes required to maintain the five year supply.

15.18 The development is considered to comply with the development plan as a whole, notwithstanding the minor conflicts with some policies identified in the report. Further to this given that key policies for determining the application are out-of-date, paragraph 11 of the NPPF directs decision-making to approve development unless there are clear reasons for refusing development in relation to policies within the framework such as heritage, or any adverse impacts of doing so would significantly and demonstrably outweigh the benefits. In this instance it is not considered the heritage harm would lead to a sufficient reason to refuse the scheme, and the adverse impact as noted above would not significantly and demonstrably outweigh the benefits, and the planning benefits and material considerations detailed at paragraphs 15.5 and 15.6 above would clearly outweigh the policy conflict. The application is therefore recommended by officers for approval, subject to the provisions of the Section 106 agreement and conditions detailed below.

## **RECOMMENDATION**

That the application is GRANTED planning permission and includes the following conditions:-

That authority be delegated to the Chief Planning Officer to APPROVE OUTLINE PERMISSION

**(1) Subject to the prior agreement of a Section 106 Planning Obligation on appropriate terms to the satisfaction of the Chief Planning Officer to secure:**

- Affordable housing
  - o This shall include not less than 35% of total dwellings

- Properties must be built to current Homes England requirements and NDSS 2015 and Lifetime-Homes standards
- The council is granted 100% nomination rights to all the affordable units on first lets and 75% on subsequent lets.
- The affordable units will be built out in phases across the development to be agreed at Reserved Matters stage if the outline application is approved. The indicative plan showing the location of the affordable homes is seen as acceptable with dwellings distributed across the site.
- Shared Ownership units to a maximum initial share purchase threshold to be agreed through S106
- Affordable housing units must be transferred freehold to an approved RP or to the district Council.
- Where there are more than 15 affordable units, they should not be located in clusters of more than 15 units.
- Adequate parking provision is made for the affordable housing units
- On site open space and includes management of the space to be agreed and requirement for public access at all times.
- Providing land and contribution to Church within their extended grounds - £60,000 (for info provisions of laying of carpark, access route to/from church, footpath link relating to archaeology will be covered by planning condition)
- Recreational Access Disturbance Mitigation Strategy contribution - £121.89 per dwelling
- Primary school build cost - £1,232,175
- Improvements to Church Lane Claydon/Norwich Road junction and Station Road/Norwich Road junction; Financial contribution toward transport improvements in the village to encourage walking and cycling, safer routes to school and improve safety for pedestrians and cyclists; and Norwich Road extension of Speed Limit on Norwich Road. The total cost of these works are estimated at £98,250 to be apportioned between this and Norwich Road application (reference 18/00861).
- Travel Plan Travel Plan Evaluation and Support Contribution - £1,000 per annum from occupation of the 100th dwelling for a minimum of five years, or one year after occupation of the final dwelling, whichever is the longest duration.
- Public Rights of Way improvements £115,500
- Protect land for potential doctor's surgery/community use for period of time before releasing to other uses (i.e. residential) if not successfully taken up

**(2) That the Chief Planning Officer be authorised to APPROVE Planning Permission upon completion of the legal agreement subject to conditions as summarised below and those as may be deemed necessary by the Chief Planning Officer:**

- Reduced outline time limit
- Approved Plans (Plans submitted that form this application)
- Phasing Condition (To allow phasing of the development and allows spreading of payments under CIL).
- Market housing mix prior to or concurrent with reserved matters to be agreed
- Landscaping conditions including advance planting (before commencement of construction), landscape management plan and landscaping scheme

- Tree protection
- SuDS implementation, management and maintenance plans
- Ecology protection, mitigation and enhancement measures including follow-up badger survey, Skylark mitigation, wildlife sensitive lighting scheme, Swift boxes and hedgehog fencing
- Level access to enable wheelchair access for all dwellings/buildings
- Used Water Sewerage Network – phasing plan, foul water strategy and Surface Water Disposal (Anglian Water)
- Access route to/from church and footpath link
- Programme of archaeological works
- Management Plan for the Preservation of Archaeological Features in specified area – no dig/build up and no ground disturbance. No groundworks (including ploughing, site stripping, landscaping, planting, services, fencing, attenuation or machinery movement) to protect in-situ archaeological remains
- Highways conditions including; Visibility splays, Travel Plan, Road Safety Audits, manoeuvring and parking details (including electric vehicle charging points and cycle storage), details of estate roads, surface water disposal from highway, refuse/recycling bin details, Construction Environment Management Plan
- Landscaping including proposed tree planting and landscaping, including locations and root management (relating to highways)
- Surface water drainage scheme including maintenance and management, construction surface water management plan and inclusion of SuDS components on Lead Local Flood Authority's Flood Risk Asset Register
- Noise mitigation from A14
- Land contamination
- Service ducting for broadband
- Fire hydrants
- Energy and renewable integration scheme
- Rainwater harvesting
- Land contamination investigation and remediation
- Arboricultural method statement and tree protection plan
- Minerals extraction recording

**(3) And the following informative notes as summarised and those as may be deemed necessary by the Chief Planning Officer:**

- Pro active working statement
- SCC Highways: offence to carry out works in public highway
- SCC Highways: Section 38 agreement required relating to construction and adoption of Estate Roads.
- SCC Highways: existing street lighting system, contact SCC
- Public Rights of Way - notes reminding of legal requirements protecting rights of way
- Anglian Water assets
- Connection to public sewer requires consent under S106 of the Water Industry Act 1991
- Works to a water course may require consent under the Land Drainage Act

- Discharge to a watercourse or groundwater needs to comply with Water Environment (Water Framework Directive) Regulations 2003
- Discharge to watercourse that drains into an Internal Drainage Board catchment may require a contribution

**(4) That in the event of the Planning obligations or requirements referred to in Resolution (1) above not being secured and/or not secured within 6 months of this resolution along with an appropriate extension of time to the application to ensure such obligation/requirements are secured in a timely manner that the Chief Planning Officer be authorised to refuse the application on appropriate ground/s**