

Committee Report

Item 7D

Reference: DC/20/03632

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: 15/11/2020

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): 5 dwellings per hectare (3 dwellings / 0.6 Hectares).

Details of Previous Committee / Resolutions and any member site visit: This site (DC/20/01717) was presented at committee on the 22/07/2020 and was subsequently refused for the following reason:

The proposed dwellings if approved, would by reason of their poor design, dominant scale and appearance and landscaping fail to be in character and are not sympathetic with the local area and history, does not sufficiently demonstrate local distinctiveness and fails to add to the design quality and function of the area. Contrary to GP1, HB1, H13 of the Local Plan and Policy CS5 of the Core Strategy as well as NPPF Para 127 and Para 130.

This application seeks to address this reason for refusal.

Has a Committee Call In request been received from a Council Member (Appendix 1): Yes

Has the application been subject to Pre-Application Advice: The refused scheme was subject to a pre-application response under reference DC/20/01043. However, this new scheme was not.

PART ONE – REASON FOR REFERENCE TO COMMITTEE

The application is referred to committee for the following reason:

The Head of Economy considers the application to be of a controversial nature and thus was called in to committee.

PART TWO – POLICIES AND CONSULTATION SUMMARY

Summary of Policies

NPPF - National Planning Policy Framework

FC1

FC1.1

CS1

CS2

CS05 - Mid Suffolk's Environment

CS09 - Density and Mix

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

Neighbourhood Plan Status

This application site is a Neighbourhood Plan Area. Hoxne Parish Council have begun the process of preparing a Neighbourhood Development Plan (NDP)

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. An subsequent consultation was sent out as the application was missing the garage elevation drawings and a the tree protection drawing. The comments below summarise both consultations.

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.
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- The Parish Council did not support the previous scheme for 4no. dwellings (DC/20/01717) 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.
- Acknowledge that this is an improved scheme, however, still recommend the application is refused.
- Plot one is too large and dominant in the setting and landscape of the listed monument. Plot one is now isolated in its location detached from the line of development. Plot one is contrast of design to plots two and three.
- Therefore, contrary to the NPPF paragraphs 127 and 130.
- Loss of development land between two conservation areas contrary to policy HB08.
- Unnecessary felling of Ash Tree T2.
- Concerns over the creation and management of meadow area.
- Reasons for refusal at planning committee are still valid on previous scheme are still valid.
- Following the garage elevations and Tree Protection Plan the Parish Council still considered that Plot 1 is isolated element rather than part of the scheme and causes harm to the heritage asset.

National Consultee (Appendix 4)

Natural England

Natural England currently has no comment to make on the reserved matters application.

County Council Responses (Appendix 5)

SCC - Highways

No objection subject to conditions relating to:

Access

Visibility Splays

Manoeuvring and parking

Refuse storage and presentation

SCC - Archaeological Service

The condition on the outline consent does provide a mechanism for the securing of a programme of archaeological work on the site, commencing with evaluation to inform appropriate mitigation. I advised this archaeological evaluation in advance of Reserved Matters applications so that, if necessary, archaeological detail could be taken into account to inform the layout.

There is, however, the context of appreciably significant sensitivities in the Historic Environment that also contribute to design parameters for the site and to iterations of proposals to date. If the LPA are minded to grant consent to the Reserved Matters applications, I would highlight the in principle risk to the developer of deferring evaluation to a point when details are finalised because, as indicated in the Planning Statement, there are still mechanisms to seek change in the event of Nationally significant remains being encountered. However, remains that are of less than National significance identified in the evaluation could be investigated through an appropriate programme of work secured under the condition on the outline consent, which could include excavation, monitoring of contractor's groundworks, or amendments to secure preservation in situ if appropriate.

Internal Consultee Responses (Appendix 6)

Heritage

This application follows refusal of the previous application for approval of Reserved Matters and seeks to overcome the concerns expressed by Members at Committee. The proposal now omits one unit and reduces two of the units to single-storey two bedroom dwellings. This allows the layout to retain a large open space in the middle of the site including the permitted path to the Monument. Units 2 and 3 would appear as an extension of the existing built settlement. Unit 1 would appear more as a detached unit. The

design treatment of Units 2 and 3 now relates to the design of the single-storey lodge buildings associated with the former Oakley Park / Hoxne Hall, which stand just outside Hoxne on approach roads. In my view this design treatment will contribute to local distinctiveness. The design treatment of Unit 1 uses a range of materials and forms familiar in agricultural buildings in the district. In my view this approach will respect local architectural traditions for sites around the edge of settlements. I believe the proposed layout will not answer Members' concerns about the opportunity to appreciate the Monument as approached along Abbey Hill to the north west of the site, as Unit 1 is likely to foil views at several points, with a clear view only becoming available near the access to Downbridge.

In NPPF terms, harm arising from the proposal is reduced from the level resulting from the previous proposal, but is not eliminated. In my view the improvements in the proposal should be regarded as reducing or avoiding harm, but in heritage terms would not qualify as benefits over and above the present situation that could be weighed in the planning balance. Clearly consideration will extend to harms and benefits that are unrelated to heritage.

Land Contamination

No comments.

Other Consultee Responses (Appendix 7)

Suffolk Preservation Society

Conclusion of comments:

The SPS supports the reduction from no.4 to no.3 dwellings and the adoption of a strong landscape led layout. This approach allows for views through to the Monument to be protected and the meadow style planting will better enhance the setting of the heritage asset. We note the reduction in scale of the dwellings on plots 2 and 3 and the intention to adopt more vernacular treatment in keeping with the adjoining village houses. While we do not object to this, we hope that officers will ensure that the architectural details will be carefully controlled by planning condition to avoid the risk of weak pastiche and crude detailing. Notwithstanding this slight reservation we support the application and pay tribute to the work of officers and applicant's agent in revising the scheme to better reveal the Monument and its setting.

B: Representations

At the time of writing this report at least 18 letters/emails/online comments have been received. It is the officer opinion that this represents 18 objections, 0 support and 0 general comment.

Views are summarised below:-

- Outline should not have been approved
 - Proposal is an improvement
 - Maintenance responsibility of meadow area
 - Plot 1 – large house, too high, not in keeping.
 - Plot 1 and 2 attractive and in keeping.
 - Layout and design is not in-keeping
 - Loss of tree will affect biodiversity
 - Room annotations misleading (snug big enough for a bedroom?)
 - Not enough parking
 - Poor visibility
 - Loss of views of the monument from a distance
 - Drainage and flooding issues
 - Traffic intensification
 - Impacts to wildlife as a result of loss of ash tree
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- Impact to the listed monument, setting and the route to
- Permissive footpath should be made a PROW
- Scale and mass and impacts to local character
- Single storey only
- Not a response to housing need
- Concerns of the open meadow becoming amenity area for plot 1
- Impact to polyfocal character of the conservation areas
- Housing in Hoxne has been on the market without sale for 'months'
- Piece meal on adjacent sites
- No public transport
- Removal of trees unacceptable (taken years to grow)
- No validation of the removal of the Ash tree
- Applications refused on site opposite for the same reasons of objection here
- Elevated land will increase the impact
- Green field development
- Impact to polyfocal conservation area

(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
REF: DC/20/01717	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: REF 24.07.2020

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.
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- 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 up to four new dwellings. Matters for consideration are:

- Access
- Appearance
- Landscaping
- Layout
- Scale

2.2 The proposal is for **three** dwellings:

- Plot 1:
 - A single storey (6m tall) building with a south-eastern wing that forms a 1.5 storey element (6.5m tall).
 - 3 bedrooms with home office/snug space
 - Floor space 253 sqm
 - Pantiles on the roof and horizontal and vertical weather boarding
 - Detached 3 bay cart lodge (62sqm).
 - Plots 2 and 3
 - Single storey (5.7m tall)
 - 2 bedroom with dining room/office space
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- Total floor 106sqm
- Render and clay pantiles
- Detached single bay cart lodge with store (27.5sqm).

2.3 The proposal also includes a permissible path to access the monument which starts from the existing steps and maintaining a 4m width to the rear of the site.

2.4 The proposal now incorporates a wildflower meadow as a centre piece.

2.5 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 (this reserved matters application being valid prior to 25/08/2020).

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 Since the outline application was 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 accesses to the site. One for plot 1 and one for plots 2 and 3.

4.2 The access for plots 2 and 3, 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 B) submitted within this reserved matter application. However, to preserve the T001 Oak tree the proposal now seeks to move the access.

4.3 The first reiteration under a 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 be 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. 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).

4.4 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.

4.5 Therefore, the original concept (when the scheme was for four dwellings) of having plots 1 and 2 accessed off one access and plots 3 and 4 off the another was resumed. As the new scheme is now for 3 no. dwellings, plot one shall be served of one access and plots 2 and 3 shall be served of the other.

4.6 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 regard is set out within the landscape section below.

4.7 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.

4.8 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.

4.9 It is therefore considered that the proposal meets the requirements of policies T09 and T10 of the Mid Suffolk Local Plan.

4.10 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.

4.11 As no objection has been given by the Highways Authority it is considered that three 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**

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 a) the impact on the street scene which sits outside of, but in-between two conservation areas, and b) the impact on the setting of the listed monument and c) the objections raised. As such it is important to state some facts and observations of site:

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

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

5.4 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

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

The western boundary is approximately 50cm higher than the path in front of plot one

The western boundary is approximately 1.28m higher than the path in front of plot two

The western boundary is approximately 1.50m higher than the path in front of plot three

5.6 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 30.97m high. The difference of 1.15m. This increase is over an 85m distance, so is considered very gradual.

5.7 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:

Plot 1 – approximately 33m

Plot 2 – approximately 9.5m

Plot 3 – approximately 36m

5.8 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 inviting you directly to the monument.

5.9 It is at this point the appreciation for the monument is truly felt.

5.10 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.

5.11 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

5.12 Based on the two identified viewpoints, the layout of the proposal is such that it provides a large area of open space left undeveloped, ensuring that the majority of these views to the monument are

left unaltered. Maintaining the grand unveiling as you climb the top of the steps with a signified route which matches the existing situation.

- 5.13 Views through the site are outside of the plot boundaries and therefore can be conditioned to prevent any new fencing or built form within this area being erected in the future. The submitted planting schedule prevents any soft landscaping impeding these views through the site.
- 5.14 It is noted that 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 could obscure the glimpses to the monument, if it was left as agricultural land.
- 5.15 By securing the majority of views through the site to the listed monument and projecting these through an open space of wild flowers will uplift the setting of the listed monument when compared to the existing situation.
- 5.16 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.
- 5.17 The orientation of the plots are such to offer an entrance and 'gateway' to the monument, this was because of the comments made within the consultation, and thus creating 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.
- 5.18 This layout has been formed following comments submitted by a neighbour on the previously refused application.
- 5.19 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. That said, the path can only be secured within the applicant's ownership. As the remaining land outside of the site but before the monument is in other ownership it is considered that this scheme can not secure the whole journey to the monument. However, it does secure at least $\frac{3}{4}$ of the journey and is a significant benefit non the less.
- 5.20 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

- 5.21 The original scheme had three large two storey dwellings and one single storey dwelling. The proposal now offers three single storey dwellings, with plot 1 having a small amount of living accommodation in the roof. Additional work has been done to better integrate the designs of the buildings by introducing a smaller scale in plots 2 and 3 as well as traditional roof pitches and features such as chimneys and decorative bargeboards.
- 5.22 Whilst there are not 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 on the Hoxne Neighbourhood Plan Website. As such due regard is given to the character and appearance of the proposal with regards to the surroundings and respecting local distinctiveness.
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- 5.23 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 three dwellings follows design principles to mitigate this harm.
- 5.24 Overall the sizes of the dwellings have been significantly reduced (plot 1 stays much the same) (as described in paragraph 2.2 above). The dwellings are 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 and positioning of plot 1 will also ensure that the gaps between built form are maximised at the top of the steps to maintain the open character.
- 5.25 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 open space central to 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.
- 5.26 When travelling from south to north down Abbey Hill the verdant frontage of the site is obvious and coupled with the proposed dwellings being situated back in their plots, it is likely that none of the dwellings will be visible. In this direction the development will be obscured by the existing 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.
- 5.27 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 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.
- 5.28 Plot two is mostly obscured by the Ash Tree T3 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 plot 3. However, plot 3s small scale, pushed back within the elevated site will mean that it, like the monument, will be unveiled as you progress up the hill. Together with the dwelling in plot 2, 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.
- 5.29 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.
- 5.30 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 5dph is considered low in comparison however, contextually this site is forward of a listed monument and within the space between the polyfocal conservation areas
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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.

- 5.31 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.
- 5.32 Details of materials have been provided. However, it is considered that the use of uPVC windows is unacceptable in such a sensitive location. However, this can be dealt with by condition.
- 5.33 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 5dph is considered low but the sites special local circumstances justifies the lower density according to Policy CS9. Additionally, the dwellings are pushed back within their plots ensuring the elevated site does not result in the dwellings being dominated on the street scene. Therefore, it is considered that 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.
- 5.34 Moreover, paragraph 130 of the NPPF 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 no 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 2 shield the views to the north east already. It is not until you get past the stairs 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
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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 is uninterrupted by securing a 4m wide path, bounded by 1m tall post and rail fence. Additionally, as a result of the amended scheme, the more peripheral views through the site and around the monument have been maintained through the open nature of the front, rear and centre of the site. On the contrary, the low level single storey dwellings of plot 2 and 3 and the single storey of plot 1 will introduce built form in the setting and experience of this key view. However, the single storey nature of the development will not dominate this view and as such the impact is limited, particularly with the openness at the front centre and rear of the site. As such I give limited weighting to this adverse impact.
- 6.8 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 lesser 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.
- 6.9 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.
- 6.10 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.
- 6.11 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 habits 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.

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, important that this development does not exacerbate the issue and therefore a condition to
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provide a scheme for capturing surface runoff shall be applied, which shall include the use of water-buts and permeable surface.

7.4 The proposal will utilise existing utility infrastructure for water and waste. The intensification of three 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:

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.

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 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 Golldbrooks 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 semi-detached 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 considered 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 and 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. 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 result in 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 introducing an area of open space the open nature at street level is maintained. The proposal, through its layout, orientation, gaps between dwellings, 4m wide path and large area of open space, 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 and open space around it. 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 for the previous scheme that was before committee, who considered that amendments sought had resulted in 'a neutral impact on the setting of the listed monument'. Moreover, the heritage officer acknowledges the further improvements to this scheme from the last and see them as being "regarded as reducing or avoiding harm, but in heritage terms would not qualify as benefits over and above the present situation that could be weighed in the planning balance".
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- 8.18 Going further the Suffolk Preservation Society consider that the new scheme, by the adoption of “strong landscape led layout”, the reduction in dwellings from 4 to 3, securing views to the monument and introduction of a open space with “meadow style planting” will cumulatively enhance the setting of the heritage asset.
- 8.19 Contrary to this train of thought, objections from the parish council and local residents see the proposal as having an adverse impact to the setting of the listed monument.
- 8.20 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. A consultation has seen different assessments of what level of harm is created as a result of this impact. For the purpose of this assessment the highest level of harm identified will be considered in the assessment. This is a less than substantial level of harm.
- 8.21 As identified the proposal offers several positive contributions (see paragraph 8.15 and 8.16) in reducing the impact of built form on this site. 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.
- 8.22 The outline application made a clear acknowledgement of 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.
- 8.23 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 to the monument. Additionally, there is a positive contribution attached to the benefit of new housing. However, this is limited due to the small number of three dwelling and as the Council can demonstrate a land supply for housing for over 5 years. Nonetheless, it is considered a benefit and one that tips the balance in favour of the development being approved.

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
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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 from 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 and construction management.

PART FOUR – CONCLUSION

11. Planning Balance and Conclusion

Site planning history

11.1 The proposal benefits from an 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 within a setting of open space in the centre of the site. This is considered a big positive and attributed significant weighting. However, this secures the majority of views of the monument, the only one not secured is from a distance when travelling from

north to south. This view is not designated as a key view, additionally from here the monument is not prominent in the landscape, compared with at the top of the stairs. Therefore, whilst the views at the bottom of Abbey Hill view will be lost by plot 1, I do not consider this to be a significant impact.

11.7 Plots 2 and 3 have been orientated in way to offer an entrance to the monument to 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 access and view from the steps to the monument where the unveiling appreciation takes place is considered a significant benefit in the design and layout principles and as such is given positive weighting.

11.9 The proposal incorporates and protects important natural landscape features of existing trees and introduces new planting. The low density of 5dph is considered justified through the special local circumstances. Additionally, the are pushed back from the sites western edge, coupled with the low profile, particularly of plots 2 and 3, the development 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. Given the age of the Local Plan and Core strategy I give this moderate weighting.

Landscape

11.10 As per the 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 it is 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 set in an open space lacking built form. However, the more peripheral views will, as result of the proposal, include single storey development. Therefore, there is an adverse impact to the landscape, but the low-profile nature of the development limits this harm. As such limited weighting is given to this adverse impact.

11.12 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.

Heritage

11.13 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.

11.14 The highest level of harm identified as less than substantial is considered the benchmark of harm in the 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 paragraphs 8.15 and 8.16) in reducing this impact. Furthermore, once past the site and the proposed dwellings 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.

11.15 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. Additionally, there is a positive contribution attached to the benefit of new housing albeit it limited to the small number of new housing proposed and as the Council can demonstrate a land supply for housing for over 5 years. Nonetheless, it is considered a benefit and one that tips the balance in favour of the development being approved.

11.16 On balance I therefore consider the positive weightings attributed in paragraphs 11.6 – 11.9, 11.12 and 11.15 clearly outweigh the weighting given to the negative impacts in paragraphs 11.10, 11.12 and 11.14.

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 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:

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