

Committee Report

Item 8B

Reference: DC/18/00861

Case Officer: Jo Hobbs

Ward: Claydon & Barham.

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

RECOMMENDATION – APPROVE OUTLINE PLANNING PERMISSION WITH CONDITIONS

Details of Development

Description of Development

Outline Planning Application (with means of access to be considered) - Erection of up to 73 dwellings, public open space and supporting site infrastructure including access.

Location

Land To The East Of, Ely Road, Claydon, Suffolk

Expiry Date: 29/01/2021

Application Type: OUT - Outline Planning Application

Development Type: Major Small Scale - Dwellings

Applicant: M. Scott Properties Ltd, The St Edmundsbury & Ipswich Diocese

Agent: Mr Richard Clews, Strutt and Parker

Parish: Barham and Claydon (split across parishes)

Site Area: 3.37ha

Density of Development:

Gross Density (Total Site): 22 dwellings per hectare (dph)

Net Density (Developed Site, excluding open space and SuDs): 33 dph

Details of Previous Committee / Resolutions and any member site visit: Defer to Mid Suffolk Referrals Committee for reasons outlined below.

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

Has the application been subject to Pre-Application Advice: Yes - DC/17/04720

PART ONE – REASON FOR REFERENCE TO COMMITTEE

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

It is a “Major” application for:

- a residential land allocation for 15 or more dwellings

Details of Previous Committee / Resolutions and any member site visit

This application was considered by Mid Suffolk Development Control Committee A on Wednesday 4th July 2018. Members of the committee resolved to defer to Referrals committee on the following basis:

“- Need to consider accumulated impact of development in conjunction of other housing development proposals in the area, traffic flows and reference to Parish traffic Survey. May need updated SCC Highways response.

And need for:-

- Ensure clear understanding of SCC requests on footpath proposals and provision as a result of the development.
- Confirmation that any mineral allocation is not required
- Clarification of ecological interests and mitigation on site.”

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

None received.

Details of Pre-Application Advice

The site itself has no planning history, although pre-application advice was sought and given in 2017 for a scheme for 74 dwellings which indicated development could be acceptable on the site pending on meeting key planning considerations.

PART TWO – POLICIES AND CONSULTATION SUMMARY

Summary of Policies

Core Strategy Focused Review 2012:

- FC1 – Presumption in favour of sustainable development
- FC1.1 – Mid Suffolk approach to delivering sustainable development
- FC2 – Provision and distribution of housing

Mid Suffolk Core Strategy 2008:

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

Mid Suffolk Local Plan 1998:

- GP1 – Design and layout of development
- HB1 – Protection of historic buildings
- HB7 – Protecting gardens and parkland of historic interest
- HB14 – Ensuring archaeological remains are not destroyed
- H7 – Restricting housing development unrelated to the needs of the countryside
- H13 – Design and layout of housing development
- H14 – A range of house types to meet different accommodation needs
- H15 – Development to reflect local characteristics

H16 – Protecting existing residential amenity
CL8 – Protecting wildlife habitat
CL9 – Recognised wildlife areas
CL11 – Retaining high quality agricultural land
T4 – Planning obligations and highways infrastructure
T9 – Parking standards
T10 – Highway considerations in development
T11 - Facilities for pedestrians and cyclists
T12 - Designing for people with disabilities
T13 – Bus services
RT4 – Amenity open space and play areas within residential development
RT12 – Footpaths and bridleways
SC4 – Protection of groundwater supplies
Altered policy H4 – A proportion of affordable housing in new housing developments (July 2016)

Emerging Joint Local Plan – Pre-submission (Regulation 19) Consultation (November 2020)

Other material policy considerations

Suffolk County Council Parking Standards

Suffolk County Council Minerals Core Strategy 2008 – Policy 5

Suffolk County Council Emerging Minerals and Waste Local Plan (2018) – Policy MS8 and MP10

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

Neighbourhood Plan Status

This application site is not within a Neighbourhood Plan Area.

List of other relevant legislation

- National Planning Policy Framework 2019
- Human Rights Act 1998
- Town & Country Planning (Listed Buildings & Conservation Areas) Act 1990
- Natural Environment and Rural Communities (NERC) Act 2006 (any rural site)
- The Conservation of Habitats and Species Regulations 2017
- Localism Act
- Consideration has been given to the provisions of Section 17 of the Crime and Disorder Act, 1998, in the assessment of this application but the proposal does not raise any significant planning issues that would warrant specific consideration.

Consultations and Representations

During the course of the application Consultation and Representations from third parties have been received. These are summarised below.

A: Summary of Consultations

Town/Parish Council (Appendix 3)

Claydon and Whitton Parish Council

1st response (March 2018): Object: Ely Road traffic movement; why traffic calming within scheme not on Ely Road; 30% increase in number of household in Claydon and Barham with all development; infrastructure impact; 3 storey out of character; environmental concerns. However if development is required in Claydon and Barham this is a preferred option.

2nd response (February 2019): Object: remain opposed to application for reasons previously stated. Ely Road and Thornhill Road already extremely congested, cars parked on road and buses struggling to travel through estate. Cumulative impact with other developments will strip away village identify and increase traffic dramatically. Proposed development an overdevelopment of the plot, does not retain village feel of the rest of Claydon garden village. Object to private roads in proposals. Concerns regarding water pressure, especially with cumulative development.

3rd response (December 2019): Claydon and Whitton Parish Council remain opposed to this proposal. The minor changes made to the application to not have an impact on the problems with this proposal already highlighted by the Parish Council. The latest proposal (in partnership with 1856/17) shows no improvement to the issues with the roads and excess traffic.

Barham Parish Council

1st response (March 2018): Mixed views - development would be appropriate but local infrastructure and environment a concern. Objects unless concerns mitigated: 1) Roads busy - what are plans to alleviate pressure of additional traffic; 2) Sewer through Norwich Road problems, upgrade to cope with extra demand; 3) How will the Slade be protected, unique in villages to Claydon and Barham; 4) Wildlife in NE corner of site - badgers? Protected and enhanced as part of development.

2nd response (July 2018): THaT consultancy on their behalf: TA doesn't cover Thornhill Road South or beyond Thornhill Road/Ely Road; road network capacity concerns; cumulative impact significant; trip rates lower than 1856/17 application; pavement width at site entrance too narrow; 20 mph on Ely Road; improvements to Thornhill Road for cyclist and pedestrians.

3rd response (March 2019): from THaT Consultancy on behalf of Barham Parish Council: Question whether any revised supporting transport assessment information has been submitted for either this or planning application 18//00861 to support applications, and whether mitigation measures address impacts as a result of the proposed development. It is not clear how Local Highway Authority responded in November 2018 to the application 18/00861 as no further supporting information had been made public. Unclear as to how cumulative impact has been assessed and why 18/00861 requires no mitigation measures, but Norwich Road scheme (1856/17) requires pedestrian and cycle mitigation measures. Local highway network currently operating at or close to, capacity, proposed development will take this over capacity. Continue to also have the concerns of; carriageway width restriction at entrance to Ely Road scheme, Ely Road should become a 20mph road, safety measures for pedestrians and cyclists on Thornhill Road. In relation to Church Lane Barham development suggest a road safety audit is carried out before permission is granted to cover the new highway infrastructure proposed as part of development, sections of the existing highway network that will be operating close or over capacity, access routes between sites and schools and village centre, route along Barham Church Lane and northern outskirts of Ipswich.

4th response (received 3rd and 6th December 2019):

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

- Highway concerns are not addressed by additional highways package submitted by developers

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

5th Response (September 2020)

Further Highway Note from THaT Consultancy acting on behalf of Barham Parish Council. Concludes that concerns consistently raised by THaT Consultancy have not been satisfactorily addressed including:

- Requests for information and clarification previously made have not been answered by either Suffolk County Council or the developers
- County Council have not challenged findings of developers
- Mitigation identified by developers in Technical Note dated November 2019 do too little to improve highway conditions, and would not mitigate the adverse impacts arising from the additional traffic from the propose development.
- Concerns remain over highway safety.

Officer comment: Suffolk County Council Highway Authority have considered the Highway Notes, provided comments below and raise no objection This is covered in paragraph 5.1 to 5.26 and 14.9 of the officer's report below.

National Consultee (Appendix 4)

NHS England

One branch surgery within 2km, not sufficient capacity. Developer contribution required via Community Infrastructure Levy (CIL). No objection.

Natural England

Site within 13km of zone of influence for Stour and Orwell Estuaries SPA. Development likely to have significant effect. Contributions to RAMS would be required.

Suffolk Wildlife Trust

UK Priority Habitats: is hedgerow to be retained or lost? The Slade - buffer to eastern boundary. UK Protected Species: Bats - loss of habitat in hedge, woodland to east not buffered, insufficient info. Lighting impact. GCNs and reptiles: some habitat potential for these species, if it could be lost then insufficient information. Badgers: evidence of badgers but no sett building; suitable habitat to north east within pit area; mitigation would be required. Green space - only a small amount, more needed particularly bordering hedgerows and woodlands; reduce number of dwellings. Habitats Regulations Assessment (HRA) required as within 13km of Stour and Orwell Estuaries Special Protection Area (SPA), HRA needed and consideration to level of contribution to Recreational Access Disturbance Mitigation Strategy (RAMS). Ecological enhancements could be secured e.g. integrated swift nests in buildings.

Environment Agency

Consultation not required

Anglian Water

No assets owned or subject to adoption agreement in site; available capacity in wastewater treatment; capacity in foul sewerage network; surface water strategy to be subject to planning condition and recommend this be subject to consultation with Anglian Water and the Lead Local Flood Authority (LLFA). Proposed condition for drainage strategy.

County Council Responses (Appendix 5)

Suffolk County Council (SCC) Highways

1st response (March 2018): No objections subject to conditions. S106 for bus information sign and improvements to public right of way Barham Bridleway 009 and Claydon FP13 and FP14.

2nd response (April 2018): Revised access drawings acceptable.

3rd response (November 2018): No objections subject to conditions and contribution to widening and resurfacing of footpath adjacent to site. Confirmed no wider cumulative impacts for development to consider.

4th response (December 2019): No objection subject to conditions and contributions secured via S106 agreement.

The proposal for 73 dwellings would create approximately 43 vehicle movements within the peak hour (1.3 vehicles every minute) therefore the additional vehicles from the development will not affect the capacity of the highway network in the area. There are bus stops within 200m of the site with good public transport services. The catchment primary school is approximately 650m from the site. The mitigation measures for footway improvements between the site and the primary school to create a safer route for the vulnerable user. The proposed mitigation measures to be funded by this and Norwich Road, Claydon application will provide highway improvements for cyclists and pedestrians in Claydon Village.

The development would not have a severe impact on the highway network (NPPF para 109).

S106 contributions to be secured include:

- Offsite improvement works by resurfacing and widening of Barham Bridleway 009, Claydon FP13 & FP14 (approx. 750m length) totalling £58,125.00.
- Village Highway Mitigation Measures:
 - o Station Road / Norwich Road Junction and footway improvements
 - o Church Lane / Norwich Road Junction and footway improvements
 - o Village Wide Cycle Infrastructure Improvement Works

- Norwich Road extension of Speed Limit on Norwich Road
- The total cost of these works are estimated at £98,250 to be apportioned between this and Norwich Road application (reference 1856/17).
- CIL payments would secure real time passenger information display screen at a cost of £13,000

SCC Strategic Development

CIL for secondary school places, libraries. Section 106 contribution for primary school places and primary school build cost. Condition for fire hydrants.

SCC Lead Local Flood Authority

No objections subject to conditions. Infiltration possible, water treatment to be two-stage.

SCC Mineral Planning Authority

No objections, site not suitable for extraction due to close proximity to existing dwellings. Request condition to ensure any mineral extracted from site during construction process is quantified.

Suffolk Archaeological Service

1st response (March 2018): Area of prehistoric, Roman and Anglo-Saxon settlement. Assessment needed before any recommendation made on application.

2nd response (received February 2019 although dated February 2018): High potential for discovery of below-ground heritage assets. As recommended in our earlier advice metal detecting and geophysical surveys have taken place. Based on the results of these surveys, there are no grounds to consider refusal of permission in order to achieve preservation *in situ* of any important heritage assets. Conditions are requested to agree a programme of archaeological work and site investigation and post investigation assessment.

Suffolk Police

Recommend using Secured by Design; concern over parking design; concern over permeability with footpaths and offenders being able to move easily; eastern boundary - looking for no gaps in vegetation; boundary treatment - 1.8m fences around residential properties; further details on bin storage, attenuation area fencing, undeveloped areas use, recessed doors on houses, fence of gable walls to prevent anti-social behaviour, vegetation management, lighting, 1m hooped metal railings around communal areas, open space/play equipment and other items such as front doors to meet relevant British Standards.

SCC Fire and Rescue

Required to meet Building Regulations and go further for vehicle hardstanding capacity. Fire hydrants required through condition. Flow rates need to be checked with Water Companies.

Internal Consultee Responses (Appendix 6)

Place Services – Ecology

1st response (March 2018): Insufficient info to allow Local Planning Authority (LPA) to prepare HRA in relation to disturbance of Natura 2000 sites. Insufficient info to provide certainty of impacts to protected species and priority species/habitats. 2.6km daily walking route and contribution to RAMS. Bats, Great Crested Newts (GCNs) and reptiles - habitats removed in indicative layout, Ecological Impact Assessment required and surveys to inform this, buffer to woodland and hedgerow removal needs mitigation.

2nd response (October 2018): Holding objection as insufficient info for HRA and no appropriate buffer to Mixed Lowland Deciduous Woodland. Sufficient info on GCNs however.

3rd response (February 2019): No objection subject to conditions to secure: a) Mitigation towards visitor management measures at the Stour & Orwell Estuaries SPA & Ramsar site, from the development alone and in combination of other plans and projects; b) ecological mitigation and enhancements. There is sufficient ecological information submitted to assess the likely impacts on Protected and Priority species/habitats and, with appropriate mitigation measures secured, the development can be made acceptable.

Place Services – Landscape

1st response (March 2018): More info to address relationship and mitigation between development site and surrounding area, inc. Hereford Drive. Specific scale sections; Landscape Visual Impact Assessment (LVIA) not consideration of cumulative impacts with application 1856/17; Reduce dwellings to create landscape buffer to north and east, enhancements along Public Rights of Way (PROW) and woodland which will also reduce the impact of the existing settlement boundary; Landscape strategy required, including opportunities for habitat creation; Detailed landscape planting plan, maintenance and specification. Condition 5 year maintenance and Sustainable Urban Drainage Systems (SuDS) in Landscape Management Plan (LMP); Detailed boundary plan condition; drainage feature does not connect to landscape; LVIA completed to appropriate guidance but greatest visual impact to footpath E120 009/Y and Winchester Gardens and Hereford Drive and proposed dwellings not mitigated, no landscape buffer between PROW and dwellings on northern boundary; Development will negatively impact on nearby dwellings and heritage assets, landscape enhancements needed; site in Rolling Estate Farmland Landscape Character Area, due to enclosure pattern of area expect landscape area enhanced, estate features and woodland planting safeguarded.

2nd response (February 2019): No objections subject to conditions. Welcome changes made to sketch layout and revised LVIA to consider cumulative impacts. The assessment is considered acceptable and has concluded that the only visual receptor likely to experience cumulative effects was the users of Public Footpath E120/009/X through a sequential experience of both developments (this and nearby 1856/17 – 269 dwellings on Church Lane, Barham). However, it's thought that by amending the layout there are more opportunities for landscape enhancements along this route. Whereas in terms of landscape, there is a slight adverse cumulative landscape effect upon the arable character of the Site and Claydon.

Babergh and Mid Suffolk District Councils (BMSDCs) Arboricultural Officer

Arboricultural Impact Assessment required within application. Arboricultural Method Statement and Tree Protection Plan could be conditioned.

BMSDCs Policy and Infrastructure

Support the application and proposed development.

BMSDCs Environmental Health - Air Quality

Unlikely to result in a deterioration of good air quality in area.

BMSDCs Heritage

No comments to make

BMSDCs Environmental Health Sustainability

No objection, condition sustainability considerations. Sustainability and Energy Statement submitted to reduce environmental impact during construction and occupation. Environmentally friendly materials, construction techniques, reduce carbon dioxide, reduce water use to 105 litres per person per day and consider electric vehicle charging points.

BMSDCs Environmental Health Contamination

No objections from land contamination, unexpected contamination condition required.

B: Representations

At the time of writing this report at least 22 letters/emails/online comments have been received. It is the officer's opinion that this represents 19 objections, 1 support and 2 general comment. A verbal update will be provided as necessary.

Views are summarised below:-

Letter of support/comment

- Will noise and delivery restrictions be put in place during construction due to limited access of only one road, and will Ely Road be repaired after construction?
- Believe attention must be paid to existing trees and hedges, and maintained. Welcome additional planting, ponds and other habitats
- Existing pressures on local wildlife, need to ensure not adversely affected by development
- Loss of field deter swifts, house martins and bats from foraging, disturbance closer to established hedgerow along bridleway.
- No mention made of migratory geese using villages outlying fields, no mention made of this
- Current plans look appealing, need to address above points to make development enhance village life for residents.
- Development appears to be in a place and of a scale that is in keeping with the existing housing area.
- Pleased to see some informal areas included and more than one vehicular access

Objections

Principle

- No further housing developments wanted or needed
- Size and scale of development
- Urban sprawl, Great Blakenham destroyed by development, same happening to Claydon/Barham
- Piecemeal development
- Cumulative impact with and on adjacent application 1856/17 (land at Norwich Road, Claydon) not considered
- Impression Council wanted site to be developed
- Development of Ipswich Garden Suburb and Northern By-Pass both due to happen and needed, but will impact on Claydon and plan should be to protect village identity, where will by-pass be?
- Why is field next to Church Lane not being developed first as it has better access?
- Will properties be purchased by local people?
- Applications that have a severe effect on local people should be decided by including people from local area.
- Small development in each parish would meet housing need, and keep local services running
- Concerned at recent applications in Claydon and Barham
- No benefits of development for residents of Claydon or Barham
- Why are new estates allowed to be built with poor infrastructure in first place, demonstrated by year after year of increased Council Tax because of lack of funding
- Please consider resident's concerns and lovely villages before lost forever
- Price of affordable housing

Roads

- Roads need to be improved, increase traffic on Ely Road, effect on A14 considering Ipswich Northern Route
- Increase use of Church Lane and driving through village itself
- Applicant misunderstood comments on traffic access, future residents likely to use cars to access A14
- Roads should be resurfaced, tree roots should be removed from roads
- No visitor parking, question trip rates in Transport Statement
- Has not demonstrated traffic impact not severe
- Road condition poor
- No parking available after 6pm on roads
- Parking of workers during construction phase
- Road capacity with new dwellings
- Road width on Ely Road with residents parking on street can't cope with traffic to be generated during construction and once occupied
- Road safety, particularly around school runs on Thornhill Road
- Bungalows on Ely Road require parking spaces for care providers, no driveways and so on road parking, construction vehicles would struggle to pass.
- Residents of Thornhill Road only have on-block garages and park on Ely Road
- Parking on proposed dwellings only sufficient if residents use garages
- Additional traffic will increase noise and air pollution, and wear and tear of roads and disturbance to resident's lives
- Village is very busy, trying to park at local shops almost impossible
- Ely Road, Edinburgh Gardens and York Crescent not wide enough, narrowed by parking and cannot cope with extra traffic
- Development would restrict bus routes particularly during school collections/drop-offs
- Roads on new housing estate too narrow, parking on Ely Road will lead to emergency services not being able to get through
- Existing problems with local roads not taken into account
- Traffic – from parents taking children to schools not necessarily in Claydon
- Buses being able to travel through parked cars
- Concern over narrowing road outside resident's houses, why not narrow roads within development, will increase noise and pollution
- Air pollution – suggest another access point or reduce homes
- Traffic survey took no account of increased volume through other roads to join the main road or other planning application in Claydon, leading to congestion back to A14 junction.
- Access via one access questionable.
- Vehicular route new residents will take would go past school which already a problem area.
- Additional cars and parking is already an issue, with residents from Hereford Drive and Edinburgh Gardens parking on Ely Road
- Road safety for children

Wildlife

- Damage to wildlife and wildlife corridors at The Slade from lighting, noise and movements
- Adverse impact on open countryside and wildlife
- The Slade is important habitat for wildlife, hedge through site important wildlife corridor and should be protected
- A Badger Sett, deer, brown hares, stag beetles, deer, bird life, badgers, Great Crested Newts and bats on or near site, disturbance of building will adversely affect wildlife haven
- Impact on wildlife and removal of parts of hedgerow

- Disused pit contains burrowing wildlife, Great Crested Newts on site, and is not safe to have gardens adjacent to it

Services

- Claydon Primary School full, other planned development will fill proposed extension to school
- Why was school at Blakenham Fields not built?
- Infrastructure and road system needs to be in place before housing is planned.
- Strain on local utilities such as sewage system
- Extra burden on local doctors, dentists and services
- Do not believe new doctor's surgeries or schools will be built
- School capacity
- Villages overcrowded, amenities stretched
- Local tips closed

Amenity

- Loss of outlook, view of fields and woods
- Loss of privacy - land levels rise to north east of site, making development over-bearing, leading to loss of privacy and car lights shining into bedroom windows.
- Proposed new footpath would have unacceptable impact on privacy of residents
- Loss of outlook and daylight
- Noise and light pollution to residents of Hereford Drive
- Noise, disturbance and fumes from new development and cars
- What will levels of land once developed be?
- Scale of development/Bungalows could be better placed behind low houses of Winchester Gardens
- Why are largest houses on highest part of site?
- Design should be similar to rest of village
- Object to social housing at entrance to estate as over two storey, impact on privacy
- Request consultation on hours of construction and movement of large equipment.

Other matters

- Loss of agricultural land, part of village identity
- Archaeological impact
- Old Roman road route along footpath to north of site.
- Flooding off site from The Slade behind Glebe Way, flooding properties near bus stop in Thornhill Road
- Safety of water feature, will it be managed or become stagnant
- Concerns about public drainage and water systems
- Anglian Water flushing point outside of house

(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/18/00861

Outline Planning Application (with means of access to be considered) - Erection of up to 73 dwellings, public open space and

DECISION: Pending Decision

supporting site infrastructure including access.

And on land directly to south of application site

| | | |
|-------------------------|--|----------------------------|
| REF: DC/19/01281 | Planning Application - Erection of 9no. bungalows including associated works, car parking and garaging. | DECISION: Withdrawn |
| REF: 0646/01 | Temporary builders' compound and topsoil storage area including the construction of a new vehicular access associated with proposed development site adjacent. | DECISION: Approved |

PART THREE – ASSESSMENT OF APPLICATION

1. The Site and Surroundings

- 1.1. The application site comprises (Grade 3) agricultural land on the eastern fringe of Claydon, which is designated as a Key Service Centre in the Core Strategy.
- 1.2. Claydon contains a number of services and facilities including a local convenience shop, primary school, secondary school and community/village hall.
- 1.3. The site is surrounded by residential development to the west and woodland to the east. The northern and southern boundaries contain hedgerows that form the field boundaries, with a further agricultural field to the north and rough grassland to the south. The site currently comprises two agricultural fields which are divided by a hedgerow. The site abuts the village settlement boundary on its western side. The site is within both parishes of Claydon and Barham, with the boundary of the parishes running along the retained hedge that traverses the site east to west.
- 1.4. The site is not highly visible from the wider area, but is visible from Church Lane to the north of the site, and from dwellings along Winchester Gardens, Ely Road and Hereford Drive.
- 1.5. The site is not in, adjoin or near any Conservation Area. There are no nearby listed buildings, the closest being the Grade I Church of St Mary's and St Peter's located on the north side of Church Lane some 280m northeast of the site. The Grade I St Peter's Church tower is visible when viewing this application site from the surrounding area (i.e. when standing within the adjacent application site 1856/17 on Norwich Road). The site is not in an area of special character designation such as an Area of Outstanding Natural Beauty or Special Landscape Area, but is within the Site of Special Scientific Interest (SSSI) Impact Risk Zone. Nor is the site adjoining, or in proximity to, any designated landscape areas of special significance. The site is within the Mineral Consultation Area set by Suffolk County Council's Minerals Core Strategy 2008.
- 1.6. The site was submitted for development under the Babergh and Mid Suffolk Joint Local Plan Consultation (August 2017) exactly as per this application (3.37ha). The JLP has incorporated it into a larger parcel stretching slightly south and north to Church Lane. This identified the larger site (SS0861 - 6.2ha) as suitable for residential development through the Strategic Housing and Employment Land Availability Assessment.

- 1.7. The site measures 3.37 ha and is located entirely in Flood Zone 1. Public Rights of Way run along the site's northern boundary (Bridleway 15052 linking Thornhill Road to The Slade) and the eastern boundary (Footpath 3553) running alongside the site through The Slade).
- 1.8. Ely Road is a cul-de-sac, although Winchester Gardens is accessed via Ely Road. Ely Road joins Thornhill Road to the west of the site. This road is currently a bus route for a regular service from Ipswich to Stowmarket during the daytime on Mondays to Saturdays.
- 1.9. On the north boundary of the site is a protected oak tree (TPO ES61/T5) and a protected group of three oak trees to the north west of the site (ES61/G4).
- 1.10. To the north, outside of the site boundary, is a disused 19th Century chalk pit which has not been filled in.
- 1.11. The site has been identified for allocation in the emerging Joint Local Plan – Pre-submission (Regulation 19) Consultation (November 2020), as part of a wider development site stretching further north to Church Lane and south of the application site. This site is proposed to be allocated for 75 dwellings (reference LA003). At present this document gives an indication of the direction of travel of the council's potential future site allocations and consideration that the site is deliverable with the proposed development. For the purposes of this decision in planning terms this document has limited weight at the present point in time.

2. The Proposal

2.1. The application is for outline permission for 73 residential dwellings with all matters reserved except access, which is proposed from Ely Road. To demonstrate the site (3.37ha) is capable of accommodating 73 dwellings and indicative site layout plan and supporting information has been submitted. This includes:

- Vehicular access via Ely Road;
- A traffic calming feature will ensure slower movement between the proposed development and existing streets;
- Pedestrian access from Ely Road but also to several points along the footpaths and bridleways surrounding the site, including The Slade;
- 73 dwellings comprising of 8 flats, 8 bungalows and 57 houses, split into two locations separated by open space and the retained hedge on site;
- Open space and play areas – 2672sq.m. and 901sq.m. areas;
- 25 affordable dwellings (35% of total) in three locations;
- Single storey units to the south and south east boundary of the site;
- Landscape buffer to the west boundary;
- Rough grassland buffer to the north, east and south boundaries;
- Pond feature for protected species enhancement to the south west of the site;
- Badger exclusion zone to the north east adjacent to The Slade.

2.2. The layout plan is indicative only, but has demonstrated how parking and garaging arrangements can meet the required Suffolk Parking Standards, although this would be a matter detailed at the Reserved Matters stage.

2.3. The resultant gross density of the scheme is 22 dwellings per hectare, and net density excluding areas of open space of 33 dwellings per hectare. For comparison the gross density of development at Hereford Drive and Exeter Road is 24 dwellings per hectare. By comparison gross density of development around Ely Road and Winchester Gardens is around 28 dwellings per hectare.

2.4 Since the application was last considered by Mid Suffolk Planning Committee A in July 2018 there have been the following changes to the scheme to address the Members identified concerns:

- Further indicative information to support this outline application has been provided to demonstrate the quantum of development can be accommodated on the site. The proposals have been reduced from 74 dwellings to 73 dwellings.
- Further ecological reports were carried out and mitigation and enhancement measures identified.
- A cumulative effects in terms of highways of this application and planning application 1856/17 on Norwich Road, Barham also pending consideration by the council.
- Clarification is also provided in this report on the public rights of way improvements proposed to be secured and clarification from Suffolk County Council Minerals and Waste team on safeguarding minerals on the site.

3. The Principle Of Development

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

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

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

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

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

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

“For decision-taking this means:

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

- i. the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed*

- ii. *any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.”*

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

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

3.9 Therefore with regard to the Housing Land Supply Position Statement (October 2020), even in the presence of a sufficient land supply these key policies cannot be given full weight. Therefore paragraph 11d) of the NPPF presumption in favour of sustainable development should apply in this instance given the above considerations, except for the provisions of paragraph 177 of the NPPF.

3.10 The site is subject to a Habitats Regulations Assessment (Appropriate Assessment). Paragraph 177 of the NPPF identifies that if development requires appropriate assessment and there are likely significant effects because of its potential impact on a habitats site, the presumption in favour of sustainable development cannot apply. It should be noted that there are not considered to be likely significant effects from this development, as outlined further in the ecology section to this report, and so the presumption in favour of sustainable development does apply to the proposed development on this basis.

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

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

4. Nearby Services and Connections Assessment Of Proposal

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

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

4.3 Whilst there are a certain number of services in the village such as shops, schools, doctors and a community centre, future residents of this development would still be likely to use private car to travel for the purposes of employment and leisure uses. The site is close to the A14 and Ipswich Fringe and so cycling would be possible reducing that demand on private car use compared to some other areas of the district. Whilst around 7-8km from the site there are also train stations at Needham Market and Westerfield providing sustainable transport links to the wider transport network.

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

4.5 The NHS were consulted on and responded to this planning application, and identified there was one branch surgery within 2km but there was not sufficient capacity for this additional development. However subject to requesting Community Infrastructure Levy (CIL) monies to mitigate this there was no objection from the NHS.

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

5. Site Access, Parking And Highway Safety Considerations

5.1. The proposed development of 73 dwellings has been considered in terms of impact on the wider road network through the Transport Statement submitted with the application. The site access through Ely Road and connections to the wider road network have been considered for road capacity and highway safety, as required by local plan policy T10 and paragraphs 108 and 109 of the NPPF. Paragraph 111 of the NPPF also seeks Travel Plans for development that generate significant amounts of movements. The local plan policy is considered to align with the NPPF and so is given full weight.

5.2 The impact on the wider road network was concluded to be negligible in the Transport Statement. Throughout the course of the application the cumulative impact of this development in association with other development has been considered and discussed further with the applicants. Concern was raised by Members at Development Control Committee where this application was first considered, that the cumulative highway impact of this application and the following planning applications currently being considered was not addressed:

- 1856/17 – Land off Norwich Road, Barham
- 18/00233 – Land to East of The Street, Bramford
- 18/02010 – Land East Side of Bramford Road, Sproughton

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

5.4 Following further analysis it was determined that the sites in Claydon and Barham are too geographically detached by the A14 to give rise to significant impacts on the junctions in Bramford/Sproughton, and vice versa.

5.5 Further analysis of the Transport Assessments/Statement for this application and application 1867/17 on Norwich Road showed this application (Ely Road) would lead to predicted queue lengths on Station Road and Church Lane of 1 vehicle or below during the peak hour periods. Therefore no mitigation was considered appropriate for this development and that there would be no adverse impact on highway safety and the residual cumulative impact on the road network would not be severe. The highway authority is content with all other matters, including the road widths considering existing resident parking on the roads in the vicinity of the site. Subject to conditions on road construction and surface water disposal from roads, construction management plan (including hours for deliveries and construction works on site), vehicle turning and parking (including cycles and electric vehicle charging points), bin storage, travel plan and protection of public right of way during construction the development is considered to be acceptable in highway terms.

5.6 Concerns raised by Members at the last committee where this application was considered included the cumulative highway impact of this development with the proposed development on Norwich Road in Barham for 269 dwellings, primary school site and doctor's/community building. Since this last committee meeting the applicants for this application have sought to address that concern as detailed in the following section.

Further cumulative highway assessment

5.7 To address the concern of Members and of Barham and Claydon and Whitton Parish Councils the applicants have undertaken further work to assess the cumulative highway impact of both proposed developments at Norwich Road and this application. This work has sought to understand the issue, engage with both parish councils and identify further mitigation measures.

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

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

5.10 Since Members considered these proposals in 2018, draft route options for the Ipswich Northern Route had been published, but more recently in early 2020 Suffolk County Council's Cabinet voted to not proceed with those proposals, and so they hold no weight in terms of the decision being made by Members in relation to this application.

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

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

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

S106 contribution of £58,125 to improve public rights of way

Improved pedestrian and cycle links to the west of Claydon

Provision of dropped kerbs on Ely Road and Thornhill Road to improve pedestrian access to schools

Improvements to Station Road/Norwich Road junction including;

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

Improvements to Church Lane Claydon/Norwich Road junction including;

- Upgrading the existing uncontrolled pedestrian crossing with new dropped kerbs and tactile paving;
- Widening the existing footway to 2m with maintainable highway land (from Church Lane junction to the existing bus stop and shelter located to the south of the junction);
- Ensure visibility by trimming vegetation (and possible removal of tree to clear visibility splay); and
- Restrict parking on Church Lane during peak periods on road between Drury Road and Church Lane/Norwich Road junction approach or parking to be removed completely.

5.14 In addition to this the application at Norwich Road (1856/17) would also secure S106 contribution of £115,500 to improve public rights of way, creation of new road to north of village between Norwich Road and Barham, improved pedestrian and cycle links to the north of Claydon, improved pedestrian access to Barham Church from Claydon and a proportionate contribution to the above works to the junctions in Claydon and the cycle network.

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

5.16 The Local Highway Authority (LHA) have responded to confirm no objection to the revised highway improvement package to be secured through a S106 agreement, and continue to note that the site is in an accessible location, that the development would not affect the capacity of the wider highway network in the area and that the proposed mitigation measures to be funded by this and Norwich Road, Claydon application will provide highway improvements for cyclists and pedestrians in Claydon Village. The LHA continue to note that the development would not have a severe impact on the highway network, as required by paragraph 109 of the NPPF.

5.17 The S106 is now in an agreed draft form, with contributions to be secured including:

- Offsite improvement works by resurfacing and widening of Barham Bridleway 009, Claydon FP13 & FP14 (approx. 750m length) totalling £58,125.00.
- Village Highway Mitigation Measures:
 - o Station Road / Norwich Road Junction and footway improvements
 - o Church Lane / Norwich Road Junction and footway improvements
 - o Village Wide Cycle Infrastructure Improvement Works
 - o Norwich Road extension of Speed Limit on Norwich Road

The total cost of these works are estimated at £98,250 to be apportioned between this and Norwich Road application (reference 1856/17). This site has been identified to contribute £15,542.50, with the remainder to be sought from 1856/17.

5.18 From an officer's perspective it is considered that the applicants have carried out meaningful engagement with the parish councils as part of looking to address any cumulative impacts from the two proposed developments. Whilst not all of the highway issues can be addressed it is not considered reasonable to require the developers to go any further than the measures outlined above as these relate to existing highway issues in Claydon and it is not reasonable to require them to resolve these. Subject to no further comment from the LHA but noting they previously raised no objection, the proposed highway mitigation package is considered to be a positive aspect to this scheme and is considered to adequately mitigate the development's impact and go further to provide improvements for cyclists and pedestrians in Claydon.

5.19 Highways England have been consulted and raised no objection in terms of the impact on the trunk road A14 and its junction 52.

On site access and other highways matters

5.20 The vehicular access to the site would be via Ely Road, with pedestrian access to Ely Road and to the wider footpath network as outlined above.

5.21 The design of the road at the access was amended earlier in the application, to now provide a road narrowing which would form a traffic calming feature to slow traffic. The road proposed would be 5.5m wide with a 2m pedestrian footpath either side. The pedestrian footpath would be continuous from Ely Road into the site on the north side of the road, but due to land being outside of the applicant's or Highway Authority's ownership there would be a break of around 4m in the footpath between the application site and Ely Road on the south side of the road.

5.22 Whilst the development is only at outline stage, it is important to ensure an adequate amount of parking can be provided on site for the proposed number of dwellings in line with policy T9 of the local plan and the adopted Suffolk Parking Standards. This development plan policy is given full weight as it is considered to align with paragraphs 105 and 106 of the NPPF in providing minimum parking space standards unless compelling reasons justify otherwise. The dwelling mix shown does provide adequate parking for residential dwellings. There is dedicated visitor parking, with 15 additional spaces shown in overprovision of parking on residential plots and 4 additional space off plot totalling 19 visitor spaces. Therefore it is considered there would be sufficient space to accommodate the visitor parking too. It is noted that there is triple-tandem parking on plots 18, 32 and 33, which is identified in the current Suffolk Parking Standards as not being an acceptable form of parking. This application is however at an outline stage and it is considered this can be designed out at the reserved matters stage. This in itself is not considered sufficient grounds to raise concern on the ability to design an appropriate scheme for 73 dwellings at the reserved matters stage.

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

5.24 The proposed development would have a direct impact on the public rights of way network around the site. From a perspective of recognising the importance of promoting health lifestyles, the improvements to the quality of the public footpaths and bridleway is a benefit, giving potential for recreation and providing green links. A contribution is being sought via a S106 agreement to widen and resurface a total of 750m of Barham Bridleway 009 and Claydon Footpaths FP13 and FP14. The impact on the character of the landscape when experienced from the public footpaths is described below.

5.25 The highway authority has considered the transport assessment carried out by consultants on behalf of the Parish Council. This report raises no issues regarding highway impact that has not already been considered by the highway authority. The highway authority raise no objections subject to mitigation measures outlined to be secured by condition and S106 agreement.

5.26 The proposed development is therefore considered to meet the requirements of paragraphs 108 and 109 of the NPPF and policy T10 of the local plan ensuring there is not a severe impact on the road network, provision of safe access and egress from the site, the safe and free flow of traffic and pedestrian safety, suitable capacity in the road network, adequate parking and turning for cars and service vehicles and pedestrian and cycle links.

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

Landscape

6.1. The site is located on the edge of the existing settlement boundary, and as noted above is relatively well screened from the surrounding area. The site is in the "Rolling Estate Farmland" Landscape Character Area. The key visual impacts will be for the existing residents along Ely Road, Hereford Road and Winchester Gardens, and people using Bridleway 009 along the north boundary of the site. The site is also visible from higher land along Church Road.

6.2 The site is not located within any landscape designation. Core Strategy policy CS5 also seeks to protect and conserve landscape qualities and encourage development that is consistent with the overall character of the area. These policies are considered to align with paragraph 170 of the NPPF which seeks to protect and enhance valued landscapes and recognises the intrinsic character and beauty of the countryside, and so can be given full weight.

6.3 The development would have some landscape impact, as identified by the Landscape Visual Impact Assessment submitted with the application. The cumulative impacts with the nearby proposed development at Norwich Road (application reference 1856/17) were assessed. The site of 1856/17 is near this application site, but is physically separated by Church Lane Barham and a field that adjoins this application site. It was found there would be a slight adverse cumulative impact to the arable character of the site and the wider setting of Claydon from the proposed developments. As this is only slight however it is not considered to lead to a significant harm.

6.4 However two Major/Moderate adverse impacts would occur. The impact on the landscape character when viewed from Bridleway 009 along the north western boundary of the site and the visual impact on views for the residents of Winchester Gardens and Hereford Drive would be interrupted by the proposed development.

6.5 The application is only at outline stage at present, but an illustrative masterplan has been submitted with the application. Through discussion and negotiation on this application the applicant has sought to mitigate and reduce the above impacts. The revised masterplan seeks to ensure there is a landscape buffer along the west boundary of the site to the rear of dwellings on Winchester Gardens. An area of open space to the south west of the site also seeks to put some distance between the existing.

6.6 Regarding the impact from Bridleway 009 within the site, it was found there would be an impact both from the proposed development here and also cumulatively with the above proposed development at Norwich Road.

6.7 Whilst users of this Bridleway may view both this and the proposed development at Norwich Road, given the visual separation between the two (i.e. the undeveloped land south of Church Road to remain as such), the level of adverse visual impact would not increase if both sites were to come forward.

6.8 The visual impact from the bridleway has been mitigated to a degree through amendments to the indicative masterplan. The proposed development previously backed onto this bridleway, which would not only have vastly reduced the outlook for walkers along this route, but also created a poorly overlooked space. The development has now been redesigned to face the public bridleway with an area of rough grassland buffer in between the path and proposed development, with only two small sections of rear garden fence. This has moved the development further back from the bridleway.

6.9 The amendments have gone some way to address the previous Major/Moderate adverse impacts from both the bridleway and existing residential dwellings neighbouring the site. There remains however Major/Moderate adverse visual impacts, leading to conflict with policy CS5 of the core strategy which seeks to protect and conserve landscape qualities. The extent and location of this landscape impact must also be considered. The adverse impact is experienced from a section of public footpath within the site and for some residents of the existing development with dwellings backing onto the site. Whilst this is a notable impact it does only occur for a short section of this wider public right of way and for some residents of Claydon. The impact should not be ignored, but the number of people/extent of area where this adverse harm is experienced must be identified when weighing the harm. The council's landscape architect advise that they welcome the changes to the layout and that the assessment is acceptable. This is considered in the wider balance in the conclusion of this report.

Trees and hedges

6.10 There is a protected oak tree within the hedgerow that forms the northern boundary of this site (TPO ES61/T5) and a protected group of three oak trees to the north west of the site (ES61/G4). The proposed development is at a sufficient distance to not impact on the root protection area of the group of protected oaks to the north west of the site. The Arboricultural Impact Assessment (AIA) also demonstrates that no development or road surface will be within the root protection area of the oak tree (TPO ES61/T5) on the north boundary of the site.

6.11 The AIA also demonstrates that the proposed development is set back from the trees and hedges on the boundary of the west and south of the site. The hedge that runs through the centre of the site would also be retained and no development would be in the root protection area. The proposed development is therefore considered to preserve and protect the landscape qualities of this site with regard to trees and hedges, in accordance with policy CS5 of the core strategy.

Ecology

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

6.13 An ecological appraisal submitted with the planning application identified a number of habitats that could support protected species. These included foraging bats along hedgerows and broadleaved woodland, roosting bats in trees adjacent to the site and in adjacent woodland, nesting birds in hedges

and trees, reptiles in semi-improved grassland along some field boundaries and hedgerows, badger sett in the vicinity of the site and Great Crested Newts (GCN) in the poor semi-improved grassland margins along some of the field boundaries, hedgerows and broadleaved woodland. Further to this there are seven ponds within 500m of the site that could support GCN activity. This report also identified the additional residents from these proposed dwellings could lead to an incremental increase in recreational pressure on the region, in particular on the Stour and Orwell Estuaries Special Protection Areas/Ramsar.

6.14 The above appraisal submitted with the application identified a number of mitigation measures and enhancements measures that could be secured by condition to any consent granted. However, the NPPF is clear that the impact on protected species must be considered prior to any consent being granted for the principle of development, which is required under Circular 06/2005. The original proposed plans submitted with the application identified the removal of the hedge that traverses the site from east to west. This was identified as suitable habitat for bats, Great Crested Newts and reptiles. The original proposed scheme therefore couldn't ensure biodiversity and protected species would be protected or enhanced on site.

6.15 The indicative plans were subsequently amended to demonstrate that 73 dwellings could be provided on site whilst retaining the hedgerow feature, providing a rough grassland buffer around the north, east and south boundaries of the site, a badger exclusion zone could be adequately accommodated in the site and houses to face the Mixed Lowland Deciduous Woodland to prevent disturbance from garden waste disposal and introduction of non-native species into the woodland. Further surveys were also varied out for Great Crested Newts, amphibians, bats, badgers and a mitigation strategy and enhancement plan was submitted. This provided sufficient evidence to ensure protected and priority species would not be harmed by the development, and the appropriate mitigation and enhancement measures could be secured through condition.

6.16 The biodiversity mitigation and enhancement measures proposed additional to those noted above include four bat brick or bat boxes to provide additional roosting opportunities, a wildflower meadow and pond for reptiles and Great Crested Newts, bird boxes and bird friendly eave design and hedgehog friendly fencing, along with construction control and controlled lighting design measures. Along with long term management plans for the grassland, pond and Great Crested Newt populations on the proposed pond, the mitigation, enhancement and compensation measures are considered to provide an overall net gain for biodiversity on and adjacent to this site when compared to the existing agricultural use of the land.

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

6.18 Further to the submission of information identifying the potential for recreational opportunities in the vicinity of the site it could be concluded that there would not be 'likely significant effects' from the proposed development. It should also be noted at the request of the highway authority a contribution is being sought to widen and resurface the footpaths and bridleway around the site. The impact on European Protected Sites was therefore concluded to be acceptable and in accordance with policy CL9 of the local plan and other requirements under the Conservation of Habitats and Species Regulations 2017.

Agricultural Land

6.19 The Best and Most Versatile (BMV) agricultural land is sought to be retained in both local plan policy CL11. This aim is further identified in paragraph 170 of the NPPF, the local plan policy is therefore given full weight. In this instance the site is comprised of Grade 3 agricultural land, rather than the higher Grade 1 or 2. There could be some loss of Grade 3a land however, but the soil has not been tested on this site to determine whether 3a or 3b, and it is not considered reasonable to do so as it falls under 20ha. Although there is the potential for the loss of grade 3a land, this would only be 3.37ha. Even when considered cumulatively with the potential loss under application 1856/17 of 14.62ha BMV, it would still not be above 20ha. It is not considered reasonable to refuse the application on this basis, but this will be noted in the planning balance.

7. Sustainability

7.1 The wider sustainability of the site has been considered. The site accessibility in terms of reducing reliance on private car use has been considered above. The construction of the development also requires consideration in terms of sustainability. The development would be required to be built to Code for Sustainable Homes (CfSH) level 6 by 2016 under policy CS3 of the core strategy. However, the Written Ministerial Statement on Housing Standards (reference HCWS488) made on 25th March 2015 is clear that requirements should not be set over CfSH level 4 due to revised Building Regulations Part L1A and Part G that came into force in 2015.

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

8. Heritage

8.1 Members will be aware of the statutory duty upon the local planning authority to safeguard listed buildings and conservation areas from inappropriate forms of development. This statutory context flows down into development plan and national planning policies. Local plan policy HB1 seeks to protect historic buildings which includes their setting. Core strategy policy CS5 also seeks to enhance the historic environment. The NPPF identifies in paragraph 193 that when considering the impact of a proposed development on the significance of a designated heritage asset great weight should be given to an asset's conservation. Paragraph 194 of the NPPF identifies that "*any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification*". It is considered policies HB1 and CS5 are consistent with the NPPF and the duties laid out within the listed buildings Act and therefore afforded full weight.

8.2 When considering the impact of the proposed development on heritage assets in the vicinity of the site, there are two Grade I listed churches. St Mary's and St Peter's Church is the closest to the site on Church Lane to the north of the site. However, due to intervening land levels and existing mature landscaping the development site is not seen in conjunction with or from this heritage asset and its grounds. When standing on Church Lane however the application site can be seen in conjunction with the top of the church tower of St Peter's Church in Claydon. This however is at some distance and with intervening vegetation and other built form. Therefore there is not considered to be a harm to the setting or significance of either of these heritage assets, and the requirements of Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 to protect the special architectural and historic interest are met.

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

8.4 Following on site geophysics report and metal detecting survey there is sufficient certainty that any archaeological finds can be suitably recorded and preserved off-site. A suitably worded condition is therefore recommended to ensure the requirements of policy HBE 14 of the local plan and paragraph 189 of the NPPF are met.

9. Design And Layout, Open Space and Affordable Housing

Design

9.1 Whilst this application is only at outline stage, it is important to assess whether a good standard of design can be achieved for the number of housing proposed when considering all other requirements such as appropriate wildlife buffers, tree protection areas, open space and play space provision, surface water features, road and parking layout and appropriate private amenity space for future residents.

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

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

9.4 The illustrative layout has been amended as this application has been negotiated. The resulting scheme now is one that take account of the existing landscape features, surrounding residences and important habitats on site. With regards to design the indicative masterplan has shown it is possible to retain these above important features on site and provide a range of dwelling sizes, adequate open space, parking and private gardens.

9.5 Further consideration would be required at the reserved matters stage for the full design details to ensure the provisions of Section 17 of the Crime and Disorder Act 1998 could be met, and appropriate materials are used. The comments from Suffolk Police are noted regarding the site permeability with public footpaths. However, there is a general conflict between, on the one hand, principles of good

design, pedestrian permeability, access to public rights of way for recreation and on the other hand policing of a site. It is not considered appropriate to prevent access from the site to public footpaths on the basis of better securing the site, for the above benefits that this access brings.

9.6 With regards to the density of the site, this would be 22 dwellings per hectare. This is lower than the 30 dwellings per hectare identified in core strategy policy 9. There are site specific constraints however such as the requirement for ecological buffers and retention of the existing hedge on site. When comparing density to adjoining housing areas, it appears the development around Ely Road is around 28 dwellings per hectare, and the more recent development along Exeter Road and Hereford Drive permitted under application 0646/01 was 24 dwellings per hectare. On balance the density is considered acceptable for this site.

Open space and green infrastructure

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

9.8 The requirements for providing open space and play are further detailed in the Supplementary Planning Document for Social Infrastructure including Open Space, Sport and Recreation (2007). As this is outline consent it is not possible to specify the exact amount of open space needed, as the dwelling size mix is not yet known. The illustrative masterplan provides 3,574 sq.m. of open space in two locations. When using the standards in the above document, if the maximum number of people per dwelling were assumed (5 people) for the 73 dwellings, this would give the requirement of 730 sq.m. play space and 2,190sq.m. open space, totalling 2,920 sq.m. The development is therefore considered to provide sufficient open space and play space that can be secured through a Section 106 agreement and designed on site at the reserved matters stage.

Affordable housing

9.9 The proposed development would require 25 affordable units on the site to meet the requirements of 35% affordable housing under altered policy H4. Paragraph 64 of the NPPF seeks major development to have at least 10% affordable housing. As this local plan policy was updated in 2016 reflecting local housing need based on house prices, rents, affordability and housing needs it is considered to align with the NPPF and carry full weight.

9.10 The illustrative masterplan has demonstrated how the affordable housing would be located in at least two locations on the site, in clusters of no more than 15 dwellings to ensure affordable dwellings are integrated into the wider scheme. The final choice of materials will be important to ensure all dwellings on site are 'tenure blind' and no differentiation can be made on tenure based on appearance or materials. An appropriate affordable housing mix has been identified by the Council's Strategic Housing Officers, and would be secured through a Section 106 agreement. The requirements of policy H4 and paragraph 64 of the NPPF are therefore considered to be met.

9.11 Overall the design of the scheme is considered to have been adequately demonstrated to show that all considerations including ecology, landscape features, open space and affordable housing can be

provided on the site to a good standard of design. These will ultimately be determined through the reserved matters but the illustrative plan submitted demonstrates a good standards of design is possible within this site.

10. Impact On Residential Amenity

10.1 The site is bounded by residential dwellings along the west boundary of the site, with dwellings from Winchester Gardens, Ely Road and Hereford Drive backing onto, facing or being side-on to the site. Local plan policy H16 seeks to protecting existing residential amenity. This requirement is also identified in paragraph 127 of the NPPF which requires good design to create places with a high standard of amenity for existing and future users. The local plan policy is considered to align with the NPPF and carries full weight.

10.2 As identified in the Landscape Visual Impact Assessment, there would be Major/Moderate adverse impacts to the outlook of the dwellings along Hereford Drive and Winchester Gardens. This is a landscape harm, and is balanced as such in the conclusion to this report. The harm to residential amenity is a different material planning consideration. It is important to note under planning law there is no right to a view. There is however a right to a good standard of outlook, privacy, daylight and sunlight.

10.3 The proposed development adjacent to Hereford Drive has been set back to a good degree due to the intervening proposed ecological mitigation features. There is not considered likely to be a significant loss of amenity from outlook, privacy, daylight or sunlight to these residents.

10.4 Whilst there has been a landscape buffer provided to the rear of dwellings along Winchester Gardens, it is likely development designed at the reserved matters stage will be in the position identified in the illustrative plan. This would lead to some loss of privacy and outlook. However, given the distance from the existing dwellings to the proposed dwelling with the landscape buffer, it is not considered there would be a significant loss of privacy or outlook that would merit refusal of this scheme at outline stage. The impact on daylight and sunlight would be determined further at the reserved matters stage, but again given the distance between the existing dwellings and proposed built form it is unlikely these would have a significant adverse impact on the amenity of the existing dwellings.

10.5 The dwellings at either side of the entrance to the site, 18 and 25 Ely Road, could have development sited close to their boundaries. It is possible there would be a slight loss of privacy to the rear garden of these dwellings, and loss of daylight to the side first floor window to 18 Ely Road. These would not be sufficient reasons to refuse the scheme at this outline stage, as the illustrative layout shows these impacts could be adequately reduced by appropriate siting of dwellings effectively side on to the existing dwellings. The proposed development would therefore be in accordance with policy H16 of the local plan and paragraph 127 of the NPPF.

10.6 Residents have also raised concerns over the impact of additional residents and cars regarding noise and car lights. There is already a certain level of disturbance from the existing residences in the area causing these impacts that cannot be ignored when considering the further disturbance. But residents along Winchester Gardens and Hereford Drive do not have disturbance to the east of their properties at present. The addition of 73 dwellings in the vicinity would lead to some additional noise and disturbance from general residential activities, but given the layout and space between existing and proposed dwellings this would not give rise to such significant impacts that the scheme would lead to an unacceptable level of amenity in terms of policy H16 of the local plan and paragraph 127 of the NPPF.

Market housing

10.7 To ensure an appropriate market housing mix is secured on the site a condition is recommended to be agreed prior to approval of reserved matters to this effect. This will require the housing mix to ensure it provides a mix of house types, sizes and affordability in line with policy CS9 of the Core Strategy.

10.8 A condition is also recommended to ensure that level access is provided to ensure ease of access for wheelchair users to all buildings on site, including residential, school and community building. Whilst this is covered by Approved Document M (Part M) of Building Regulations it is considered to be a beneficial matter to design in at an early stage in the development process.

11. Surface water, foul water, contamination and minerals

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

11.2 The site is located within Flood Zone 1, the lowest area of flood risk which is in accordance with paragraph 155 of the NPPF. Therefore there is no need to apply the sequential or exceptions test under paragraph 163 of the National Planning Policy Framework. There are however surface water flood routes along the north, west and southern boundaries of the site. To ensure the proposals are in accordance with core strategy policy CS 4 on Adapting to Climate Change and paragraph 150 of the NPPF which seeks to avoid increasing vulnerability to impacts of climate change, the development needs to demonstrate it does not increase flood risk elsewhere. Paragraph 170 of the NPPF also seeks to ensure new development does not contribute to water pollution, and as this site is in an Outer Zone of a Groundwater Protection Zone and Principal Aquifer the water quality of surface water run-off is a key issue. As the provisions of the development plan policy CS4 and the NPPF align, this policy is considered to carry full weight.

11.3 Groundwater levels had been tested on the site and are not likely to be considered to cause flooding. Although groundwater levels may be shallow at the lower sections of the site (to the western and southern area of site), the sloping land would enable the water to exit the site and not lead to on-site flooding.

11.4 Infiltration testing has indicated that infiltration is likely to be a suitable method to dispose of surface water from any hard standing on the site, meeting the requirement of infiltration-first as a Sustainable Urban Drainage Strategy (SuDS) in line with paragraph 165 of the NPPF. Whilst there would be some on-plot infiltration (i.e. garden soakaways, permeable paving), surface water from impermeable surfaces would drain to a central infiltration facility on site (five tanks under central open space). Should further investigations reveal that this is not feasible then disposal would be via an outfall to the Anglian Water surface water sewer network.

11.5 Sufficient storage has been designed on site to accommodate the 1:100 year storm event plus a 40% allowance for climate change. Exceedance flows would be managed via overland flow routes along road networks and within the open space provided on site. Measures to treat surface water before it reaches the infiltration facility would be put in place, particularly from roads and driveways which would most likely contain hydrocarbons. Surface water features would be managed by a management company and some elements potentially adopted by Anglian Water.

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

11.7 Anglian Water have indicated they have capacity for wastewater treatment and in the foul sewerage network for this development, subject to a condition for a drainage strategy on this site. Whilst Anglian Water have noted the surface water strategy is unacceptable, this is due to the application being in outline, with a detailed strategy being unavailable until the detailed layout is submitted under reserved matters. The LLFA have no objection and the applicants have included the Pre-Planning Assessment by Anglian Water that indicates the surface water flows from their site would be acceptable to Anglian Water (FRA Appendix B). An outline surface water strategy and management plan have been submitted and Anglian Water recommend a planning condition to ensure that a detailed strategy is provided prior to any drainage works commencing.

11.8 The current use of the land is agricultural. The likelihood of contamination being found on the land is low, but a condition has been recommended in the event of any unidentified contamination found on the site in accordance with paragraph 178 of the NPPF.

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

11.10 The proposed development would therefore meet the requirements of the policy CS4 and the NPPF to protect groundwater and ensure the development does not increase flood risk elsewhere.

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

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

12. Planning Obligations / CIL

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

12.2 A Section 106 agreement will secure the following contributions:

- Secure no fewer than 25 affordable dwellings
- Provision of open space and play space
- £8,897.97 for Recreational Access Disturbance Mitigation Strategy (for Stour and Orwell Estuary Special Protection Areas - £121.89 per dwelling)
- £348,636 for primary school building costs (£20,508 per school place)
- £20,009 for primary school land purchase (£1,177 per school place)
- £58,125 Public Rights of Way improvements to Barham Bridleway 009 and Claydon Footpaths FP13 and FP14
- Improvements to Church Lane Claydon/Norwich Road junction and Station Road/Norwich Road junction; Financial contribution toward transport improvements in the village to encourage walking and cycling, safer routes to school and improve safety for pedestrians and cyclists; and Norwich Road extension of Speed Limit on Norwich Road. The total cost of these works are estimated at

£98,250 to be apportioned between this and Norwich Road application (reference 1856/17). This site has been identified to contribute £15,542.50, with the remainder to be sought from 1856/17.

12.3 The development would be liable for CIL contributions, which would be sought for public transport improvements (real time bus passenger information sign at a cost of £13,000 for installation), library services, waste disposal improvements, provision of secondary school and sixth form places for this particular development and healthcare provision. Liability would be calculated at the reserved matters stage, and collected on commencement of development.

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

13. Delivery

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

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

13.3 The NPPF defines deliverable:

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

and:

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

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

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

13.6 This statement identifies Scott Properties (the applicant) are a strategic land promoter who have a development arm and develop some sites themselves. The statement goes on to detail how the illustrative masterplan has been developed over the course of this application to address all objections insofar as possible with supporting technical information, which would assist in the delivery of dwellings on site as the work has effectively been 'front-loaded'.

13.7 Examples are given of other projects the company has sought outline consent on of similar scales demonstrating between 127 to 166 days from granting outline consent to submission of reserved matters.

13.8 The applicant notes the potential delay in any development site would be agreement of the Section 106 agreement. Accordingly, a S106 agreement has been agreed by all parties ready for engrossment. This would not delay the next stage of delivery, subject to a positive resolution on the provisions in the S106 and the scheme from committee.

13.9 The applicants had given a proposed timescale for sale of the site post-permission, a potential start on site in late 2020, but subsequent delays due to the ongoing Covid pandemic have significantly delayed this application being determined by the council. As such, and given the ongoing circumstances of the pandemic, the applicants have advised that it is no longer realistic for the shortened timescales to be assured, and it is considered important that any time limit recommended is realistic to ensure any consent issued is ultimately deliverable. The use of a standard time limit has been agreed with the applicant and would still be likely to lead to delivery of the site within 5 years of any consent being issued.

13.10 Notwithstanding the above comments, the statements and assumptions made in the Delivery Statement are considered to be fair and reasonable by officers. The only weaknesses of this delivery statement is that there is no certainty over the eventual developer, and there is no evidence from them as to when they would programme commencement and completions on this site within their build programme.

13.11 However, the site is considered to be suitable for development, as detailed further in the conclusion and planning balance to this report, providing significant benefits of housing, affordable housing and the benefit of biodiversity net gain. The site is available as there are no known legal or ownership issues relating to this site. The developer also has a delivery record as demonstrated in the Delivery Statement. The development is also considered achievable as there are no known viability issues when taking account of the Section 106 provisions and required Community Infrastructure Levy payments.

13.12 The site and development proposed is therefore considered to be suitable, available, and achievable, with officers not considering that there are any constraints that would unduly inhibit delivery.

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

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

14. Other matters

14.1 Section 143 of the Localism Act 2011 on local financial considerations requires consideration to be given to the financial benefits a development would bring to the council through grant income, such as New Homes Bonus, Community Infrastructure Levy, Council Tax and Business Rates. Whilst such considerations are positive they should be afforded little weight; the PPG is clear that it is not appropriate to make a decision based on the potential for the development to raise money for a local authority or

other government body. Officers do not consider that such benefits are determinative in reaching the recommendation at the end of this report.

14.2 Fire hydrants would be conditioned to any approval issued.

14.3 It is noted that Suffolk County Council originally requested some housing on site is housing with care for older people. A mix of housing is proposed on the application site with an indicative housing mix indicating the inclusion of 8 bungalows. Whilst no dwellings are specifically provided for older people these bungalows may provide homes suitable for older people. In the absence of a clear policy requirement for housing for older people in the development plan it is not possible to insist it is provided.

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

14.5 The Joint Local Plan Pre-submission Regulation 19 document was published in November 2020. In this document this site was identified to be allocated for approximately 75 dwellings under allocation LA003. The requirements of this allocation identified that any development on this should comply with:

I. The relevant policies set out in the Plan;

II. Development is designed to conserve and where appropriate enhance the Church of St Mary (Grade I), Garden Wall and gateway (Grade II), Shrubland Hall (Grade II) and Registered Park and Garden (Grade I) and their settings. Development should be set back from the northern edge of the site;*

III. Important hedgerows should be retained and historic footpaths should be incorporated into the development;

IV. Trees covered by Tree Preservation Orders are retained;

V. Rights of Way within the site and within the vicinity of the site should be retained and enhanced;

VI. An archaeological assessment and measures for managing impacts on archaeological remains are provided;

VII. Flood risk assessments should be used to avoid and mitigate all forms of flooding in a sustainable manner;

VIII. An ecological survey is provided, and any necessary mitigation measures;

IX. Site layout should be designed to take into account existing water mains in Anglian Water's ownership within the boundary of the site;

X. Contributions, to the satisfaction of the LPA, towards the provision of the new preschool and primary school, and secondary school provision;

XI. Contributions, to the satisfaction of the LPA, towards healthcare provision; and

XII. Contributions, to the satisfaction of the LPA, towards additional Household Waste Recycling provision.

14.7 The Joint Local Plan (JLP) is progressing through the plan-making process. At present limited weight can be given to this proposed allocation in terms of deciding a planning application. However, the JLP is the Council's intended development strategy to be submitted for examination. The emerging allocation does nonetheless, give an indication of the direction of travel as to how the authority will meet it's overall housing needs over the next plan period and the specific requirements and obligations associated with the allocation.

14.8 To arrive at the suggested allocations in this Regulation 19 JLP document, a comprehensive review has been undertaken of all the sites put forward to formulate the draft joint local plan. That assessment has considered the sustainability of the sites overall to determine which provide a more deliverable and sustainable form of development for growth in the district as a whole. This site has been identified by the

Council as a preferred location for development on this basis. Whilst Members must have caution in placing significant weight on this emerging allocation, it does indicate how the Council will expect to meet its housing needs in the most sustainable way considering the District as a whole.

PART FOUR – CONCLUSION

14. Planning Balance and Conclusion

14.1 Since Members last considered this application there has been submission of further information and material considerations have substantially evolved. The applicant has sought to mitigate a number of the harms, addressing objections relating to ecology, landscape and design in particular with revisions to the indicative layout to the site. Further work has also been undertaken relating to the cumulative highway impact of this site and the proposed development site on Norwich Road in Barham.

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

14.3 The principle of development on this site is not supported by local plan policy H7, CS1 and CS2 of the Core Strategy and FC2 of the Core Strategy Focused Review. These however are considered to be out-of-date and not be consistent with the aims of the NPPF and therefore accorded less weight. Policy FC1 of the Core Strategy Focused Review repeats the requirements of the former paragraph 14 of the NPPF, which is replaced now with paragraph 11 which is the more relevant consideration and so this policy is afforded less weight. Policy FC1.1 seeking to conserve and enhance the local character of different parts of the district, is up-to-date and relevant to this application. These two policies seek to promote the principles of sustainable development. This conflict with the development plan is noted but is not necessarily fatal when considering other material considerations. Whilst it is noted this site has been identified for development of 75 dwellings across a larger site than just this application site in the emerging Joint Local Plan, this is at an early stage and so limited weight can be given to this at present.

14.4 Whilst the council can currently demonstrate a sufficient land supply, the above policies being out-of-date require the application to be considered in terms of paragraph 11dii) of the NPPF. This directs that development should be approved unless the adverse impacts of doing so outweigh the benefits.

14.5 Development of this site would provide the significant benefit of delivery of up to 73 dwellings, 25 (or 35%) of which would be affordable. The delivery of these dwellings has also been explored, and weight is placed on the benefit of these dwellings being highly likely to be delivered within the next five years, contributing to the Council's five year supply of deliverable sites.

14.6 The site would have some short-term economic benefits from construction jobs during the build-out of the site, and there would be some economic benefits for local services such as shops and public transport from additional spend from the new residents to the area. These benefits would have moderate weight.

14.7 There would be important environmental benefits and a net gain for biodiversity secured through the Mitigation Strategy and Enhancement Plan and the Landscape and Ecological Management Plan, both of which are supported by the Council's advisors. As this is a requirement of the NPPF however only moderate weight can be given to the scheme demonstrating this. The site is located in a fairly sustainable location, reducing the need to travel and facilitating the promotion of sustainable transport. The benefits

associated with securing money for a new primary school and CIL are considered to be moderate as these are required to make the scheme mitigate its impacts on infrastructure. There would also be benefits associated with the widening and resurfacing of the footpaths and bridleway around and within the site, but these must be balanced against the key harm of the Major/Moderate adverse impacts to residents of Winchester Gardens and Hereford Drive, and users of the bridleway 009 that runs along the north of the site.

14.8 The Major/Moderate harms identified create conflict with policy CS5 of the core strategy and paragraph 170 of the NPPF, both of which seek to protect and enhance the landscape quality of the site. But as identified earlier in the report the extent of where this landscape impact occurs is limited to a section of the wider Bridleway 009 and for some residents of Claydon. The impact whilst still Major/Moderate it does not impact on a wider landscape, but to a more local level within the site and when viewing the site from immediately neighbouring residential dwellings and the Council's Landscape Architect supports the scheme.

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

14.10 The proposed development does conflict with a number of policies in the development plan. However, as the key policy conflict of the principle of development of this site relate to policies that are out-of-date, this policy conflict with H7, CS1, CS2 and FC2 are given less weight. The policy conflict regarding landscape protection is given less weight given the limited extent to this within the landscape.

14.11 When considering the wider planning balance, this scheme would lead to 73 deliverable dwellings of which 25 are affordable in a sustainable location. These three matters are given significant weight in the planning balance. The site is identified as an emerging site allocation for approximately 75 dwellings, and whilst this has limited weight in planning terms this does give an indication of the direction of travel as to where housing could be most sustainably located to meet the authority's housing need.

14.12 Paragraph 11 of the NPPF directs decision-making to approve development unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits. In this instance the adverse impact as noted above would not significantly and demonstrably outweigh the benefits. Overall it is recommended that the benefits of this deliverable housing in the sustainable location outweighs the above identified landscape harm that would result from this scheme and potential loss of Grade 3a agricultural land, and this scheme is considered to represent a sustainable development. The illustrative masterplan provides enough certainty at this outline stage that all other considerations could be adequately met at the reserved matters stage, or through the Section 106 agreement, planning condition or Community Infrastructure Levy requirements.

RECOMMENDATION

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

(1) Subject to the prior agreement of a Section 106 Planning Obligation on appropriate terms to the satisfaction of the Chief Planning Officer as summarised below and those as may be deemed necessary by the Chief Planning Officer to secure:

- Affordable housing
 - This shall include not less than 35% of the total dwellings
 - Properties shall be built to current Housing Standards Technical requirements March 2015 Level 1. All ground floor 1 bed flats to be fitted with level access showers, not baths.
 - The council is granted 100% nomination rights to all the affordable units on initial lets and 75% on subsequent lets
 - All affordable units to be transferred freehold to one of the Councils preferred Registered providers.
 - Adequate parking provision is made for the affordable housing units including cycle storage for all units.
 - Commuted sum option available to be paid instead of on site provision should the LPA agree to such request.
- Primary school building costs - £20,508 per school place (total £348,636)
- Primary school land purchase - £1,177 per school place (total £20,009)
- Recreational Access Disturbance Mitigation Strategy (RAMS) contribution - £121.89 per dwelling (total £8,897.97)
- Improvements to Church Lane Claydon/Norwich Road junction and Station Road/Norwich Road junction; Financial contribution toward transport improvements in the village to encourage walking and cycling, safer routes to school and improve safety for pedestrians and cyclists; and Norwich Road extension of Speed Limit on Norwich Road. The total cost of these works are estimated at £98,250 to be apportioned between this and Norwich Road application (reference 1856/17). This site has been identified to contribute £15,542.50, with the remainder to be sought from 1856/17.
- Public Right of Way improvement – widening and resurfacing of footpaths FP13 and FP14 and Bridleway 009 - £58,125

(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:

- Standard outline time limit
- Approval of reserved matters – appearance, scale, layout, landscaping
- Approved Plans (Plans submitted that form this application)
- Phasing Condition (To allow phasing of the development and allows spreading of payments under CIL) (Pre-commencement)
- Market housing mix prior to or concurrent with reserved matters to be agreed
- Provision of open space and play space, timing of and maintenance and management
- Detailed landscape planting plan, including advance planting, management plan, landscaping scheme and details of SUDS areas
- Road construction and surface water disposal from roads
- Construction management plan (including hours for deliveries and construction works on site)
- Vehicle turning and parking (including cycles and electric vehicle charging points)
- Bin storage
- Travel plan

- Protection of public right of way during construction the development
- Fire hydrants
- Drainage strategy (Anglian Water)
- Surface water drainage scheme including further infiltration testing and two-stage water treatment
- Maintenance and management of the surface water drainage scheme
- SuDS components on LLFA's Flood Risk Asset Register.
- Construction Surface Water Management Plan
- Mineral extraction quantified
- Archaeology – implementing programme of archaeological work
- Ecology protection, mitigation and enhancement, including the provision of Swift boxes, hedgehog fencing and wildlife sensitive lighting
- Level access to enable wheelchair access for all dwellings/buildings
- Tree Method Statement and Tree Protection Plan compliance
- Unexpected contamination
- Energy and renewal integration scheme to be agreed
- Rainwater harvesting to be agreed
- Service ducting for Broadband cables
- On site open space and includes management of the space to be agreed and requirement for public access at all times.

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

- Pro active working statement
- SCC Highways notes
- Works to a watercourse may require consent (Land Drainage Act 1991)
- Any discharge to a watercourse or groundwater comply with the Water Environment (Water Framework Directive) (England and Wales) Regulations 2003
- Any discharge of surface water to watercourse that drains into Internal Drainage Board catchment may be is subject to payment of a surface water developer contribution
- European Protected Species Licence

(4) That in the event of the Planning obligations referred to in Resolution (1) above not being secured and/or not secured within 6 months of this resolution that the Chief Planning Officer be authorised to refuse the application on appropriate grounds.