

## **Committee Report**

**Item 7D**

**Reference:** DC/19/02542

**Case Officer:** Sarah Scott

**Ward:** Bacton

**Ward Member/s:** Cllr Andrew Mellen

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## **RECOMMENDATION – APPROVE RESERVED MATTERS WITH CONDITIONS**

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### **Details of Development**

#### **Description of Development**

Submission of details under outline planning permission 3270/16 - appearance, landscaping and scale for 64 dwellings

#### **Location**

Land off Wyverstone Road Bacton Stowmarket Suffolk IP14 4LQ

**Expiry Date:** 28/11/2019

**Application Type:** RES - Reserved Matters

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

**Applicant:** Laurence Homes

**Agent:** BDG Design Ltd

**Parish:** Bacton

**Site Area:** 2.71ha

**Details of Previous Committee / Resolutions and any member site visit:** None

**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:

Major Development

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

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### **Summary of Policies**

Mid Suffolk Core Strategy (2008)

Policy CS1 Settlement Hierarchy

Policy CS2 Development in Countryside and Countryside Villages  
Policy CS3 Reduce contributions to climate change  
Policy CS4 Adapting to climate change  
Policy CS5 Mid Suffolk's environment  
Policy CS6 Services and infrastructure

Mid Suffolk Core Focused Review (2012)  
Policy FC1 Presumption in favour of sustainable development  
Policy FC1.1 Mid Suffolk approach to delivering Sustainable Development  
Policy FC2 Provision and Distribution of housing

Mid Suffolk Local Plan (1998)  
GP01 - Design and layout of development  
H03 - Housing development in villages  
H04- Proportion of Affordable Housing  
H14 - A range of house types to meet different accommodation needs  
H15 - Development to reflect local characteristics  
H16 - Protecting existing residential amenity  
H17 - Keeping residential development away from pollution  
T09 - Parking Standards  
T10 - Highway Considerations in Development  
CL02 - Development within special landscape areas  
Altered Policy H4 – Affordable Housing

National Planning Policy Framework

### **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**

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

###### **Bacton Parish Council**

Bacton Parish Council considered this application at its meeting held on July 9th. Council resolved to object to the proposal based on the following reasons:

Planning policy GP1 states clearly that proposals should maintain or enhance the character and appearance of their surroundings and respect the scale and density of surrounding development. Policy H16 states to protect the existing amenity and character of primarily residential areas, the District planning authority will refuse development that materially reduces the amenity and privacy of adjacent dwellings or erodes the character of the surrounding area. The proposed plans show four bedroom houses, some of the largest on the development, to be sited adjacent to existing bungalows in Earlsbrook; plots 16, 15, 11, 10, 9 and 8. With local knowledge this would result in a loss of residential

amenity and Bacton Parish Council would suggest the plans are changed to provide small single storey properties.

The results from the Bacton Housing Needs Survey carried out in 2016 showed more people wanted 3 bedroom than 4 bedroom properties, the majority of those wanting to move to a smaller house, to free up equity, with larger gardens. Single people proved to have the greatest need and 66% of those wanting to move expressed the want to stay in their existing community. Bacton Parish Council considers this is evident enough that the need for Bacton is for dwellings smaller than those proposed. This is consistent with the Parish Councils original response to the application in which it suggested a higher proportion of 2 bedroom private properties be available.

The Council could see no design code and therefore concern was expressed regarding the treatment of boundaries and domestic waste bin storage.

The development will result in a loss of open space, and the green space offered seems to be very small in comparison to the development area. Also, the detailed application does not show the function and treatment of this open space.

This proposed development is in a rural area. Concerns were heard regarding the car parking provision for residents and callers. The plan does not include any proposal for off street communal parking or parking bays contiguous with carriageways. Bacton Parish Council would ask that this is considered before any decision is made.

*(Officer Note: The principle of development and layout have been approved and accordingly issues of principle and layout including traffic generation, parking, density and extend of open space cannot be revisited in this reserved matters application. Bedroom numbers for the development were not secure within the outline application or 106 agreement. This reserved matters application can only deal with appearance, landscaping and scale.)*

### **Wyverstone Parish Council**

Wyverstone Parish Council wishes to make the following comments about the above application to which they strongly object.

The proposed development is completely out of character with the surrounding area. There are no other flats in Bacton, therefore this style of building would not be in keeping with other residential properties in the village.

The proposed buildings to be sited adjacent to Earlsbrook will overlook the existing bungalows there, resulting in a loss of amenity and privacy to those residents. Any buildings along that side would therefore need to be no more than single storey.

The plans make little provision for carparking. Doubtless most of the proposed dwellings will have at least two cars and there will be other visitors.

It is highly likely that the public bus servicing Bacton will be lost. This will place an even heavier use on the private car. There is no local employment in the village which means that the occupants of these houses will need to commute to work which will increase traffic and pollution in the area. Generally, the development is far too dense and the open space far too small in proportion. In short, it is an urban development in a rural setting which will little enhance the character or appearance of its surroundings.

Comments on revised proposal:

Wyverstone discussed this application again at the meeting last night and whilst it recognised that some of the dwellings have been more sympathetically sited, it can only reiterate the objections that it has made previously i.e. the development is too dense, flats are totally out of keeping with the area, there is too little parking provision, the development will generate too much vehicular traffic, and the local infrastructure will not be able to cope with so many additional residents.

*(Officer Note: The principle of development and layout have been approved and accordingly issues of principle and layout including traffic generation, density and extend of open space cannot be revisited in this reserved matters application.)*

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

##### **Historic England**

No objection.

##### **Natural England**

No objection.

##### **Highways England**

No objection.

##### **NHS**

No objection - The NHS will as normal practice seek a CIL contribution.

##### **Anglian Water**

We have reviewed the applicants submitted surface water drainage information; the proposed method of surface water management does not relate to Anglian Waters operated assets. The Local Planning Authority should seek the advice of the Lead Local Flood Authority or the Internal Drainage Board.

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

##### **SCC Highways**

I note that the applicant is seeking approval for appearance, landscaping and scale. Having assessed the submitted plans I can confirm that none of these elements have an impact on the highway and therefore I have no highway comments to make.

##### **SCC Flood and Water**

The points below detail the action required in order to overcome our current objection: -

Resubmit the details utilising a full SuDs system for conveyance to discharge or provide a viability statement as to why a full open SuDs system cannot be utilised on this development.

Resubmit landscaping plans detailing how the attenuation basin will be planted. a. Suggestion would be to utilise either Fescues or Bent grasses (80% plus) and Wildflower Seed (20% or less) – Wet or dry.

*(Officer Note: As layout has been approved, a full open SuDs system is no longer a consideration. For future outline applications this will be a requirement but cannot be sought in respect of this reserved matters application for scale and appearance of the dwellings and landscaping of the site. Further details on the landscaping have been secured and will be conditioned, see recommendation)*

##### **SCC Development Contributions**

The County Council previously set out the infrastructure implications in the consultation response letter dated 23 September 2016 in respect of reference 3270/16, which will form the basis of a future CIL funding bid. However, in respect of primary school provision the agreed strategy which has evolved to deal with the large amount of developer-led growth is to build a new and larger primary school on the former Middle School site in the village to meet the needs of existing and new pupils.

In respect of the reserved matters application I have no further comments to make.

### **SCC Archaeology**

All archaeological works have been completed under the previous planning consent.

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

#### **BMSDC Strategic Housing – Summary**

- Since the outline application was approved, the reserved matters submission has increased the number of bungalows by two and reduced the number of 4 bed houses by two. The inclusion of five bungalows is welcomed as this will provide opportunities for older people to downsize.
- However, it is disappointing that there are only 2 x 2 bed 3 person houses included out of the total 37 houses proposed which = 5.4%. Would prefer changes to the housing mix (*Officer Note: Housing mix was not secured by the outline permission and this application can only be considered in respect of the reserved matters at this stage.*)

#### **BMSDC Public Realm**

The Public Realm Team note and welcome the inclusion of a wildflower meadow as part of the open space provision. Provision seems appropriate in scale for a development of this size.

Consideration should be given to the provision of some formal play equipment in the village green area - particularly that which supports younger children. (*Officer note: The green space was not secured as a Local Equipped Area of Play (LEAP) via the outline application and therefore cannot be sought at this stage as reserved matters*)

The Public Realm Team would anticipate a local solution to the future management of the open spaces as they appear to serve only the residents of this new development.

#### **BMSDC Planning Policy**

No objection.

#### **BMSDC Heritage**

No objection.

#### **BMSDC Land Contamination**

No objection.

#### **BMSDC Environmental Health**

I have no objection to the proposed development but would recommend that a planning condition is attached which restricts construction site working hours.

I would also ask that the following is controlled by way of condition to mitigate against light and dust during the duration of the construction:

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- No materials produced as a result of the site development or clearance shall be burned on site. All reasonable steps, including damping down site roads, shall be taken to minimise dust and litter emissions from the site whilst works of construction and demolition are in progress.
- All bulk carrying vehicles accessing the site shall be suitably sheeted to prevent nuisance from dust in transit.
- Any external lighting associated with the development shall be kept to the minimum necessary for the purposes of security and site safety and shall prevent upward and outward light radiation.  
Reason – To minimise detriment to nearby residential amenity.

*(Officer note: These are recommended as conditions)*

### **Place Services Ecology (MSDC)**

As previously highlighted, we are happy with the proposed landscaping details for this application. However, we recommended that Hedgehog Friendly Fencing (13x13cm holes at the base of fencing) should be demonstrated throughout the development and could be provided via a condition of any consent prior to slab level.

The Hard and Soft Landscape Masterplan (BDG Design (South) Ltd. July 2019) appears to indicate that Hedgehog Friendly Fencing will be provided throughout the development, as red squares have been positioned on boundary fencing. However, these red squares haven't been labelled within the masterplan. As a result, it currently can't be confirmed that Hedgehog Friendly fencing has been installed throughout the majority of the development. Therefore, this should be clarified prior to determination to avoid the inclusion of the proposed biodiversity enhancement condition.

### **Place Services Landscape (MSDC)**

Based on this additional information provided we would recommend our **holding objection** remains in place until our recommendations have been addressed or a condition to provide these details after determination.

*(Officer note: Landscaping conditions were added to the outline permission)*

### **Communities (MSDC)**

The location of the proposed housing development ie, adjacent to the potential future sports AGP, primary school plus the existing lack of play provision at this side of the village, warrants careful consideration about the nature and specific location of the open space as it is likely to need to be accessible to the wider community rather than merely those residents on site.

I have been working with the Parish Council in this regard and suggest that they are involved in further discussions in this matter including agreeing who will be responsible for the future management of it.

*(Officer Note: Play equipment provision was not secured by the outline permission and this application can only be considered in respect of the reserved matters at this stage.)*

### **Environmental Health – Sustainability (MSDC)**

No additional documents or information has been provided by the applicant to address previously submitted points, apart from inclusion of electric vehicle charging points on the external works drawing. Therefore, I have nothing to add to my response of earlier this year.

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*(Officer Note: Sustainability issues were not secured by the outline permission and this application can only be considered in respect of the reserved matters at this stage.)*

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## **B: Representations**

At the time of writing this report seven objections have been received, based on the following grounds:

- \*Existing boundary fencing being used by development as shared boundary treatment.
- \*Insufficient on-site car parking spaces
- \*Overlooking and loss of privacy
- \*Density is too great, and the scale is too large
- \*Noise and disruption associated with the construction

## **Planning History**

3270/16 - Application for Outline Planning Permission for residential development, associated highway, car parking and open space including Access & Layout – granted December 2017.

S106 planning obligation signed December 2017 securing affordable housing delivery details (22 affordable homes).

19/04881 – Discharge of Conditions Application for 3270/16- Conditions 5 (Archaeological Works), 7 (Contamination), 8 (Soft Landscaping Masterplan), 9 (Design Code), 10 (Landscaping Scheme), 11 (Landscaping Scheme), 14 (Tree Protection), 15 (Foul Water Strategy), 16 (Provision of roads and footpaths), 19 (Access drainage), 20 (Surface water drainage), 21 (Surface water drainage), 22 (Surface Water Drainage Details) and 23 (Surface water drainage details) – pending consideration.

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## **PART THREE – ASSESSMENT OF APPLICATION**

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### **1. The Site and Surroundings**

- 1.1 The site is located on the southern side of Wyverstone Road on the western fringe of Bacton. Residential development (Earlsbrook) abuts the south-eastern site boundary. Open countryside is to the northwest and southwest. The north-eastern boundary is adjacent Wyverstone Road opposite Bacton Middle School.
- 1.2 The site comprises an open field. Only the boundary to Earlsbrook properties has established landscaping, primarily to those properties.
- 1.3 The site is not in a Conservation Area or special landscape designated for protection. There are no listed buildings in close proximity of the site.

### **2. The Proposal**

- 2.1 The application seeks the approval of reserved matters appearance, scale and landscaping associated with outline permission 3270/16 issued in December 2017. At the time of outline permission being granted access and layout were approved. These scheme elements are therefore not considered further in this report.

Key elements of the proposal are as follows:

- The layout comprises 64 dwellings including 22 affordable dwellings, laid out as per the approved layout pursuant to 3270/16
- Private housing mix comprises:
  - 2 x 2 bed bungalows
  - 3 x 3 bed bungalow
  - 2 x 2 bed houses
  - 19 x 3 bed houses
  - 16 x 4 bed house
- Affordable housing mix comprises:
  - 5 x 1 bed
  - 13 x 2 bed
  - 4 x 3 bed
- Predominantly double storey dwellings with unusually high number of bungalows provided for a modern development for some affordable units and others at the site's perimeter, e.g. plots 1-3, 9 and 10.
- Material finishes include uPVC fascia/soffit/barge boards/openings, mix of three external brick finish types, ivory render, and three roof tiles (red concrete pantile, black concrete pantile and blue-black fibre cement).
- Landscaping throughout the development, with focus areas including the southwest attenuation pond and around the pump station, and eastern village green.

### **3. The Principle of Development**

- 3.1 The principle of a 64 dwelling development, including layout, access and level of affordable housing provision, has been established by grant of outline planning permission 3270/16. The key test is whether the proposed scale, appearance and landscaping respond appropriately to the character and amenity of the area, having regard to relevant guiding development plan policies.

### **4. Scale**

- 4.1 The development comprises predominantly two storey dwellings. Bungalows are proposed, some fronting Wyverstone Road, others backing on to the Earlsbrook properties. The mix of single and double storey building heights is consistent the neighbouring built form. There is a mix of single and double storey dwellings in Earlsbrook. There is a similar mix, plus some one and a half storey dwellings, along Wyverstone Road. The scheme is considered overall to be consistent with the varied development scale nearby.
- 4.2 Earlsbrook residents, and the Parish Councils, are concerned with the proximity of double storey dwellings to existing properties. The residents consider the result will be direct overlooking and an unacceptable loss of existing privacy levels. The proposed dwellings are set well back from the shared (rear) boundaries of the Earlsbrook properties. The distance between dwellings, with the exception of plots 9 and 10 (which are single storey), exceed 30m, which is unchanged from the layout considered acceptable by officers and the Planning Committee at outline stage. Moreover, the double storey dwellings at plots 8, 11, 15 and 16 are set at an angle to the Earlsbrook properties. The 30m plus setback distance and angled siting of the dwellings ensures that any sense of overlooking is sufficiently moderated. The dwelling at plot 1 is in close proximity of an Earlsbrook property (comprising a side to rear relationship) however this unit is limited to single storey, negating the potential for overlooking. Ground level overlooking is screened by existing boundary treatments. There is some impact on amenity as a result of this development, but not considered to be significant, nor significant against the benefits of the proposal to warrant refusal and the outline that includes layout is a material consideration in this case.

- 4.3 Visual bulk, daylight and sunlight levels are considered safeguarded and not unduly compromised. Given the nearby Earlsbrook properties a condition is recommended to control the height of finished dwelling floor levels. Noise and disruption during the works, a concern of a resident, is managed by a construction management condition on the outline permission.

## **5. Appearance**

- 5.1 The adopted design approach is a relatively conservative one. Streetscapes, both internal and external, are conventional in appearance. The spacing between dwellings is not overly generous in some locations, but layout has already been decided and is a factor in this regard. However, on the whole the development response is not one that reads as overdevelopment. Different roof forms and mix of building typologies assist in this regard. Dwelling forms are representative of the immediate area and wider district. Brickwork and render exteriors, concrete tiled pitched roofs and uPVC openings are common design elements found in most villages and towns. Dwellings address the proposed village green and in so doing offer good passive surveillance over what will become a key public open space for future occupants of the development.
- 5.2 Solid to void ratios are well considered, as too are fenestration patterns. The mix of roofing tile colours is important, as it offers variety in the appearance of the roofscape, critical with a development of the scale proposed. Good visual interest in this respect has been achieved, noting also the incorporation on some roofs of chimneys and chimney pots. Design elements such as front porches and timber strapped gable ends provide articulated facades and appropriate streetscape responses.
- 5.3 The design response has been developed in a manner that ensures vehicle accommodation does not compromise quality. Garaging is largely set well back behind principal front building lines, allowing principal facades to express themselves fully to the internal and external streets. Some plot frontages are dominated by vehicle hardstandings which is always unfortunate, however these are relatively infrequent across the development.
- 5.4 When considered on the whole, the development will establish an appropriate sense of place for future residents. The appearance of the development is deemed acceptable, consistent with the aspirations of the Core Strategy and national design policies.

## **6. Landscaping**

- 6.1 The principal feature of the landscape layout is the proposed village green. The green will serve as the focal point for the newly created local community. It is appropriately treated with respectful landscape elements including perimeter timber knee rail (600mm high), 750mm high mounds to offer visual interest and incorporation of a range of primary trees. The attenuation pond is heavily landscaped with primary trees and will offer a natural landscape complementing the adjacent open countryside. Its perimeter is treated with a 120mm high timber post and rail fence, an appropriate nod to the rural landscape beyond the site. Post and rail fencing reinforces countryside character. Hedgerow planting along the length of the Wyverstone road frontage will help frame up the new development and offers a positive landscape address to the street, as do the proposed landscaped front gardens.
- 6.2 A comprehensive range of ornamental/amenity shrub planting is proposed to private rear gardens, including along the length of the common boundary adjoining the Earlsbrook properties. The planting ranges from 0.3m to 1800mm at time of planting. Planting along this common boundary will complement the existing private landscaping in adjacent rear gardens. Some objectors are critical of the developer utilising the existing boundary treatments to the rear of Earlsbrook properties as the defining property boundary. This is a perfectly acceptable and

conventional approach to demarcating property boundaries and in any event, is a civil matter and not one for planning to adjudicate on.

- 6.3 Limited fencing treatments are proposed along street frontages, a preferred outcome. Where high walls or fences are proposed to front internal streets, their appearance is softened by the inclusion of native and semi-native climbers, a well-considered outcome. High fencing is largely limited to side and rear boundaries that promotes a more rural character and allows for Hedgehog route connectively with the exception of a wall around the communal parking area to the rear of plots 29-31, in locations mostly concealed from street views. It is evident that the applicant has paid particular attention to providing a landscaping response that will enhance the landscape quality of the development and broader locale.
- 6.5 The planting regime will offset the loss of extant biodiversity values, noting the extensive sensitive grasslands that are proposed. The applicant has confirmed hedgehog friendly fencing is proposed across the development, a concern raised by the consultant ecologist. Provided the recommendations contained in the supporting ecology report are followed, which can be required by planning condition, the biodiversity outcome will be acceptable.

## **7. Other Matters**

- 7.1 The Strategic Housing Officer does not raise an objection regarding the affordable housing clusters. The housing mix provides for two, three and four bedroom houses. Although the Strategic Housing Officer would prefer more two bedroom homes and less four bedroom homes, the mix is such that local housing needs are sufficient. Any harm associated with this scheme element must be weighed in the planning balance.
- 7.2 Detailing roading design (estate roads and footpaths etc), drainage (including Surface Water Management Strategy and Surface Water Drainage Scheme), archaeology, contamination strategy, external lighting, foul water strategy, tree protection and a construction management plan are all planning condition requirements included on the outline consent. Conditioning these matters again would be an inefficient approach, one that is not necessary or appropriate.

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## **PART FOUR – CONCLUSION**

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### **8. Planning Balance and Conclusion**

- 8.1 Outline consent has been granted for 64 dwellings, establishing the in-principle acceptability of advancing a significant housing scheme at the site. Access and layout were approved as part of the outline permission. The quantum and density of development as proposed accords with the outline approval. The level of affordable housing, 34% policy compliant, was secured by planning obligation at the outline stage.
- 8.2 The form and design detailing of the dwellings are conventional, consistent with those found across the district. The mix of single and double storey dwellings follows the neighbouring development typology and is deemed not out of place in character terms. The development will create an acceptable design quality.
- 8.3 Proposed side and rear setbacks are sufficient as to ensure appropriate amenity interfaces are provided for the residents of Earlsbrook. Some of these neighbouring residents raise concern regarding the proximity of double storey dwellings and consequential loss of privacy that will result. However, the distances between proposed first floor habitable room windows and existing rear gardens and habitable windows along Earlsbrook is sufficient to mitigate overlooking effects

to an acceptable degree. They are no different to what was considered at outline stage. There will be a level of intervisibility between existing and proposed properties, not an unusual outcome in a village environment. The development will offer excellent internal amenity for its future occupants.

- 8.4 The landscape planting theme across the site is comprehensive and will offset biodiversity harm, noting the inclusion of swift boxes, habitat bat boxes and a sparrow terrace, consistent with the ecologist recommendations. Boundary treatments are appropriate to the public landscaped areas, including the village green, attenuation pond and associated open space. The open setting of the latter area integrates well and responds positively to the open character of the adjacent open countryside. It is proposed that during the build and until the last house is sold the developer will be in charge of the future maintenance of the open space. Once all units are sold, the maintenance and management of the open space areas will be outsourced to a management company with the purchasers paying an annual fee.
- 8.5 On-site car parking provision is standard compliant. Most detailed matters have been conditioned on the outline consent and therefore need not be repeated. Archaeology works have been completed as required by an outline consent condition. Recommended conditions relate only to those matters not previously addressed at outline stage.
- 8.6 On the whole, the details submitted in support of the reserved matters application are deemed acceptable. The reserved matters are recommended for approval.

## **RECOMMENDATION**

- (1) That the reserved matters of appearance, scale and landscaping are approved subject to the following conditions: -
- Approved Plans (Plans submitted that form this application)
  - Finished dwelling floor levels prior to works to each dwelling
  - Env Health - no material burning
  - Env Health – dust and litter minimisation
  - Env Health – HGV sheeting
  - External Lighting to be implemented as per details
  - Breaks in knee high fence around village green to be agreed prior to works on green space
  - Wall around communal parking area to rear of plots 29-31
  - Final location of Hedgehog fencing to be agreed.