

Committee Report

Item 7A

Reference: DC/20/01717

Case Officer: Jamie Edwards

Ward: Hoxne & Worlingworth.

Ward Member/s: Cllr Matthew Hicks.

RECOMMENDATION –GRANT PLANNING PERMISSION WITH CONDITIONS

Description of Development

Application for Approval of Reserved Matters following outline approval under DC/17/02868 dated 25/08/2017 the Access, Appearance, Landscaping, Layout and Scale for (Erection of up to 4 No. dwellings).

Location

Land East Of, Abbey Hill, Hoxne, Suffolk

Expiry Date: 24/07/2020

Application Type: RES - Reserved Matters

Development Type: Minor Dwellings

Applicant: Danny Ward Builders

Agent: Mrs Sarah Roberts

Parish: Hoxne

Site Area: 0.6 Hectares

Gross Density: (Total Site): 6.6 dph

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): Yes

Has the application been subject to Pre-Application Advice: Yes (DC/20/01043)

PART ONE – REASON FOR REFERENCE TO COMMITTEE

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

The Head of Economy considers the application to be of a controversial nature.

PART TWO – POLICIES AND CONSULTATION SUMMARY

Summary of Policies

GP01 - Design and layout of development

HB01 - Protection of historic buildings
HB08 – Safeguarding the character of a conservation area
H13 - Design and layout of housing development
H15 - Development to reflect local characteristics
H16 - Protecting existing residential amenity
CS05 - Mid Suffolk's Environment
CS09 - Density and Mix
NPPF - National Planning Policy Framework

Neighbourhood Plan Status

This application site is a Neighbourhood Plan Area.

The Neighbourhood Plan is currently at:-
Stage 1: Designated neighbourhood area

Accordingly, the Neighbourhood Plan has little weight with no policies drafted to assess against at the time of writing this report.

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)

- Did not support the outline permission
- The details of Parish Council response to outline and withdrawn reserved matters are available online.
- Before submission of this application the agent did 'enter into a dialogue with the parish council and some revisions were made'.
- Unanimously agreed to recommend REFUSAL of the application due to the unacceptable size and scale of the properties and their proximity to and detrimental impact on the Grade II listed building that is St Edmunds Monument.
- Contrary to paragraphs 124, 127, 130, 185, of the NPPF regarding design and contrary to paragraphs 8, 11, 193 and 196 of the NPPF regarding principle of development.

National Consultee (Appendix 4)

Natural England

Natural England currently has no comment to make on the reserved matters application, (amended plans submitted 20.5.20).

County Council Responses (Appendix 5)

SCC - Highways

No objection subject to conditions relating to:

Visibility splays

Manoeuvring and parking

Refuse storage and presentation

SCC - Archaeological Service

The site is of archaeological potential, as set out in my advice letter on the outline consent (attached). For application DC/17/02868, I advised that archaeological work could be undertaken as a condition on outline consent, as there was still an element of flexibility afforded, but that evaluation should be undertaken to inform Reserved Matters applications and allow preservation in situ through design if appropriate. The document submitted with the application is the brief for the work prepared by SCC, not a report on work - the field evaluation therefore still needs to be undertaken to inform the application.

I therefore recommend that the applicant should commission and undertake the evaluation to allow informed decisions on the application (in accordance with the NPPF paragraphs 189 and 190).

Archaeological contractors will be able to prepare schemes of investigation and estimates of cost, based on the brief.

Officer Note – Conditions 7&8 on DC/17/02868 conditioned archaeological investigation.

Internal Consultee Responses (Appendix 6)

Public Realm

The Public Realm team have no comments to make on this application with regards to accessible public open space.

Heritage

Outline permission was granted in 2017. Heritage Team were not asked to advise, but the planning case officer in her delegated report took into consideration local representations made in response to publicity which raised heritage issues relating to the monument.

Her conclusion was that the proposal would not result in harm to the setting, character or appreciation of the monument. She further concluded that the scheme offered opportunity to define access to the monument more clearly than at present.

The monument was added to the statutory list on 24.12.2018. The entry gives reasons for listing as follows: commemorative significance, marking an important event in national history; and locational significance, marking the place identified in legend as the site of King Edmund's murder.

Following listing the Council must observe the statutory duties imposed by the Act in considering reserved matters applications. In making comments on Reserved Matters applications I assume that focus should be on the impact of the proposals for reserved matters in distinction from any impact from the principle of the development or from details of access, which have been approved under the Outline permission. In my response on the previous Reserved Matters application I raised concerns on the visual impact of plot 1, and the lack of emphasis on the access to the monument. In response to pre-application advice the agent has revised Plot 1 and the access to the monument in this application. Following local representations, the agent has further amended the access to the monument re-orienting the houses in plots 2 and 3 so as to acknowledge the access, and giving the landscaping at the access a less formal character.

In my view the proposal successfully addresses the concerns raised by myself previously and will have a neutral impact on the setting of the listed monument.

Other Consultee Responses (Appendix 7)

Suffolk Preservation Society

Conclusion of comments:

The proposals will result in harm to the setting of heritage assets. Para 194 of the NPPF requires that any harm to the significance of a designated heritage asset from development within its setting, requires clear and convincing justification. In this case the development of this gap in the manner proposed cannot be justified when more sensitive alternatives are available. We strongly recommend that the application undergoes Design Review in order to identify a more sensitive scheme, of smaller scale that maximises views of the Monument that meets the needs of the developer while recognising and safeguarding the heritage. This is a rare opportunity to frame views, create and enhanced sense of place and celebrate the Monument. Sadly, this scheme fails to achieve these opportunities and we urge you to resist the application in its current form. We trust that you will find these comments helpful and request that the Society is notified of any future amendments.

B: Representations

At the time of writing this report at least 30 letters/emails/online comments have been received. It is the officer opinion that this represents 15 objections, 0 support and 0 general comment.

Views are summarised below:-

- Drainage and flooding issues
- Traffic intensification
- Impacts to wildlife as a result of hedgerows and trees
- Impact to the listed monument, setting and the route to
- Scale and mass and impacts to local character
- Dominate skyline
- Overshadowing houses opposite
- Needs imagination
- Single storey only
- Concerns relating to the heritage impact assessment
- Green field site
- Not a response to housing need
- Alternative sites available
- Place of great natural beauty.
- Impact to polyfocal character of the conservation areas
- No affordable housing
- Piece meal on adjacent sites
- Impact on 'sacred ground'
- Principle of development – no house on historic site
- Removal of trees unacceptable (taken years to grow)
- Designs not in keeping
- Density too high for sensitive site
- No validation of the removal of the Ash tree
- Little change in the original design.
- Applications refused on site opposite for the same reasons of objection here
- Elevate land will increase the impact
- Impacts to views
- No adequate or sympathetic access to monument
- Concerns with the Heritage Statement submitted not addressing impact

- ‘At best gives a passing glimpse and does not ‘frame’ it as suggested by their design and access statement.’
- Recommendation for a design review panel
- Green field development
- Obscures countryside views
- Comments and concerns with highways conditions
- Impact to polyfocal conservation area
- Mid Suffolk’s Heritage and Settlement Sensitivity Assessment report - this site as having one of Hoxne “Key Views” saying that “ (9) View Looking to Low Street and to the memorial to St Edmund. This shows the inter-relationship of the flood plain and the development on higher ground to the two historic cores as well as the prominent location of the memorial.”
- New occupants will put up fences to restrict views.
- Lacks creativity or sympathy of the location and remain typically new build, executive urban sprawl

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

PLANNING HISTORY

REF: DC/17/02868	Outline Planning Application (with some matters reserved) - Erection of up to 4 No. dwellings	DECISION: GTD 25.08.2017
REF: DC/20/00588	Application for Approval of Reserved Matters following outline approval under DC/17/02868 dated 25/08/2017 the Access, Appearance, Landscaping, Layout and Scale for (Erection of up to 4 No. dwellings).	DECISION: WDN 04.03.2020

PART THREE – ASSESSMENT OF APPLICATION

1. The Site and Surroundings

- 1.1. The site is agricultural land and forms part of a corner of the field located on the northern boundary of Hoxne village.
- 1.2. The site is located approximately 100m from the Hoxne Cross conservation area to the south and approximately 250m from the Hoxne conservation area to the North.
- 1.3. The site therefore sits between the two conservation areas that make up the polyfocal nature of Hoxne.
- 1.4. The site abuts the pavement along the Abbey Hill road. From the path the land slopes up with the site elevated above the road.

- 1.5. Set back from the road by approximately 85m, and to the immediate East of the site is a Grade II listed monument to St Edmunds. The monument was added to the statutory list on 24/12/2018. The entry gives reasons for listing as follows: commemorative significance, marking an important event in national history; and locational significance, marking the place identified in legend as the site of King Edmund's murder. (more details of which are within the principle of development).
- 1.6. There are timber steps from the public footpath next to the road, up the slope, into the western boundary of the site providing access to the monument.
- 1.7. There is a PROW outside the site boundary heading north, away from the site and along an existing track.
- 1.8. The site is adjacent and to the north of a row of, semi-detached, 20th century dwellings known as Nos 1-6 Abbey Hill. These dwellings were described within the outline permission as two-storey dwellings. The dwellings have reduced eaves on the front elevation but not the side or rear, giving them a principle elevation of a tall 1.5 storey dwelling but are more generally two-storey dwellings.
- 1.9. Opposite the site are two residential properties, (Rosemount and Grasmere). All the nearby dwellings are set back from the road and situated in large plots.
- 1.10. The land to the north, wrapping around the site is designated as a Special Landscape Area.

2. The Proposal

2.1 The proposal is a reserved matters application following an outline approval under reference DC/17/02868. for four new dwellings. Matters for consideration are:

- Access
- Appearance
- Landscaping
- Layout
- Scale

2.2 The proposal is for four dwellings:

- Plot 1:
 - Single storey
 - 4 bedroom
 - Floor space 235 sqm
 - Pantiles on the roof and horizontal and vertical weather boarding
 - Detached 2 bay cart lodge with home office (66sqm) .
- Plots 2 and 3
 - Two- storey
 - 3 bedroom
 - Ground floor 72 sqm
 - First floor 72 sqm
 - Total floor 144sqm
 - Render and clay pantiles
 - Ridge: 8.5m / Eaves: 4.51m
 - Detached single bay cart lodge with store (32sqm).

- Plot 4
 - Two- storey
 - 4 bedroom
 - Ground floor 112 sqm
 - First floor 112 sqm
 - Total floor 224sqm
 - Render and clay pantiles
 - Ridge: 8.4m / Eaves: 4.5m
 - Attached garage (included in above sqm).

2.3 The proposal also includes a permissible path to access the monument which starts from the existing steps opening up to 13m wide and funnelling down to 4m wide from approximately 15m into the site and maintaining 4m width to the rear of the site.

2.4 The overall site is 0.6 hectares.

3. **The Principle Of Development**

3.1 The site benefits from an extant outline permission under reference DC/17/02868 issued on 25/08/2017.

3.2 As such the principle has been established, and the key test in regards to this application is whether the proposed access, layout, scale, appearance and landscaping respond appropriately to the character and amenity of the area, having regard to the relevant Local Plan Policies.

3.3 Between the outline application has being approved and the reserved matters application being submitted, the monument was added to the statutory list on 24.12.2018. Therefore, the monument is now considered listed as a heritage asset.

3.4 The entry gives reasons for listing as follows: commemorative significance, marking an important event in national history; and locational significance, marking the place identified in legend as the site of King Edmund's murder.

3.5 The listing of the monument is a material consideration in the assessment of the reserved matters application however it does not void the principle of development. The reserved matter application will still need to have regard to the heritage asset and its setting but does not cancel out the principle of development granted.

3.6 Therefore, the reserved matters application relates to access appearance, landscaping, layout and scale. These elements are taken in the context of the setting of the listed monument, the character of the area and the setting of two conservation areas.

4. **Site Access, Parking And Highway Safety Considerations**

4.1 There are two access to the site. One for plots 1 and 2 and one for plots 3 and 4.

- 4.2 The access for plots 3 and 4, under the outline application, was approved just north and adjacent to the Oak tree labelled as T1 in the Arboricultural Impact Assessment drawing (7933-D-AIA) submitted within this reserved matter application.
- 4.3 However, to preserve the T001 Oak tree the proposal now seeks to move the access.
- 4.4 The first reiteration under the pre-application enquiry sought to place this new access between the two Ash trees T002 and T003. For an access to serve two plots it would need to meet 4.5m width standards from the Highways Authority. This 4.5m standard would result in the roots of the Ash tree (T002) being adversely impacted. Therefore, the agent took the view to protect the Ash tree and for purpose of the pre-application the proposal reduced the access width to 3m, to meet the highways standards to serve just one plot, thus mitigating the impact to the Ash tree T002. This therefore had a knock-on effect, resulting in the other access, to the north, now serving plots 1, 2 and 3.
- 4.5 However, this shared driveway for plots 1, 2 and 3 now crossed over the permissive path to the monument, to access plot 3 (drawing of this will be shown in the committee presentation to explain).
- 4.6 At the pre-application stage and with further consultation with the Parish Council, it was considered that a driveway that crosses over the permissive path would have adverse impacts on highways safety for the pedestrians using the permissive path to access the monument by way of the future occupants accessing plot 3.
- 4.7 Therefore, the original concept of having plots 1 and 2 accessed off one access and plots 3 and 4 off the another was resumed.
- 4.8 By protecting the Oak tree (T001) (which in the long term would have a greater positive contribution to the character of the area than that of the Ash (T002)) from the access approved in the outline application, the new proposed access will need to be moved northwards, away from its route canopy. However, to ensure the access width meets the Highways Authority standards for access to two plots, preventing the driveway crossing over the permissive path, the Ash Tree (T002) will need to be removed. The Ash tree will be replaced, further consideration in this regards is set out within the landscape section below.
- 4.9 By taking this approach the proposal has not only satisfied the highways standards of a 4.5m wide access for the number of plots served, it also prevents any unnecessary conflict between pedestrians and vehicles accessing plot 3.
- 4.10 As such the proposal has considered the consequences of both options of access and brought forward at the reserved matters application the access proposal which mitigates risk to pedestrians using the permissive path. The new access proposal now does not hinder the Oak tree but will result in the loss of the Ash tree. However, this could be compensated for.
- 4.11 It is therefore considered that the proposal meets the requirements of policies T09 and T10 of the Mid Suffolk Local Plan.
- 4.12 The highways Authority offer no reason to object to the proposal. Conditions are recommended to secure the visibility splays before the use of the access commences, to secure the access standard layouts, secure the areas of parking and manoeuvring and to provide details of bin storage and presentation.

4.13 As no objection has been given by the Highways Authority it is considered that four new dwellings do not result in any significant intensification to the highways network and having regard to paragraph 109 of the NPPF that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety or the residual cumulative impacts would be severe the proposal is not considered unacceptable in this respect.

5. **Design And Layout [Impact On Street Scene]**

Setting the scene

5.1 The proposal's scale, mass, design and layout are considered to be important aspects for consideration. This is due to the a) the impact on the street scene which sits outside of but in between two conservation areas, b) the impact on the setting of the listed monument and c) the objections raised.

5.2 As such it is important to state some facts and observations of site.

5.3 The listed monument is set back from the road by approximately 85m.

5.4 Abbey Hill road goes up hill, starting low in the north and sloping upwards moving south.

5.5 The sites topology reflects this, the land at the northern boundary is approximately 28.84m high and the southern boundary approximately 33.34m high. A difference of 4.5m

5.6 The western boundary of the site is instantly elevated from the footpath by the following approximated measurements in front of each plot:

5.6.1 The western boundary is approximately 30cm higher than the path in front of plot one

5.6.2 The western boundary is approximately 1.02m higher than the path in front of plot two

5.6.3 The western boundary is approximately 1.35m higher than the path in front of plot three

5.6.4 The western boundary is approximately 1.15m higher than the path in front of plot four

5.7 After this initial step up into the site, the site is much shallower in topology from west to east. The monument sits on land that is approximately 32.11m high whereas the top of the steps to access the permissive path is approximately 30.96m high. The difference of 1.15m. This increase is over an 85m distance, so is considered very gradual.

5.8 Taken from the edge of the path to the closest part of built form within the plots, the dwellings are set back by approximately the following measurements:

5.8.1 Plot 1 – 33m

5.8.2 Plot 2 – 30m

5.8.3 Plot 3 – 28m

5.8.4 Plot 4 – 20m

5.9 From observations taken on a site visit conducted on the 22/06/2020, the monument is visible from two key positions. A) the pedestrian path leading up Abby Hill, most prominently at the end of the verdant row of hedgerows that separate the path from the highway. And B) at the top of the steps leading to the permissive path. At the bottom of the steps at path level, due to the overgrown nature it is not entirely visible. It is not until you climb the steps that the monument is revealed with a mowed green carpet of grass that is approximately 2m wide and invites you directly to the monument.

- 5.10 It is at this point the appreciation for the monument is truly felt.
- 5.11 Additionally, this point is echoed in the 2018 Heritage and Settlement Sensitivity – Appendix 2, whereby this view across looking directly east is specified as a key view.
- 5.12 The site and the area of land around the monument are currently an agricultural field. There is no prevention of crop going on this field, it being ploughed, or hedgerows being planted on its boundaries.

The setting of the Listed Monument

- 5.13 Based on the two identified viewpoints, the layout of the proposal is such that it still provides these glimpses of the monument from street level through the development, but leans more heavily on the capturing of the grand unveiling as you climb the top of the steps with a signified route which matches the existing situation.
- 5.14 It is noted here that the views through the site, which cross between plots 1 and 2 are unlikely to be controlled fully by planning condition. Whilst the removal of permitted development rights will prevent new fencing being erected in the future, occupants could plant hedging between these plots and would obscure the street view glimpses.
- 5.15 However, this is no different to the current circumstances by which there is no trigger to prevent the growing of crops on the field or planting of hedgerows across the front and side of the site which would also obscure the glimpses to the monument.
- 5.16 The removal of permitted development rights can be sought by means of condition to prevent the erection of fences, extensions and outbuildings. However, as the views could reasonably be obscured as result of the sites current use, I give limited weight to the attempt of protecting the views/glimpse through plots 1 and 2 as shown on the block plan 04G. Nonetheless permitted development right removal would prevent built form intruding upon this view and as such it would be appropriate to secure this by means of condition.
- 5.17 The protection, securing and formalisation of the permissive path which currently and will continue to provide the ‘unveiling of the monument’, as you climb the steps from street level, which is an important feature in appreciating the monument is a benefit of the proposal. The proposal allows for a 13m buffer at the front of the steps which tapers down to 4m wide between plots 2 and 3 and remains this width to the rear of the site.
- 5.18 Plots 2 and 3 have been orientated in way to offer an entrance to the monument, this was because of the comments made within the consultation. Furthermore, the mirror image of the dwellings on plots 2 and 3 provide the legibility and symbolism of the direction of travel towards the monument. In design and layout terms this is welcomed in the goal of place making and given moderate weighting.
- 5.19 Objections relate to alternative options which would see the dwellings lined in more of a V formation to expand the vista of the monument. However, we must consider the application before us and it is considered that this application still provides the important unveiling of the monument in how it is experienced, with subtle symbolism rather than conformed lines or rows of dwellings.

- 5.20 I acknowledge that alternative schemes offer other opportunities, but these also have other adverse impacts by turning away from the street and going against the existing line of development. The proposal in its current form is balance of all of these variables.
- 5.21 Moreover, there is no public right of way over this land currently to access the monument. It is a permissive path. The development will secure this path in perpetuity and as such is considered a public benefit that should be given great weight to.
- 5.22 Given the benefit such a path would offer it would be appropriate to secure the provision of the path via a s106 and details of maintenance condition will be applied.

Street scene and design

- 5.23 The proposal does provide large dwellings but with traditional roof pitches and features such as chimneys and windows at the eaves level. The initial assessment of this is we do not have specific policies that dictate the size or design of the dwellings but rather policies such as GP01 and H15 that seek to protect the character of the surrounding area. Furthermore, no evidence of a finalised housing need survey has been published. As such the size of houses themselves is not a reason to refuse the proposal, however due regard is given to the character and appearance of the proposal with regards to the surroundings and respecting local distinctiveness.
- 5.24 It is also acknowledged here that any built form on a field is going to have an impact on the open countryside nature. As the principle of the development has been secured the assessment is to ensure that the proposal of four dwellings follows design principles to mitigate this harm.
- 5.25 Whilst I have acknowledged the size of the dwellings (as described in paragraph 2.2 above) these are significantly pushed back within their plots (see paragraph 5.8 for distances) as such their impact on the street in this instance is significantly reduced. The orientation of plots 2 and 3 will also ensure that the gaps between built form are maximised along with the 13m buffer at the top of the steps to maintain the open character.
- 5.26 Furthermore, the retention of two existing Ash trees and the existing Oak tree, the planting of a new Ash tree (to replace the loss of T002) and the 13m buffer around the steps up into the site, all of which are elevated from the path along the road, will retain a verdant buffer within the street scene, and offer screening to the dwellings.
- 5.27 When travelling from south to north down Abbey Hill the verdant frontage of the plot is obvious and coupled with the proposed dwellings being situated back in their plots, it is likely only the roof top of plot 4 will be visible just after the existing row of semi-detached dwellings on the right. This would not look out of place in street scene where existing built form (Abbey Terrace) is pushed back in their plots and the roofscapes are the prominent features with glimpses of their front elevations as you pass open driveway entrances. In this sense the proposal would follow the existing form of development and not adversely impact on the street scene when travelling south to north.
- 5.28 There would be an impact however, when travelling from north to south, uphill along Abbey Hill Road. Plot 1 would be seen first after passing the hedgerows on the left-hand side of the road. Plot 1 has been significantly reduced from the withdrawn reserved matters application DC/20/00588. Plot one is now single storey in design, nonetheless it will be an obvious feature of built form in the street scene when travelling up hill. However, the planting of trees T5, T6 and T7 will help shield this

dwelling from the street scene. This will contribute positively in the verdant character of the area and allow glimpses of the built form through driveways and gaps in the tree lines which is consistent with the existing character when traveling further up Abbey Hill on the left and described in paragraph 5.30 when travelling downhill.

- 5.29 Plot two is mostly obscured by the Ash Tree T4 when travelling up hill, making use of the existing features, but still providing glimpses as you travel past within the openings between the trees and driveways. This is similar with plots 3 and 4. However, plot 3 is considered to be most visible when travelling uphill through the two Ash trees T4 and T3. However, its orientation to face down this view and toward the front of the permissive path, guiding the visitor to the monument, means it not only acknowledges the street scene but gives an appreciation of an arrival, creating a sense of place.
- 5.30 The individual plots offer large plot sizes that are similar to those of Abbey Terrace. This provides plenty of amenity space for future occupiers. The 1m tall metal post and rail fencing will provide a traditional boundary treatment and planting of native hedgerows will provide screening to amenity spaces between plots.
- 5.31 Policy CS9 of the Mid Suffolk Core Strategy requires the best use of land by achieving average densities of at least 30 dwellings per hectare unless there are special local circumstances that require a different treatment. The density of 6.6dph is considered low in comparison however, contextually this site is forward of a listed monument and within the space between the polyfocal conservation areas within a village setting. Therefore, the low density is considered justified through the site's special local circumstances. Moreover, the density is similar to the Abbey Terrace dwellings.
- 5.32 The new accesses have been discussed within the highways section above and have satisfied both the highways safety needs and mitigated the loss of verdant character as far as possible.
- 5.33 Details of materials have been provided. However, it is considered that the use of uPVC windows is unacceptable. Similarly, the overuse of render on plots 2,3 and 4 should be diversified. The shine on the proposed black pantiles is considered unacceptable in the setting and should use slate and again diversify the roofscape. This can be dealt with via materials condition.
- 5.34 In all, it is considered that the proposal incorporates and protects important natural landscape features of existing trees and introduces new planting. The density of 6.6dph is considered low but the sites special local special circumstances justifies the lower density according to Policy CS9. Additionally, the dwellings are pushed back within their plots by at least 20m ensuring their bulk and mass is not considered dominated on the street scene, ensuring the proposal respects and maintains the existing built form. These principles follow and comply with policies GP01 and H15 of the Mid Suffolk Local Plan.
- 5.35 Moreover, paragraph 130 specifically states that 'conversely, where the design of a development accords with clear expectations in plan policies, design should not be used by the decision-maker as a valid reason to object to development'. In this instance based on my above assessment I consider the proposal to clearly meet the design expectations of the Local plan policies GP01, H13 and H15.

6. Landscape Impact, Trees, Ecology, Biodiversity and Protected Species

6.1 The site is currently an agricultural field that is elevated from the street.

- 6.2 It has been identified from the Heritage and Settlement Sensitivity appraisal as being a key view (9) from west to east. Furthermore, the floodplains to the north and north east of the site make up the Special Landscape Area.
- 6.3 Walking up Abbey Hill road (north to south) and looking east the development does not interrupt the views across to the flood plains and SLA. When arriving at the site (plot 1) the PROW that branches from the pedestrian footpath, goes back on itself (northwards) offering views north and north east. Plot one will momentarily interrupt these views but is negligible as it will be isolated to the pedestrian movement of turning on to this PROW coming from the north.
- 6.4 At this same vantage point, at the north western point of the site, views in a south eastern direction are limited due to the brow of the hill. Moreover, there is not SLA or key view in this direction.
- 6.5 Standing at the base of the stairs at the front of the site (where key view 9 has been identified), the view eastwards is not apparent until you climb the small staircase and stand within the site. Therefore, from the perspective of street level, because of the elevated site, the views to the east are already hindered (albeit not completely obscured), whereas from the same perspective looking north (as if you are walking down hill past the site) the views to the north and north east are not obscured.
- 6.6 When travelling north down Abbey Hill it is considered that the existing verdant frontage in front of plots 3 and 4 shield the views to the north east already. It is not until you get past the stairs and plot 2 that the views north-east will be obscured by plot 1. This impact has been reduced significantly with the introduction of a single storey dwelling here (the massing of the withdrawn reserved matters application was considered unacceptable) and is only momentary as you walk down Abbey Hill road from the stairs towards the PROW. Nonetheless this does have an impact on views across to the SLA looking north and north east at this specific area of the street. As such I shall give this negative impact moderate weighting.
- 6.7 Returning to the top of the staircase within the site. The key view (9) identified is looking directly east towards the monument. The direct line of sight to the monument will remain uninterrupted by securing a 4m wide path. However, the more peripheral views will, as result of the proposal, include the hedgerow planting that will act as the boundary between the 13m buffer and frontages of plots 2 and 3. Additionally, the introduction of the 8.5m high elevations and built form would make up the setting and experience of the key view. As such significant weighting is given to this adverse impact.
- 6.8 However, as you move along the path by approximately 15-20m from the top of the staircase the open character starts to appear again. At the edge of the eastern boundary of the site the open countryside views to the direct north, northeast and east are back and with your back to the development the monument remains in its open countryside setting. The impact identified to this key view in paragraph 6.11 is therefore reduced from significant to moderate.
- 6.9 As outlined in the highways section above, the access conundrum has resulted in the removal of an Ash tree (T002). However, this loss of Ash tree which is not protected is considered to be a significantly less impact than losing the Oak Tree (T001) which would happen under the access detail approved under the extant outline permission. Whilst the Ash tree is larger than the Oak over time the Oak will provide a far better contribution to the street scene than the Ash. Furthermore, the proposal replaces the Ash tree. In doing so the proposal further mitigates the adverse impact on the verdant character of the street scene.

- 6.10 The proposal includes an arboriculturist report and drawing which will be subject to conditions to ensure the protection of the existing trees during the construction phases. Whilst our arboriculturist officer has not provided comments as part of the formal consultation (as the trees are not protected) they have supported the mitigation measure within the arboriculturist report.
- 6.11 The outline application assessed the likelihood of protected species on site. And whilst none were identified, I am conscious of two things, 1) there are large protected trees along Abbey Hill and 2) the proposal may cause some additional light, in what is otherwise a dark area at night. Therefore, I feel it is reasonable to include a lighting scheme condition on any approval to not only prevent the disturbance of foraging bats in the area but also to prevent excessive light pollution.
- 6.12 The site is currently shrub land providing some habitat but is still considered to be agricultural whereby it could be ploughed, and the shrub removed without planning control. The introduction of native hedgerows around each plot boundary will offer a small net gain in habitats along with the introduction of tree planting on the north west boundary of Plot 1 and is secured by condition. I give this positive moderate weighting in my decision making.

7. Land Contamination, Flood Risk, Drainage and Waste

- 7.1 A phase 1 desk study report was submitted at outline stage with no concerns raised.
- 7.2 The site is in flood risk zone 1 which is considered low risk. However, at the bottom of Abbey Hill are flood risk zones 2 and 3. Therefore it is imperative that the proposal does not exacerbate the issue. Hard surface on the driveways have been changed to permeable surfaces to prevent runoff into the road and down the hill. Similarly, the access standards by the highway's authority will require a drain across the access to prevent run off into the road.
- 7.3 Moreover, given the flood risk zones 2 and 3 at the bottom of Abbey Hill it is important to capture as much rainwater as possible to slow down the runoff water and the underground water absorbed by the site heading down hill. I am conscious that building regulations will pick up the detailing of soakaways, however, it is important that this development does not exacerbate the issue and therefore a condition to provide a scheme for capturing surface runoff shall be applied, which shall include the use of water-butts and permeable surfaces.
- 7.4 The proposal will utilise existing utility infrastructure for water and waste. The intensification of four new dwellings is not considered to adversely impact the existing infrastructure and is not a consideration at reserved matters stage.

8. Heritage Issues

- 8.1 The outline application considered the impact of the development on the polyfocal conservation area in principle.
- 8.2 At the time of the outline application the monument was not listed. On the 24/12/2018 the monument was added to the statutory list as Grade II listed.
- 8.3 According to the Historic England website the listing was made based on the following reasons:
- 8.3.1 Historic interest:

* commemorative significance as a memorial referencing an historic episode believed to have been the execution of Edmund, King of East Anglia by the Danes in AD 870;

* locational significance, as a monument marking the place where, according to legend, King Edmund was bound to a tree and executed. The monument was erected on the site of a veteran tree and records the demise of the tree in 1849.

8.3.2 Architectural interest:

* its dignified simple design with a carved crown and arrows symbolising the means of Edmund's execution.

8.4 The setting of the monument within an open countryside area is therefore not reason a reason or justification for its listing. However, further information on the Historic England website does acknowledge the monument's 'prominence'.

8.5 The monuments setting is within an open character of agricultural fields on the edge of the village. The setting also includes how it is experienced. The experience in this instance is through its views coming up Abbey Hill, its unveiling at the top of the access stairs and journey from the top of the stairs to the monument.

8.6 The assessment of the reserved matters application therefore is considered on two aspects; 1) the impact to the setting of the polyfocal conservation areas and 2) the setting and experience of the Grade II listed St Edmunds Monument.

The polyfocal conservation areas

8.7 The important and significant characteristic here is the open and verdant nature between the two conservation areas that lacks significant built form. Allowing built form within this open divide was one reason for refusal that related to an application for 5 dwellings at the Goldbrooks Nursery site that is directly to the north west of this site on the opposite side of the road and extending further into area between the two conservation areas (DC/19/04594).

8.8 However, directly opposite this site are two dwellings (Rosemount and Gransmere). Furthermore, the six semidetached dwellings of Abbey Terrace, five bungalows at the bottom of Abbey Hill Road, and Goldbrooks Nursery are all within the space between the two conservation areas. Therefore, refusing the application for simply being within this area between the two conservation areas would be considered unreasonable particularly as the principle of development has been secured at outline following consideration in this regard.

8.9 An assessment on the impact of the street scene has been made in paragraphs 5.23 -5.42, furthermore an assessment on the impact of views and SLA have been made in paragraphs 6.1 - 6.11.

8.10 In terms of the impact to the polyfocal conservation areas, it is consider that the proposal would match the existing line of development on the opposite side of the road in terms of the boundary lines albeit the built form of plot one would extend past Rosemount. From a built form perspective and from a spatial perspective the proposal is considered acceptable and also considered vastly different from that of the application refused at the Goldbrooks Nursery site where built form would be almost central to the areas of divide between the two conservation areas.

8.11 The proposal site is not in a conservation area itself, and while objections have been received relating to the desire to mimic design characteristic within the conservation areas there is no policy that restricts such an approach. The Abbey Terrace housing to the south separating the site from the

closest conservation area are considered to be lacking positive design features and are of the time they were built (likely 50s or 60s).

8.12 For these reasons set out in paragraphs 8.7 – 8.11 it is my planning judgment that the proposal will not have harm on the conservation areas or their polyfocal character.

The setting of the (now) listed monument

8.13 The significance of the monument has been indicated within paragraphs 8.2 – 8.5.

8.14 As the principle of development was secured prior to the listing of the monument and due to the shape of the site and position between the road and monument it is expected that there will be built form between the two.

8.15 The proposal in this instance has acknowledged this expectation of built form and by having the development set back with significant gaps between buildings the open nature at street level is maintained. The proposal, through its layout, orientation, gaps between dwellings, 13m buffer at the top of the stairs and 4m wide path acknowledges this change in circumstances since the outline was approved. Furthermore, the east boundary site finishes approximately 20m before the monument so once beyond the development, it is considered the monument still sits in a backdrop of open countryside.

8.16 Moreover, as the above report has mentioned already, the climbing of the stairs from street level to site level is truly the unveiling of the monument within landscape. It is this experience that is retained through the direct sight of the pathway. Additionally, the details of assessment relating to creation of place and subtle symbolism of an entrance, described in paragraphs 5.17, 5.18 and 5.19 all contribute positively to how the monument is experienced.

8.17 This is echoed in the Heritage Officers comments who considers that amendments sought through the process of preapplication guidance (which included the widening of the path, the orientation of the plots 2 and 3, the reduction of massing in plot 1) that followed the previously withdrawn reserved matters application has resulted in 'a neutral impact on the setting of the listed monument'

8.18 Contrary to this train of thought, objections from the parish council, Suffolk Preservation Society and local residents see the proposal as having an adverse impact to the setting of the listed monument.

8.19 As stated in paragraph 8.14 built form between the monument and street is expected. As such it is reasonable to assess that what is currently an open setting of the monument will inevitably be impacted by the presence of built form on the site. This harm, as identified by parish council, Suffolk Preservation Society and local residents, is considered the benchmark of harm in my decision making, not that of neutral impact identified by the heritage officer. This harm is considered less than substantial.

8.20 As identified the proposal offers several contributions (see paragraph 8.13) in reducing this harm. Furthermore, once past the built form along the path the monument is still in an open setting and at this point its appreciation intact. As such this is considered to be a low level of less than substantial harm to the setting of the listed monument. Accordingly, I have attributed great weight to this negative impact as per paragraph 193 of the NPPF.

8.21 The outline application made a clear acknowledgement the importance of securing a path and access to the monument. Currently this is a permissive access across the existing site. The proposal will allow the opportunity to secure the path, one that allows the full unveiling, direct sight, and appreciation of the monument, in perpetuity via a legal agreement. This will ensure the enjoyment of the monument can be obtained in the future for both the residents and visitors. I considered this to be a public benefit that is attributed great weight in my decision making.

8.22 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. In this instance I have identified the less than substantial harm which is attributed great weight. This harm is considered to be balanced by the great weight attributed to the public benefit of securing the public path in perpetuity.

9. Archaeology

9.1 Comments received during the consultation period from Suffolk County Council's Archaeological service refer to the original comments on the outline application.

9.2 The site is considered to have archaeological potential as it is close to the remains of Hoxne Priory at Abbey Farm. As such, at the time of the outline application the advice was given for the submission of Written Scheme of investigative works and results to take place. It was requested that this should take place prior to the submission of the reserved matters application and inform the developments layout.

9.3 However, in the same comments submitted the condition wording recommended was 'No development shall take place' rather than prior to 'submission of the reserved matters application'. Therefore, it is considered that the submission of the reserved matters, without or prior to the submission of methodology and written investigation scheme for archaeology, is not a breach of condition 7 of the Outline permission.

9.4 However, this does mean that the layout has not been informed by the potential archaeological findings which are yet to be investigated. Moreover, part g) of condition 7 of the outline decision states the following:

"The site investigation shall be completed prior to development, or in such other phased arrangement, as agreed and approved in writing by the Local Planning Authority."

9.5 Therefore, according to part g) of condition 7 imposed on the outline decision, should any findings of national interest be discovered during the investigative works, SCC and the LPA are still in a position to not discharge the condition as mitigation measures would be obstructed by the layout plan and prevent the development going ahead. Therefore, it is considered that the current condition still provides adequate control on the development should any archaeological findings of merit be discovered.

10. Impact On Residential Amenity

10.1 The proposal does not give rise to any significant impacts to residential amenity relating to loss of light or overshadowing within the site and to the existing neighbours, due to the placement of openings and significant distances between the proposed dwellings and existing.

10.2 Concerns that there may be temporary disturbance during the build will be controlled via condition for working hours.

PART FOUR – CONCLUSION

11. Planning Balance and Conclusion

Site planning history

- 11.1 The proposal benefits from and extant permission under Outline application DC/17/02868.
- 11.2 Since this permission was granted the St Edmunds Monument has been added to the statutory list of historic assets and is therefore considered a GII listed monument.
- 11.3 Whilst this change is a material consideration in the reserved matters application it does not void the outline permission.
- 11.4 Highways offer no reason to refuse the application and all conditions shall be applied. Neutral weighting applied.
- 11.5 The removal of the Ash tree (T002) to allow for the revised access is to be replaced with another Ash tree. This is given neutral weighting.

Design

- 11.6 The proposal seeks to offer views through the site specifically between plots 1 and 2. However, future planting along the boundaries of plot 1 and 2 cannot be controlled via condition (albeit fencing and extensions can) therefore limited weight is given to the benefit of views through as result of layout.
- 11.7 Plots 2 and 3 have been orientated in way to offer an entrance to the monument, additionally the mirror image of the dwellings on plots 2 and 3 provide the legibility and symbolism of direction of travel towards the monument. In design and layout terms this is welcomed in the goal of place making and is given moderate weighting in my decision making.
- 11.8 The proposal, by securing the pathway with direct views from the steps to the monument where the unveiling appreciation takes place is considered a big positive in the design and layout principles and as such is given significant weighting.
- 11.9 The proposal incorporates and protects important natural landscape features of existing trees and introduces new planting. The low density of 6.6dph is considered justified through the special local circumstances. Additionally, whilst the dwellings are large, they are pushed back within their plots by at least 20m ensuring their bulk and mass is not considered dominant on the street scene, ensuring the proposal respects and maintains the existing built form whilst acknowledging the verdant character of the street scene. These principles follow and comply with policies CS09, GP01 and H15 of the Mid Suffolk Local Plan. I give this moderate weighting in my decision making.

Landscape

- 11.10 As per my assessment in section 6 of the above report the proposal, views of the SLA to the north are hindered by plot one when moving north along Abbey Hill. However, this is momentary, as such I have given this moderate weighting.
- 11.11 Additionally, in section 6 I recognised that there is a Key View (9) identified in the Heritage and Settlement Sensitivity (2018) (albeit not a policy) from the top of the stair case looking east directly east towards the monument. The direct line of sight to the monument will remain uninterrupted by securing a 4m wide path. However, the more peripheral views will, as result of the proposal, include the hedgerow planting that will act as the boundary between the 13m buffer and frontages of plots 2 and 3. Additionally, the introduction of the 8.5m high elevations and built form now make up the initial setting and experience of this key view. As such significant weighting is given to this adverse impact.
- 11.12 As per paragraph 6.11 I reduce this weighting from significant to moderate as impact of the views is reduced as you move through the site and along the path as well as the open countryside views to the direct north, northeast and east are restored and when facing away from the development the monument remains in its open countryside setting.
- 11.13 The introduction of native hedgerows around each plot boundary will offer a small net gain in habits along with the introduction of tree planting on the north west boundary of plot 1. I give this moderate weighting in my decision making.

Heritage

- 11.14 For these reasons set out in paragraphs 8.7 – 8.11 it is considered that there will be no harm to the conservation areas or their polyfocal character.
- 11.15 Harm has been identified by Parish Council, Suffolk Preservation Society and local residents to the setting of the listed monument, this is considered the benchmark of harm in my decision making, not that of neutral impact identified by the heritage officer. This harm is considered less than substantial. As identified the proposal offers several contributions (see paragraph 8.13) in reducing this harm. Furthermore, once past the built form along the path the monument is still in an open setting and at this point the monuments appreciation is intact. As such this is considered to be a low level of less than substantial harm to the setting of the listed monument. Accordingly, I have attributed great weight to this negative impact as per paragraph 193 of the NPPF.
- 11.16 The current path is permissive, and the proposal will allow the opportunity to secure the path, one that allows the full unveiling, direct sight, and appreciation of the monument, in perpetuity via a legal agreement. This will ensure the enjoyment of the monument can be obtained in the future for both the residents and visitors. This is considered a public benefit that I attribute great weight to and as such the public benefit balances the harm identified in paragraph 11.15.
- 11.17 On balance I therefore consider the positive weightings attributed in paragraphs 11.6 – 11.9, 11.13 and 11.16 clearly outweigh the weighting given to the negative impacts in paragraphs 11.10, 11.12 and 11.15.

RECOMMENDATION

That authority be delegated to the Chief Planning Officer to Grant the reserved matters application

(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:

- The public right of way of the path that leads through the site to the monument.

(2) That the Chief Planning Officer be authorised to BLANK 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:

- Approved Plans (Plans submitted that form this application)
- Phasing Condition (To allow phasing of the development and allows spreading of payments under CIL)
- Materials to be agreed
- Securing of replacement Ash tree
- Protection and mitigation measures as outlined in the Arboriculturist report.
- Removal of permitted development rights for extensions, outbuildings and fencing.
- Maintenance scheme for the path to the monument including 13m buffer
- All conditions recommended by the Highway's Authority
- Lighting scheme for external lighting to be agreed
- Energy and renewal integration scheme to be agreed
- Rainwater harvesting to be agreed
- Construction Plan to be agreed.
- Restriction of construction times
- Level access to enable wheelchair access for all dwellings/buildings.

(3) And the following informative notes as summarised and those as may be deemed necessary:

- Pro active working statement
- SCC Highways notes
- Support for sustainable development principles

(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 that the Chief Planning Officer be authorised to refuse the application on appropriate ground.