

## **Committee Report**

**Item 6A**

**Reference:** DC/19/04128  
**Case Officer:** Rose Wolton

**Ward:** Hadleigh North.

**Ward Member/s:** Cllr Siân Dawson.

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

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### **Description of Development**

Planning Application - Erection of 15no. dwellings (includes 5no. affordable dwellings) with associated garages and parking, creation of vehicular access and provision of open space (following demolition of existing dwelling)

### **Location**

11 The Green, Hadleigh, Ipswich, Suffolk IP7 6AE

**Expiry Date:** 17/12/2020

**Application Type:** FUL - Full Planning Application

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

**Applicant:** Lynmore Homes

**Agent:** KLH Architects Ltd

**Parish:** Hadleigh

**Site Area:** 1.3 Hectares

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

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

**Has the application been subject to Pre-Application Advice:** No

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

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

It is a “Major” application for:

A residential land allocation for 15 or more dwellings.

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

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## **Summary of Policies**

### **Core Strategy 2011**

CS01 – Applying the presumption in Favour of Sustainable Development in Babergh

CS02 – Settlement Pattern Policy

CS06 – Hadleigh

CS15 – Implementing Sustainable Development

CS14 – Green Infrastructure

CS18 – Mix and Types of Dwellings

CS19 – Affordable Homes

### **Babergh Local Plan 2006**

CN01 – Design Standards

HS28 – Infilling/Groups of Dwellings

TP15 – Parking Standards – New Development

NPPF - National Planning Policy Framework

NPPG-National Planning Policy Guidance

## **Neighbourhood Plan Status**

This application site is within a Neighbourhood Plan Area.

The Neighbourhood Plan is currently at:-

Stage 2: Preparing a draft neighbourhood plan

Accordingly, the Neighbourhood Plan has Limited weight

## **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**

##### **Hadleigh Town Council**

No Objection in Principle - Concerns for vulnerable people and school children on footpath route to the school, traffic conflict and insufficient parking.

*“The offer of 35% affordable units, and the development of bungalows is welcome in principle, but the site is too small to accommodate the number of houses proposed. The Council is concerned about the lack of emergency access to the site, vulnerable people and schoolchildren on the footpath route to school and the conflict with traffic generated by the development. There is insufficient parking”.*

## **National Consultee**

### **Anglian Water**

No Objection, Subject to Condition.

### **Natural England**

RAMS Financial Contribution.

*“This development falls within the 13km ‘zone of influence’ for the Stour and Orwell Estuaries Special Protection Area (SPA) and Ramsar site, as set out in the emerging Suffolk Recreational Disturbance Avoidance and Mitigation Strategy (RAMS). It is anticipated that new housing development in this area is ‘likely to have a significance effect’, when considered either alone or in combination, upon the interest features of European Sites due to the risk of increased recreational pressure caused by that development. As such, we advise that a suitable contribution to the emerging Suffolk RAMS should be sought from this residential development whilst enduring that the delivery of the RAMS remains viable. If this does not occur in the interim period then the per house tariff in the adopted RAMS will need to be increased to ensure the RAMS is adequately funded. We therefore, advise that you should not grant permission until such a time as the implementation of this measure has been secured”.*

## **County Council Responses**

### **SCC – Highway Authority**

No Objection, Subject to Conditions.

### **SCC - Flood & Water Management**

No Objection, Subject to Conditions.

### **SCC - Fire & Rescue**

Informative Comments Provided.

*“Access and Fire Fighting Facilities: Access to buildings for fire appliances and firefighters must meet with the requirements specified in Building Regulations Approved Document B, (Fire Safety), 2006 Edition, incorporating 2010 and 2013 amendments Volume 1 – Part B5, Section 11 dwelling houses, and, similarly, Volume 2, Part B5, Section 16 and 17 in the case of buildings other than dwelling houses. These requirements may be satisfied with other equivalent standards relating to access for fire fighting, in which case those standards should be quoted in correspondence.*

*Suffolk Fire and Rescue Service also requires a minimum carrying capacity for hard standing for the pumping/high reach appliances of 15/26 tonnes, not 12.5 tonnes as detailed in the Building Regulations 2000 Approved Document B, 2006 Edition, incorporating 2010 and 2013 amendments.*

*Water Supplies: No additional water supply for fire fighting purposes is required in respect of this planning application”.*

### **SCC - Archaeological Service**

No Objection, Subject to Conditions.

### **SCC - Development Contributions Manager,**

Standard response

*“This letter sets out the infrastructure requirements which arise, most of which will be covered by CIL apart from site-specific mitigation.....*

SCC anticipates the following minimum pupil yields from a development of 14 dwellings, namely:

- a) Primary school age range, 5-11: 4 pupils. Cost per place is £16,596 (2019/2020 costs)
- b) Secondary school age range, 11-15: 3 pupils. Cost per place is £22,738 (2019/20 costs)
- c) Secondary school age range, 16+: 1 pupil. Costs per place is £22,738 (2019/20 costs)

The local schools are Beaumont County Primary School, Hadleigh County Primary School, St Mary's Church of England Primary School, Hadleigh High School, and One.

*Transport Issues: A planning obligation or planning conditions will cover site specific matters.*

*Libraries: The libraries and archive infrastructure provision topic paper sets out the detailed approach to how contributions are calculated. A CIL contribution of £216 per dwelling is sought i.e. £3,024, which will be spent on enhancing provision on enhancing provision at the nearest library. A minimum standard of 30sqm of new library space per 1000 populations is required. Construction and initial fit out cost of £3000 per square metre for libraries. This gives a cost of £90,000 per 1000 people of £90 per person for library space. Assumes average of 2.4 persons per dwelling.*

*Waste: SCC requests that waste bins and garden composting bins should be provided before occupation of each dwelling and this will be secured by way of a planning condition. SCC would also encourage the installation of water butts connected to gutter down-pipes to harvest rainwater for use by occupants in their gardens. A future CUL funding bid of £1540 will be made to expand and improve HWRC facilities serving the proposed development.*

*Supported Housing: Following the replacement of the Lifetime Homes standard, designing homes to Building Regulations Part M 'Category M4 (2)' standard offers a useful way of meeting this requirement, with a proportion of dwellings being built to 'Category M4(3)' standard. In addition, we would expect a proportion of the housing and/or land use to be allocated for housing with care for older people e.g. Care Home and/or specialised housing needs, based on further discussion with the LPAs housing team to identify local housing needs.*

*Sustainable Drainage Systems: Covered by consultation with SCC Floods and Water Management Consultation Response.*

*Ecology, Landscape & Heritage: These are matters for the Council to consider and address. In terms of good design, it is suggested that consideration should be given to incorporating suitable roosting and nesting boxes within dwellings for bords and bats, as well as providing suitable biodiversity features including plants to attract & support insects, reptiles, birds & mammals. Refer to the MHCLG guidance on the Natural environment.*

*Fire Service: Any fire hydrant issues will need to be covered by appropriate planning conditions. SCC would strongly recommend the installation of automatic fire sprinklers. The Suffolk Fire and Rescue Service requests that early consideration is given during the design stage of the development for both access for fire vehicles and the provisions of water for firefighting which will allow SCC to make final consultations at the planning stage.*

*Superfast Broadband: As a minimum, access lines speeds should be greater than 30Mbs, using a fibre based broadband solution, rather than exchange based ADSL, ADSL2+ or exchange only connections. This strong recommendation from SCC is that a full fibre provision should be made, bringing fibre cables to each premise within the development. This will provide a network infrastructure which is fit for the future and will enable faster broadband.*

*Legal Costs: SCC will require an undertaking from the applicant for the reimbursement of its reasonable legal costs associated with work on a S106A for site specific mitigation, whether or not the matter proceeds to completion”.*

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

### **Communities (Major Development)**

No Response.

### **Public Realm**

No Objection.

*“The Public Realm Team note the inclusion on an appropriate open space area within this small development. It would be anticipated that the future maintenance of this open space – including the recommendations detailed in the ecological report concerning habitat for grass snakes – would be achieved through a local agreement. The District council would not seek to acquire or adopt the open space as it largely serves those people who would be residents here”.*

### **Environmental Health - Land Contamination**

No Objection.

### **Strategic Housing (Affordable/Major Dwel/G+T)**

Inclusions into the S106 Agreement.

*“Proposed Open Market Mix:*

- 5 x 3 bed bungalows @ 97 sqm*
- 3 x 3 bed bungalows @ 130 sqm*
- 2 x 3 bed bungalows @ 156 sqm*

*I welcome the inclusion of 10 bungalows on this scheme and they should be very popular in Hadleigh and encourage owners of larger family homes in the area to move to more suitable accommodation on one level.*

*Affordable Housing: The most recent information from the Councils Housing Register shows 180 applicants registered who have a connection to Hadleigh. This proposal will meet districtwide affordable housing need so the figure that is important in regard to this application is the number of households on the Gateway to Homechoice register which was 907 as of July 2019.*

*Five of dwellings on the proposed development should be for affordable housing. These have been offered in the form of:*

- 2 x 1 bed 2 person bungalows @ 51 sqm*
- 1 x 2 bedroom 4 -person house @79 sqm*
- 1 x 2 bed 4-person house @82 sqm*
- 1 x 3 bed 5-person house @ 93 sqm*

*It is good to see that the applicant has taken account of the pre-application guidance provided. All 5 affordable dwellings to be for affordable rent. This mix does vary slightly from the S106 agreement in that instead of 3 x 2 bed houses, one has been provided as a 2 bed 4-person bungalow. I confirm that this is an acceptable change to the affordable housing mix set out in the S106 agreement dated 13.04.2018.*

*The affordable housing must be distributed amongst the open market dwellings on the site and should be in groups of no more than 15 dwellings.*

*Affordable Housing Requirement:*

- To meet planning Policy 35% of 15 units = 5 affordable units*

- *This should be in the form of 5 Affordable Rent Tenancy dwellings, let at up to 80% of local open market rent levels.*

*Other requirements:*

- *Properties must be built to current Homes requirements and the Nationally Described Space Standards as published March 2015.*
- *The council is granted 1000% nomination rights to all the affordable units on first and subsequent lets.*
- *The Council will not support a bid for Homes England grant funding on the affordable homes delivered as part of an open market development. Therefore, the affordable units on that part of the site must be delivered grant free.*
- *The location and phasing of the affordable housing units must be agreed with the Council to ensure they are integrated within the proposed development according to current best practice.*
- *The standard trigger points for the delivery of the affordable housing – this should be included in the instruction from planning to shared legal services that it needs to be in the S106 agreement as a matter of course.*
- *(a) not Occupy or permit Occupation of more than 50% (rounded up the nearest whole dwelling) Market Housing Units in each Phase until 50% of the Affordable Housing Units for that Phase have been constructed and are ready for occupation and have been transferred to the Registered provider; and*
- *(b) not Occupy or permit Occupation of more than 80% (rounded up to the nearest whole Dwelling) Market Housing Units in each Phase until all of the Affordable Housing Units for that Phase have been constructed and are ready for Occupation and have been transferred to the Registered Provider.*
- *Adequate parking provision is made for the affordable housing units”.*

#### **Environmental Health - Noise/Odour/Light/Smoke**

No Objection, Subject to Conditions.

#### **BDC - Waste Strategy Team**

No Response.

#### **Infrastructure Team**

Inclusions into the S106 Agreement.

*“This development is in the low zone area for CIL charging and will consequently be charged at £50 per square metre subject to indexation.*

*Affordable dwellings should be secured by way of S106 agreement. Exemption from CIL is available for affordable dwellings, provided they meet the conditions set out in Regulation 49 of the CIL Regulations 2010 (as amended)”.*

#### **Ecology - Place Services**

No Objection, Subject to RAMs financial contribution and conditions.

#### **B: Representations**

At the time of writing this report at least 26 letters/emails/online comments and one petition have been received. It is the officer opinion that this represents 26 objections, 0 support and 0 general comment. A verbal update shall be provided as necessary.

Views are summarised below:-

A petition of 65 signatures was received, objecting to development in Hadleigh due to concerns of health, education, road capacity, surface water management and sewage.

The remainder of representation received are summarised below.

- Drainage concern
- Increased flooding risk
- Affects to local ecology/wildlife
- Noise nuisance
- Increased traffic
- Overlooking potential
- Concern over south boundary treatments
- Visibility splay concern
- Light concern from external lighting
- Loss of property value
- Loss of privacy
- Loss of green space and open space
- Lack of footpath/pavement
- Traffic speed concern/highway safety
- Concern for construction vehicles using narrow road
- Unsafe for pedestrians without pavement
- Health and Safety
- Overdevelopment of the site
- Landscape impact
- Inadequate access
- Development too high
- Out of character
- Inappropriate in a Conservation Area
- Increased pollution
- No pavements
- Dust, causing health issues
- Strain on existing community facilities
- Inadequate parking provision
- Loss of outlook
- Tree impact

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

In addition, Cllr Siân Dawson (Hadleigh North) commented as follows:

No Objection in Principle – Concerns for the proposal being out of character and causing detriment to the surrounding properties, housing is close together, significantly decreased green area, opinion that forsaking the affordable homes for higher quality housing would be more beneficial, lack of a pavement/footpath to the south side of the site.

## **PLANNING HISTORY**

**REF:** DC/19/04128

Planning Application - Erection of 15no. **DECISION:** PCO dwellings (includes 5no. affordable

dwelling) with associated garages and parking, creation of vehicular access and provision of open space (following demolition of existing dwelling)

**REF:** B/17/00912

Outline - Erection of 15 dwellings with **DECISION:** GRA associated access works

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

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### **1.0 The Site and Surroundings**

- 1.1. The application site is located on the north east edge of the town of Hadleigh, to the north east of 'The Green' public highway.
- 1.2. The site lies within the Built-Up Area Boundary (BUAB) of the town and within 200 metres of areas of identified archaeological significance or potential.
- 1.3. The site extends to approximately 1.3 hectares and comprises an existing bungalow towards its centre. The front portion of the site is maintained as domestic garden curtilage with the remainder to the rear being uncut rough grassland. Mature hedgerows form the boundary of the site to its frontage and north boundary and part of the southern boundary adjacent to the Millers Close estate. The site benefits from an existing vehicular access to the public highway, located central to the site frontage. Existing housing developments lie to the north, south and west fronting 'The Green' to the north, south and west; Lady lane to the north, and Millers Close to the south. The western edge of a small woodland lies to the east side of the boundary.
- 1.4. There is a small watercourse that flows along the entire south boundary of the site and a smaller stream flows adjacent to the north boundary. Both watercourses discharge into existing drains adjacent to the fronting highway.
- 1.5. Site levels gently slope from the north to the south at a gradient of approximately 1 in 28 with a total fall across the site of approximately 2.8 metres. Adjacent site levels to the north east and south east are generally set higher than those of the proposal site.

### **2.0 The Proposal**

- 2.1. The proposal seeks the erection of 15no. dwellings, with 5no affordable dwellings provision, associated garages and parking, as well as the creation of vehicular access and the provision of open space (following the demolition of the existing bungalow on-site). This is a full application, with no matters reserved.
- 2.2. The site would comprise of 7no. three-bedroom bungalows, 3no. two-bedroom bungalows, 2no. three-bedroom two-storey dwellings and 3no. two-bedroom, two-storey dwellings, 5no. of these are to be affordable homes. The dwellings would have a range of garden sizes from the smallest being 80sqm to the largest being 155sqm.



- 2.3 The site area is approximately 1.3 hectares and would have the dwellings along the northern and eastern boundaries, as well as a small portion of the southern boundary; with the majority of the southern boundary being open space. The western boundary would be the access, as it currently is on the site.

### **3.0 The Principle Of Development**

- 3.1 At this time, Babergh has a five-year housing land supply of 6.64 years, as of the latest review in 2020.
- 3.2 The NPPF requires that development be sustainable and that adverse impacts do not outweigh the benefits. The NPPF (Paragraph 8) defines three dimensions to sustainable development; the economic role, social role and environmental role. These roles should not be considered in isolation. Paragraph 9 of the NPPF identifies that environmental, social and economic gains should be sought jointly. Therefore, Core Strategy Policy CS1 seeks to secure development that improves the economic, social and environmental conditions in the area and the proposal must conserve and enhance local character. The proposal, therefore, must be determined with regard to sustainable development as defined by the NPPF.
- 3.3 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that “...*where making any determination under the planning Acts, regard is to be had to the development plan, the determination shall be made in accordance with the plan unless material consideration indicates otherwise...*”. In this case, the development plan consists of the Core Strategy (adopted 20011) and the Local Plan (adopted 2006).
- 3.4 The application site lies within the Built-Up Area Boundary (BUAB) of the town of Hadleigh. The site is considered to be sustainably located within the existing settlement pattern of a town/urban area; thus being in accordance with policies CS2 and CS15 of the Babergh Core Strategy and the provisions of the NPPF. The principle of the proposed development is, therefore, considered acceptable, subject to consideration of all other material planning issues. Those considered relevant to the development proposal are set out below.

### **4.0 Nearby Services and Connections Assessment Of Proposal**

- 4.1 Within the Babergh Core Strategy, the town of Hadleigh is identified as a Town/Urban area. It identifies that most new development in Babergh will be directed sequentially to the towns/urban areas, accommodating appropriate levels of residential growth.
- 4.2. In the case of the application site, it is located within the BUAB of Hadleigh; which is a town that contains a number of facilities that would be utilised by the population that would be created as a result of the proposed development taking place. These include a high street of various shops, supermarket, community centres, pubs, a primary school, a secondary school as well as a variety of other employment opportunities. In addition to this, the town does benefit from regular bus services that run through the week, other than Sundays, and these would be within convenient walking distance of the proposed development.
- 4.3. As part of the development proposal, the scheme would include the provision of a footpath, as requested by the SCC Highway Authority. The proposed development is, therefore, considered to be located sustainably in relation to service and connection provision.

## 5.0 Site Access, Parking And Highway Safety Considerations

- 5.1 The NPPF identifies, at Paragraph 108, that in assessing specific applications for development, it should be ensured that, *inter alia*, significant impacts on the transport network and highway safety can be cost effectively mitigated to an acceptable degree. Paragraph 109 recognises 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 on the road network would serve....”.
- 5.2. The application site has an existing access, which would remain as part of this proposal. This, however, is an intensification of use. Therefore, the design of the access has been amended to reflect this. The proposed access is considered to be in accordance with Local Highway Authority standards, to be of an appropriate width, and to afford appropriate highway visibility relative to the quantum of the development proposed.
- 5.3 In addition, a new paved footway will form part of the proposal, as conditioned by the SCC Highway Authority consultation, in an effort to improve pedestrian safety. There is an existing paved footway to the south west side of The Green, which the conditioned footway could overlap with, enabling pedestrians to walk from the proposal site to the bus stop at Lady Lane, and to Hadleigh Town Centre via Angel Street, predominantly clear of the vehicular highway.
- 5.4 The application is accompanied by a Transport Statement (received on 02.09.2019) which concludes that a review of local facilities and public transport has been undertaken and that the site has adequate access to local services and facilities. In addition, there is public transport available to larger towns such as Ipswich, so that residents can access further services and facilities as required. The proposed residential development would result in minimal impact on the local highway network, as backed up by the SCC Highway Authority consultation. The site access strategy was also informally discussed with the local highway authority and was agreed. Furthermore, the site will provide significant benefits to the local area by the creation of a footway, where currently there is no provision. This will allow pedestrians, including school children, a suitable refuge.
- 5.5 In addition to this, the proposed site layout indicates that driveways, hardstanding parking spaces and garages will be provided as part of the proposal. The proposed site plan indicates 39no. on-site parking spaces, clear of The Green and an estate road, will be provided, with an additional 9no. garages (approximately 3.2 spaces per dwelling).
- 5.6 The proposed site plan indicates that the proposal is capable of providing an appropriate number of on-site parking spaces, clear of the public highway, in accordance with advisory parking standards provided by the Local Highway Authority. The access and road are considered wide enough to provide emergency vehicle access, with turning and manoeuvrability provision, as well as visitor spaces for parking.
- 5.7 Please refer to the consultation response from the SCC Highways Authority dated 01.12.2020. The officer states:

*“The access arrangement and visibility splays have been granted on the previous application. The parking layout is showing triple parking on a number of plots. However, these are three-bedroom dwellings and only two spaces are required for this size dwelling so they have provide over the required number, therefore, the layout is acceptable.*

*Unfortunately, there is insufficient land within the highway boundary to create a footway to the east. However, the drawing shows a proposal to create a safe route for the vulnerable pedestrian by*

*providing a footway along the frontage and dropped crossing link to the existing footway network to the west of the site”.*

## **6.0 Design And Layout [Impact On Street Scene]**

- 6.1. Section 12 of the NPPF refers to design, it provides that good design is a key aspect of sustainable development it should contribute positively to making places better for people. Decisions should aim to ensure that development will function well and add to the overall quality of the area, establish a strong sense of place, create attractive and comfortable places to live, work and visit, optimise the potential of the site to accommodate development, create and sustain an appropriate mix of uses and support local facilities and transport networks. Furthermore, it provides that development should respond to local character and history, and reflect the identity of local surroundings and materials, while not preventing or discouraging appropriate innovation. The NPPF goes on to state it is *“proper to seek to promote or reinforce local distinctiveness”* and permission should be *“refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions”* (Para.130). In addition, Policy CN01 of the Babergh Local Plan provides that *“All new development proposals will be required to be of appropriate scale, form, detailed design and construction materials for the location”* and echoes the provision of the NPPF.
- 6.2 The proposal sets out a layout of a new estate of 15no. dwellings, of single and two-storey. The two-storey dwellings would be focused around the south east side of the site, where there are significant differences of ground levels and gradients between the application site and the neighbouring properties to the south and east. The single-storey dwellings are focused around the northern boundary, leading down towards the east, with open space provided to the south. Issues such as overlooking and a loss of privacy have been recognised, it is considered that the single-storey properties to the north, leading to the east would not have significant potential to overlook the neighbouring properties, as these are low in height, with no overlooking windows, with moderate boundary treatments for screening. The neighbouring properties which would be nearest to the two-storey dwellings would be at a higher ground level than the application site, with moderate boundary treatments for screening; therefore, giving the proposed two-storey dwellings limited opportunity for overlooking. There would also be the existing mature plant life retained along the south east boundary and eastern boundary, with a new planting buffer added to the east and north east boundary to provide better screening.
- 6.3 The site layout would still provide one bungalow facing out onto the street, as is existing, with the remaining dwellings set back into the site, with an access road central and open space and greenery to the south of the site. This is not considered to cause adverse harm to the character of the street-scene
- 6.4 The proposed dwellings will be of traditional coherent design, utilising local sourced materials where possible. The proposal is not considered to be an overdevelopment of the site. The design layout provides a linear pattern of development along the northern and eastern boundary with reasonable amenity space provided for each dwelling; as well providing a modestly-sized area for open space. The site layout is not considered cramped and allows for the parking and manoeuvring of vehicles freely. The design and layout are considered to be in accordance with Policies CN01 and HS28 of the Babergh Local and provisions within the NPPF.

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

- 7.1. The site is currently both domestic curtilage and open space. On this basis, there is impact on the wider landscape, but in this case the site is enclosed on all sides by the town, and the proposal

provides open space to accommodate some of what would be lost. It is judged that suitable landscaping on site would be able to screen the site without too much trouble and the proposal demonstrates that open space can be located to the south. There would be additional planting buffers added to the east/north boundary, with mature plant life retained across the eastern/southern boundary for boundary treatments. There are no protected trees on site that would be impacted.

- 7.2 The site contains large areas of uncut grassland and lies adjacent to woodland and open countryside. Watercourses also flow through the site. Development of the site therefore has the potential to impact protected and priority ecological species and their habitats.
- 7.3 The applicant has submitted an extended phase 1 habitat survey, a detailed reptile survey and mitigation plan, and a Bat survey report with the application.
- 7.4 The Council's Ecological consultants have assessed the reports provided and have concluded that appropriate ecological mitigation and enhancement measures are proposed which should ensure the proposed development does not result in significant harm to protected and priority ecological species and their habitats.
- 7.5 Should the proposed ecological mitigation and enhancement measures proposed be secured by way of condition, then the proposal is considered acceptable in terms of ecological and biodiversity considerations.

## **8.0 Land Contamination, Flood Risk, Drainage and Waste**

- 8.1 The NPPF at Paragraph 180 identifies *inter alia* that planning decisions should ensure that a site is suitable for its proposed use. In addition, Paragraph 180 makes clear that where a site is affected by contamination, responsibility for securing a safe development rests with the developer and/or landowner.
- 8.2 A Land Contamination Report Assessment (received on 13.09.2019) was submitted with the application which concludes that there are no notable features present in the context of land contamination other than inert made ground. Council land contamination specialists have assessed the information by the applicant and confirm they are in agreement with the report's findings that further works of the site with regards land contamination remediation are unwarranted. Further occupants of the development are therefore not considered to be at significant risk from sources of land contamination.
- 8.3 In relation to flood risk and drainage, the NPPF identifies at Para.155 that "*...Inappropriate development in areas at risk from flooding should be avoided by directing development away from the areas at highest risk....*". In regard to this, it is noted that the entire site for the proposed development is located within flood zone 1. Therefore, the site is not considered liable to unusual flooding events, and in that regard accords with the identified requirements of the NPPF and development plan policy in this regard. It should be noted that the LLFA raise no objection to this proposal, subject to conditions.
- 8.4 A Flood Risk Assessment and Drainage Strategy has been provided with the application which concludes that the development proposal is not at any significant risk from flooding and that surface water can be drained in a sustainable manner without resultant impacts on the surrounding water catchments.

8.5 Anglian Water Services have been consulted on the application and have advised that there is capacity within the existing foul sewerage network for the proposed additional flows. Subject to condition, they raise no objection to this proposal. The proposal is not, therefore, considered to result in increased flood risk.

## **9.0 Heritage Issues [Including The Impact On The Character And Appearance Of The Conservation Area And On The Setting Of Neighbouring Listed Buildings]**

9.1. The site is not located within a Conservation Area and does not abut the Conservation Area boundary of Hadleigh. It is not within close proximity of any listed buildings. The proposal is not considered to cause any adverse harm to any heritage assets in the vicinity.

9.2. The site lies in an area of archaeological potential recorded on the County Historic Environment Record and is situated in close proximity to the historic core of Hadleigh and to the south of the Medieval Manor site of Hadleigh. Iron Age occupation remains, associated with a number of features of Roman date, as well as peat deposits which have accumulated since the Mesolithic period, were also recorded during archaeological investigations to the north-east. As a result, there is high potential for the discovery of below-ground heritage assets of archaeological importance within this area, and groundworks associated with the development have the potential to damage or destroy any archaeological remains which exist.

9.3 The County Archaeological Unit has been consulted on the application and has advised that there are no grounds to consider refusal of permission in order to achieve preservation *in situ* of any important heritage assets. However, in accordance with NPPF paragraph 141, it is advised that any permission granted should be the subject of a planning condition to record and advance understanding of the significance of any heritage asset before it is damaged or destroyed.

9.4 Should a programme of archaeological work, agreed by the County Archaeological Unit, be undertaken on site prior to commencement of development, then the proposal is not considered to result in harm to any buried heritage assets which may exist.

## **10.0 Impact On Residential Amenity**

10.1 Policies within the adopted development plan require, *inter alia*, that development does not materially or detrimentally affect the amenities of the occupiers of neighbouring properties. Issues of overlooking and loss of privacy are acknowledged, however, in this case, the proposal is not considered to cause any adverse impact to residential amenity in terms of overlooking or loss of privacy.

10.2 As discussed above, the gradient and differences in ground levels of the application site and neighbouring land set the application site at a lower position, with the neighbouring properties to the south east having more of an advantage of overlooking than the ones on the application site itself. The design is sympathetic to overlooking, as it has indicated the single-storey dwellings on the northern side, where the ground levels are similar, and the two-storey dwellings on the south east side where the neighbours are at an elevated position.

10.3 During the course of determination, Environmental Health – Noise/Light/Smoke/odour were consulted and raised no objection to this proposal, subject to conditions limiting any external

lighting, foul sewage, burning on the site, and providing a construction management plan to limit the operating hours of construction to provide relief to existing neighbours.

#### **11.0 Planning Obligations / CIL (delete if not applicable)**

- 11.1 The application is liable for CIL and, therefore, Suffolk County Council has outlined the monies that it would be making a bid for to mitigate the impact of the development on existing infrastructure.
- 11.2 In accordance with the Community Infrastructure Levy Regulations, 2010, the obligations recommended to be secured by way of a planning obligation deed are (a) necessary to make the Development acceptable in planning terms (b) directly related to the Development and (c) fairly and reasonably relate in scale and kind to the Development.
- 11.3 The application, if approved, will require the completion of a S106 agreement to secure the on-site delivery of 5 no. affordable dwellings.

#### **12.0 Parish Council Comments**

- 12.1 The matters raised by Hadleigh Town Council have been addressed in the above report

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## **PART FOUR – CONCLUSION**

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#### **13.0 Planning Balance and Conclusion**

- 13.1 In order to achieve sustainable development, the Framework identifies that economic, social and environmental gains must be sought jointly and simultaneously.
- 13.2 The Framework seeks to significantly boost the supply of housing and the development would contribute to housing supply in an area where there is a current acknowledged shortage. The proposed development would, therefore, provide economic benefits. It would also give rise to other economic benefits relating to employment during the construction phase, although these would be limited and temporary and as such are afforded limited weight.
- 13.3 The proposed development would offer significant social benefits in respect of on-site affordable housing provision and the provision of an additional paved public footpath alongside the existing vehicular highway. The proposal should, therefore, be attributed positive weight in terms of the social dimension of sustainable development.
- 13.4 In terms of the environmental pillar of sustainable development, the site is an area of residential garden land and buildings adjacent to open countryside with ecological potential. Residential Gardens are not included within the definition of previously developed land contained within the Framework. The impact on character and appearance of the area, biodiversity and flood risk is considered to be neutral.
- 13.5 By reason of its location in a town, the proposal is not considered to place absolute reliance on the private car as a means of transport which would minimise potential environmental harm in this respect.
- 13.6 Whilst the proposal would not result in environmental benefit, proposed mitigation by way of landscape planting, sustainable land drainage and increased linkage to the Town's existing

pedestrian network is considered to offset any harm. The proposal is, therefore, considered to have a neutral impact in terms of the environmental dimension of sustainable development.

13.7 The application proposal is, therefore, considered to represent sustainable development.

## **RECOMMENDATION**

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

- Affordable housing

This shall include

- Contribution towards affordable housing
- Five rented affordables

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

- Standard time limit
- Approved Plans (Plans submitted that form this application)
- Parking/manoeuvring
- Refuse/recycling provision
- Construction Management Plan
- Disposal of surface water
- SUDS
- Construction Surface Management Plan
- Ecological Mitigation (including swift boxes and hedgehog fencing)
- Biodiversity Enhancement Strategy
- Landscape and Ecological Management Plan
- Lighting design scheme
- Foul sewage disposal
- External lighting
- Hours of work
- No burning
- No hardstanding until surface water strategy agreed
- Archaeology
- Archaeology post investigation
- RAMS
- Rainwater harvesting to be agreed

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

- SCC Highways notes
- Support for sustainable development principles
- Floods and Water Management Notes

**(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**