

Committee Report

Item 7A

Reference: DC/20/03704
Case Officer: Bradly Heffer

Ward: Claydon & Barham.

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

RECOMMENDATION – APPROVAL OF RESERVED MATTERS WITH CONDITIONS

Description of Development

Application for approval of reserved matters including Access, Layout, Scale, Appearance and Landscaping following outline planning application 1832/17 Allowed at Appeal APP/W3520/W/18/3200941 for residential development for up to 190 dwellings (Use Class C3) with public open space, vehicular access and associated infrastructure.

Location

Land West Of Old Norwich Road, Whitton, Ipswich, Suffolk IP1 6LQ

Expiry Date: 22nd January 2021

Application Type: RES - Reserved Matters

Development Type: Major Large Scale - Dwellings

Applicant: Bellway Homes Ltd (Essex)

Agent: Ms L Dudley-Smith

Parish: Whitton

Site Area: 10.2 hectares

Density of Development:

Gross Density (Total Site): 18.6 dwellings per hectare

Net Density (Developed Site, excluding open space and SuDs): 30 dwellings per hectare

Details of Previous Committee / Resolutions and any member site visit: See 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 – reference DC/19/04232.

PART ONE – REASON FOR REFERENCE TO COMMITTEE

Members will recall that this reserved matters proposal was reported to Committee at the meeting held on 20th January 2020. At that meeting Members resolved to defer determination of the proposal in order that the following issues could be considered further:

- Triple parking provision
- Boundary treatment for buffer area
- Design of Plot 1
- Roundabout including cycle route

- **False chimneys**
- **Heating**
- **Pedestrian connectivity**
- **SuDS details**

The original report to Committee is set out below, and this is followed by an update section (section 14) which advises on the above points following deferral by Members.

PART TWO – POLICIES AND CONSULTATION SUMMARY

Summary of Policies

NPPF - National Planning Policy Framework

Adopted Core Strategy

CS01 - Settlement Hierarchy
 CS02 - Development in the Countryside & Countryside Villages
 CS04 - Adapting to Climate Change
 CS05 - Mid Suffolk's Environment
 CS06 - Services and Infrastructure
 CS09 - Density and Mix

Adopted Core Strategy – Focused Review

FC01 - Presumption In Favour Of Sustainable Development
 FC01_1 - Mid Suffolk Approach To Delivering Sustainable Development
 FC02 - Provision And Distribution Of Housing

Adopted Local Plan

SB02 - Development appropriate to its setting
 GP01 - Design and layout of development
 H02 - Housing development in towns
 H03 - Housing development in villages
 H07 - Restricting housing development unrelated to needs of countryside
 H13 - Design and layout of housing development
 H15 - Development to reflect local characteristics
 H16 - Protecting existing residential amenity
 H17 - Keeping residential development away from pollution
 CL05 - Protecting existing woodland
 T04 - Planning Obligations and highway infrastructure
 T09 - Parking Standards
 T10 - Highway Considerations in Development
 RT04 - Amenity open space and play areas within residential development

Neighbourhood Plan Status

This application site is not within a Neighbourhood Plan Area.

Consultations and Representations

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

A: Summary of Consultations

Town/Parish Council (Appendix 3)

Claydon and Whitton Parish Council has commented on the proposals as follows:

Claydon and Whitton Parish Councillors have the following concerns:

- *The first archaeological dig in this location recommended a further independent dig, but there appears to be a suggestion that the dig will be performed by the developer.*
- *Councillors remain concerned about the implications of a roundabout to access and exit the new estate. There is no need for a roundabout as traffic should not be turning left out of the estate - this route is only for buses, cyclists, pedestrians and emergency vehicles. Councillors are worried that a roundabout in this location will encourage new residents to turn left and use the restricted road to reach the A14 more quickly. Councillors ask that further thought is put into how to prevent vehicles using the restricted route through Claydon, for example by possibly using cameras that are followed up with fines for using the road.*
- *Councillors are concerned that insufficient thought has been applied to congestion issues for new residents to leave the estate for the A14, as this road is frequently very busy and will be a lot busier with all the building happening in this area.*
- *Councillors are concerned that Plot 1 continues to have a significant impact on existing residents, as it overlooks an annex that is currently inhabited by an elderly couple.*
- *Further clarification is required regarding raised bus stops on the estate, as this formed part of the appeal paperwork.*

Bramford Parish Council has no comments to make on the proposal.

National Consultee (Appendix 4)

Anglian Water Services has identified that the proposed method of surface water discharge does not relate to an Anglian Water owned asset. It is advised that the Local Planning Authority should seek the advice of the Lead Local Flood Authority or Internal Drainage Board.

Highways England has no objection to the proposal.

NHS (Ipswich and East Suffolk CCG) has advised it has no objection to the proposals, stating that it '...is satisfied that the basis of a request for CIL contributions is consistent with the Position Statement produced by Babergh and Mid Suffolk District Councils. The consultation response identifies that the Chesterfield Drive Practice, and the Deben Road Surgery would be the facilities impacted by the development.

Natural England has confirmed it has no objection to the proposals, subject to appropriate mitigation being secured. In this regard, Members are advised that the s106 agreement attached to the grant of outline planning permission included a Recreational disturbance Avoidance and Mitigation Strategy (RAMS) contribution.

County Council Responses (Appendix 5)

SCC Highway Authority has no objection to the proposals, subject to conditions being added to a reserved matters approval.

SCC as Lead Local Flood Authority has recommended approval of the application subject to the imposition of a condition. This is included in the recommended list at the end of this report.

SCC Archaeological Service has identified that the archaeology condition imposed by the Planning Inspector at the time of the appeal approval does not meet its requirements, bearing in mind that archaeological deposits are likely to be encountered on the site. On this basis, it is recommended that the 'standard' conditions are imposed in the event that reserved matters approval is granted.

SCC Development Contributions Manager has identified that as part of the outline permission a s106 agreement was completed and the necessary mitigation secured.

SCC Travel Plan Officer has no comments to make on the application.

SCC Public Rights of Way Officer has identified that the site does contain Footpath 1 and Footpath 15 Whitton, and that these appear to have been accommodated in the submitted plans. A range of advisory notes is also included in the consultation response.

SCC Fire and Rescue Service has noted that a requested condition was included on the outline planning approval and this is relevant to the reserved matters proposal.

Internal Consultee Responses (Appendix 6)

The **Contaminated Land Officer** has no comments, observing that all issues were dealt with at the outline application stage.

Environmental Health (Noise/Odour/Light/Smoke) Officer has identified that noise issues are to be addressed via condition imposed on the outline planning approval and no further comment is made.

Environmental Health (Sustainability) Officer identifies that the Council declared a climate emergency in 2019 and has an aspiration to become carbon neutral by 2030. A Sustainability and Energy Strategy condition is recommended for inclusion as part of a reserved matters approval.

Place Services Ecology has advised it has no objection to the proposal. Conditions are recommended to be attached to an approval of reserved matters.

Place Services Landscape has identified that the detailed points raised in its consultation response can be addressed through conditions.

The **Public Realm Officer** has no objections, noting that a generous area of public open space and a toddlers' play area is included in the proposed development. In addition, the proposals to create ecologically rich open space is welcomed.

B: Representations

At the time of writing this report at least 15 online comments have been received. It is the officer opinion that this represents 15 objections. A verbal update shall be provided, as necessary.

Views are summarised below:-

- Affects local ecology and wildlife
- Air pollution
- Application is lacking information
- Archaeological importance
- Boundary issues
- Conflict with district plan
- Design
- Dominating and overbearing
- Drainage
- Fear of crime
- Health and safety
- Inadequate access
- Inadequate parking provision
- Increased danger of flooding
- Increase in anti-social behaviour
- Increase in amount of litter in the area
- Increase traffic and highways issues - Old Norwich Road already extremely busy, particularly during rush hour so all the extra cars from this proposed development would create further road safety problems
- Landscape Impact
- Noise
- Strain on existing community facilities (doctors, schools, dentists etc.)
- Unsustainable

(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: 1832/17	Outline Application (Access to be considered) - Erection of up to 315 dwellings, vehicular access to Old Norwich Road, public open space, and associated landscaping, engineering and infrastructure works	DECISION: REF 28.03.2018
REF: DC/20/03703	Discharge of Conditions Application for 1832/17 granted under Appeal Reference APP/W3520/W/18/3200941- Condition 5 (Proposed Primary Access), Condition 6 (Estate Roads and Footpaths), Condition 7 (Construction Management Plan), Condition 8 (Discharge of Surface Water), Condition 9 (Construction Surface Water Management Plan), Condition 11 (Construction Environmental Management Plan), Condition 12 (Tree Survey), Condition 16 (Feasibility Study), Condition 17 (Acoustic Measures), Condition 18 (Surface Water Drainage Scheme), Condition 19 (Implementation,	DECISION: PCO

Maintenance and Management), Condition 20 (Biodiversity Enhancement Plan), Condition 21 (Refuse/Recycling Bins) and Condition 24 (Flood Risk Asset Register)

REF: DC/20/03704

Application for approval of reserved matters including Access, Layout, Scale, Appearance and Landscaping following outline planning application 1832/17 Allowed at Appeal APP/W3520/W/18/3200941 for residential development for up to 190 dwellings (Use Class C3) with public open space, vehicular access and associated infrastructure.

DECISION: PCO

PART THREE – ASSESSMENT OF APPLICATION

1. The Site and Surroundings

- 1.1 The site for this proposal is a large, irregular-shaped parcel of land with a given area of 10.2 hectares, located between Old Norwich Road Whitton, and the A14 trunk road linking Ipswich with Bury St Edmunds. Topographically, it has an undulating character and it is currently unused, having previously been utilised for arable agricultural purposes.
- 1.2 Where the site abuts Old Norwich Road it also surrounds a modest ribbon of residential development that is located on the western side of the road. Another notable feature is a linear woodland area that is within the site and is adjacent to the defined northern boundary. The southern boundary of the site abuts open land; the line of which contains part of the boundary between Mid Suffolk District and Ipswich Borough to the south. This line also contains the route of a public right of way. A further notable feature are the overhead power lines that cross the southern half of the site, and are a dominant feature in the local landscape.

2. The Proposal

- 2.1 The application put forward for Members' consideration is a reserved matters proposal for the erection of a new estate of 190 no. dwellings on the identified site. The submitted plan shows a new vehicular access being provided from Old Norwich Road. The road junction itself would take the form of a roundabout. The proposed access would lead to a main spine road, to the south which would be an area of public open space having an approximate area of 1.85 hectares. The remainder of the site would be occupied by the proposed dwellings, accessed by a series of culs-de-sac, with the western half of the developed area incorporating a would include a more permeable road layout.
- 2.2 Generally, the location of dwellings would follow a perimeter block form, whereby dwellings address the road network directly. However, there are instances within the development of private drives, each serving a limited number of units. The dwellings themselves would comprise a range of detached, semi-detached and terraced units – predominantly two storeys in height but with

some instances of bungalows. The architectural approach taken on the site is of traditionally-designed and proportioned buildings.

- 2.3 Members should note that, in allowing the outline application at appeal, the Inspector specifically identified that a parameter plan should guide development on this site, and a condition was imposed to that effect as follows:

'The development hereby permitted shall be carried out in accordance with the following drawings and/or such other drawings/documents as may be approved by the Local Planning Authority in writing pursuant to other conditions of this permission or such drawings/documents as may subsequently be approved in writing by the Local Planning Authority as a non-material amendment following an application in that regard: Site Location Plan (Drawing No 1005); Parameters Plan (Drawing No 3502 revA)'

- 2.4 Bearing the above in mind, it is considered that the general arrangement of built form, and the provision of open space on the site was established at the outline stage. The application submission was accompanied by a Design and Access Statement, and extracts from the document are included below in order to provide Members with further context in relation to this reserved matters submission:

'...The layout responds to the constraints and opportunities that the site presents to ensure the proposed plan is legible in its form, creating a good quality semi-urban environment for potential residents and visitors. The 190 plots are to offer a range of dwelling types, sizes and tenures...the layout accommodates 67 affordable units which equates to a total of 35% affordability across the proposed site... The architectural design of the proposed residential development will guide the choice of materials to ensure distinctive streets and spaces are created within the new public realm...It is important that the new development draws upon the more traditional characteristics of the local vernacular to reinforce the sense of place established by the development. The new homes will predominantly be brickwork with additional boarded finishes to some key properties...This new residential area will benefit visually from the mature wooded landscape framework that lies to the west and north and which will be visible as a green backdrop from parts of the proposed development's public realm...Street trees will largely comprise of varieties of indigenous species...The nearest existing bus stops to the site are situated on Old Norwich Road; there are stops both close to the northern and southern boundaries of the site heading both north and south. The bus currently takes approximately ten minutes to reach the centre of Ipswich...All plots will have the use of either parking spaces or garages with parking spaces. In line with Suffolk Parking Standards, a minimum of two spaces are provided per plot for two bedrooms or more with three spaces provided for four bedroom properties...Sustainable drainage (SuDS) strategy to manage surface water run-off from the site and to minimise the risk of flooding...'

The full Statement is available to view on the Council's website.

3. The Principle Of Development

- 3.1. Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that 'If regard is to be had to the development plan for the purpose of any determination to be made under the planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise.'

- 3.2 The site for this proposal is located on land that is currently unallocated for development, as defined in the adopted development plan. This point is noted in a number of representations that have been received from local residents. However, within the emerging Joint Local Plan, the site is included within the Babergh Ipswich Fringe in the Settlement Hierarchy. The relevant policy of the JLP (policy SP03 – Settlement Hierarchy) identifies inter alia that Ipswich Fringe settlements will act as a focus for development. In identifying the above, officers are of course mindful that limited weight may be attached to the policies in the JLP at this stage in the Local Plan process. That said, it is useful as context for Members as it does indicate a preferred 'direction of travel' for this type of location, in planning terms.
- 3.3 Notwithstanding the above summary of the policy position, in the case of the determination of this reserved matters proposal, it is considered that the outline planning permission granted by the Planning Inspectorate via the appeal against the Council's refusal of outline planning application ref. 1832/17 (appeal ref. APP/W3520/W/18/3200941) clearly establishes the acceptability of residential development taking place on the identified site and is the starting point for the decision now to be taken. Members are not tasked with re-considering the planning permission from scratch; rather, they are considering those details reserved under the planning permission for determination at this later stage. The principle of development is therefore effectively fixed, subject to the conditions attached to the outline planning permission.
- 3.4 Members will recall that this current application site formed part of a larger site for which outline planning permission was sought, under planning application ref. 1832/17, as follows:
- Outline Application (Access to be considered) - Erection of up to 315 dwellings, vehicular access to Old Norwich Road, public open space, and associated landscaping, engineering and infrastructure works.*
- 3.5 The application was subsequently refused by the Council via notice dated 28th March 2018. The refusal was subsequently appealed and the Inspector issued a split decision on the proposal following a Public Inquiry. While development was refused on the northern parcel of land identified in the submission, outline planning permission was approved on the southern parcel of land (the site for this current proposal).
- 3.6 In allowing the appeal insofar as it relates to the current reserved matters site, the Inspector commented as follows:
- '...Turning to the possibility of development on the southern parcel only, it is clear that the benefits would be largely the same, although reduced to a degree. However, the harm associated with this scale of development would be significantly less than for the entire scheme. Harm to landscape character and appearance would be at a level which would be very much reduced and would be capable of mitigation. Additionally impact on the highway network would be likely to be of a significantly lesser magnitude even if there is a delay in providing an improved Bury Road junction arrangement. Although there is still conflict with the development plan the benefits of the smaller scheme are compelling and outweigh the limited development plan conflict. In relation to the reduced scheme on the southern parcel of land the harm would not significantly and demonstrably outweigh the benefits. The presumption in favour of sustainable development here means that planning permission should be granted for the scheme on the southern parcel of land...'*
- 3.7 In summary, the acceptability of the identified site to accept 190 no, dwellings is established in principle and is the starting point for the determination of this reserved matters proposal.

4. Nearby Services and Connections Assessment Of Proposal

- 4.1. The location of the site means that local schools are within walking and cycling distance, as are a variety of other local services. Furthermore Old Norwich Road is a designated cycleway and is on a bus route that would enable passenger connections to the wider area including Ipswich, and Claydon to the north, without reliance on the private car. Clearly the status of Ipswich means that a significant range of facilities and services may be accessed by future residents of the development.
- 4.2. It is also noted that the Anglia Retail Park and the White House Industrial Estate are located to the south-west of the site.

5. Site Access, Parking And Highway Safety Considerations

- 5.1. As identified in the NPPF (paragraph 108) and reflected in relevant development plan policies, the impact of development proposals on the local highway network is an important planning consideration. Further, at paragraph 109 the NPPF states that ‘...Development should only be prevented or refused on highway grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe...’
- 5.2. In granting outline planning permission for the development of the identified land, the Inspector clearly sets out that the means of access to the site is a reserved matter for which further approval is to be obtained. That said, the approved parameters plan (ref. 3502 rev A) does show a point of access off Old Norwich Road, and the relevant condition imposed by the Inspector does require development to be carried out in accordance with this identified drawing (and/or such other drawings/documents as may be approved). Therefore the *position* of the access point is established, and it is the details of the access that have to be considered under this reserved matters submission.
- 5.3. Members will note that the proposed form of access to serve the site takes the form of a roundabout junction. Some representations received in relation to the application have expressed concerns with regard to this form of junction, particularly as it would allow vehicles to turn left out of the site and therefore head north along Old Norwich Road. The road contains a bus gate – located approximately 620 metres north of the northern site boundary - which precludes general traffic from using this route, with the exception of local buses, cycles and permit holders.
- 5.4. Members are advised that the form of junction i.e. roundabout is provided as requested by the County Highway Authority, as a result of pre-application consultation. This junction has been safety-audited, as part of an overall safety audit submitted for Old Norwich Road. It is understood that the roundabout arrangement provides for the safest form of junction – particularly bearing in mind that the road also forms part of the national Sustrans network. Inter alia the design of the junction includes separate cyclist lanes heading in both northerly and southerly directions from the access, along Old Norwich Road. In relation to the access arrangement, the Highway Authority has provided further clarity on this point as follows:

‘The layout of the access needed careful consideration as the only vehicles using Old Norwich Road to the north of the access will be buses, cyclists and residents of existing dwellings to the north of the access. Also, National Cycle Route 51 route is on Old Norwich Road. By having an access off Old Norwich Road, drivers who are exiting the site may be blasé as the traffic coming from the north will be very light and not look properly. If the road layout were changed, so the priority route was into the site and Old Norwich Road to the north accessed off it, this would mean the cyclists and buses would not have priority; not preferred for sustainable transport. A roundabout was considered to be the

best approach for the site access. It has been safety audited. Also, if drivers wanted to go towards the bus gate, I don't expect any junction layout would put them off.'

- 5.5 In relation to parking provision on the site, Members are advised that the submission includes a parking strategy plan, and a parking allocation plan. This shows that parking provision for residents would be on-plot, with visitor parking spaces also provided. The provision would be in accordance with the adopted Parking Standards of the Council as follows:
- 1 space per 1 bed dwelling
 - 2 spaces per 2 and 3 bed dwelling
 - 3 spaces for 4 bed dwellings
 - 0.25 spaces per dwelling for visitor parking (a total of 50 no. spaces provided across the site).
- 5.6 Cycle parking would be provided in garages, or garden sheds on plots where a garage facility is not provided.
- 5.7 Members are advised that there are some instances in the layout where parking spaces are provided in a triple row arrangement (including a garage space). Members are further advised that this arrangement has been accepted by the Highway Authority, on the basis that the instances are in areas that would be served by private drives, where this arrangement is deemed to be acceptable.
- 5.8 Lastly, in its consultation response the Highway Authority requested inter alia the inclusion of conditions relating to electric vehicle charging points and a construction management plan. However, these issues were covered by conditions imposed by the Inspector in allowing the appeal – it is not necessary to re-impose them on a reserved matters approval.

6. Layout and Design

- 6.1 The NPPF identifies that good design is a key aspect of sustainable development. A collaborative approach to the creation of good places is also encouraged. Developments which are poorly designed and fail to realise opportunities to improve the character of the area in which they would be located should be refused. At the local level, several core strategy and local plan policies identify the Council's aim to secure high quality developments within the district. Members will also be aware that the recent White Paper 'Planning For The Future' issued by central government reinforces the need for quality design to be achieved in development proposals.
- 6.2 The submitted reserved matters proposals have been guided by the parameters plan that was approved by the Appeal Inspector as part of the outline planning permission. This plan shows the arrangement of new land uses on the site, and establishes the following:
- Open space area including children's play, informal recreation, strategic planting and SuDs – this space comprising approximately the southern third of the site.
 - A main area of residential development that occupies the majority of the site area and includes access roads and private drives. Buildings up to 3 storeys (12m to ridge) permitted.
 - A 'belt' of residential development adjacent to the existing ribbon of development, that would contain buildings up to 2 storeys (9.5 metres to ridge).
 - Strategic landscaping areas including the established belt of trees to the north of the site and also a linear buffer between the northern half of the existing ribbon development and the application site.

- The point of vehicular and pedestrian access to the site from Old Norwich Road, together with the land required for the main access road to the site. Also, retention of the line of the public footpath on the southern boundary of the site.

6.3 The fact that the parameters plan is specifically identified in a condition attached to the grant of outline planning permission means that it has significant weight as a material consideration in the determination of this reserved matters proposal. Detailed proposals for the site would be expected to follow the parameters that are established by the plan.

6.4 In this regard Members are advised that the reserved matters proposal put forward for consideration does incorporate the parameters that are shown on the outline permission plan, in the organisation of the layout. The vehicular access to the site is positioned to match that shown on the plan.

6.5 In relation to the main area of residential development, material submitted with the application includes a plan that identifies two character areas within the development, consisting of 'The Street' and 'The Rambles'. The first of these, 'The Street' would include the development immediately adjacent to the main spine roads through the site, and is described as follows:

'This character area comprises the main access routes through the site, and is defined by its relative formality and regimentation. The dwellings will be faced in brick and there will be consistent roof and brick colours across several neighbouring units. Boarding will be applied consistently to corner turning units at key locations. Units will be positioned with some uniformity to setbacks, and will be oriented along the line of the road. The ordered character will be reinforced by the use of hedgerows to delineate plot boundaries and help to screen parked cars.'

6.6 The area identified as 'The Rambles' is characterised as follows:

'Further into the site, The Rambles character areas are set around predominantly shared surfaces, private drives, curved footpaths and green spaces. Here, the built form becomes more diversified and less ordered. In contrast with The Street character area, the material palette will feature roof and brick colours distributed in an assorted manner. Plot setbacks will vary and some units will be angled to suit site specific conditions.'

6.7 A variety of detached and semi-detached dwellings, with some instances of terraces, is proposed across the site, accessed via either culs-de-sac or through a looped road system. The general arrangement of dwellings is of perimeter blocks served by a permeable road layout, or towards the north and east of the site, a series of smaller clusters of dwellings arranged around individual private drives. Members are advised that although the parameter plan did allow 3 storey development on the majority of the residential part of the site, the proposed buildings would not exceed 2 storeys in height, with some instances of bungalow development.

6.8 The proposed layout also includes the significant area of open space that occupies much of the south of the site. This part of the site has an overall area of 1.85 hectares and it would contain a play area, informal recreation space, SuDs and strategic planting – all as established in the parameters plan. Furthermore, the established tree belt on the northern boundary (as well as a green 'projection' south west from the main belt area) are retained as part of the reserved matters proposal – again in accordance with the plan.

6.9 In terms of the design of the proposed dwellings, these follow a traditional architectural approach, which is considered to be appropriate in the context of the surroundings. The majority of the units

would be constructed in brickwork, with some clad in boarding. The roofs of the buildings would be clad in tiles.

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

- 7.1 In relation to landscape impact, at the time of the appeal, the Planning Inspector considered the application site to be well-contained, and development would therefore have a '...minor...' impact overall in the local landscape. The landscape was described by the Inspector as follows:

'It is relatively flat and close to the urban limits of Ipswich. Indeed I understand that the southern site boundary abuts land allocated for development. The land is perceived more as urban fringe than open countryside, and this is emphasised by the 2 lines of pylons and cables which cross it. In my judgement it has a moderate to low sensitivity to development, and the scheme would at worst have a moderate magnitude of impact on the character of the area...The southern parcel is relatively enclosed in visual terms. It is bounded by development (or land allocated for development) to the south, and there are a number of dwellings to the east along Old Norwich Road. When added to the enclosure provided by the tree belt to the north and the A14 to the west the sense of visual enclosure is significant. In this respect it is correct to describe the land as being of limited sensitivity to development. Views into the southern parcel are heavily restricted, though I acknowledge that it would not be possible to hide the proposal entirely. Some perception of houses would be possible above trees and between landscaping. Nonetheless the visual impact of development would be minor.'

- 7.2 As identified elsewhere, the parameter plan approved at appeal established the location of various land uses on the site and these are reflected in the proposal brought forward for Members' consideration. The consultation response that has been received from the Council's Landscape Consultant (following receipt of a revised landscape masterplan) confirms that there is no objection to the proposal on grounds of landscape impact. Conditions are recommended, which would be imposed if the recommendation of reserved matters approval is agreed. These include a detailed landscaping scheme and also a landscape management plan.
- 7.3 In relation to trees, as identified elsewhere, the site benefits from significant existing tree and hedgerow planting, primarily on the boundaries of the site. The most immediately noticeable features are the hedging and trees along the boundary of the site with Old Norwich Road, and also the established tree belt to the north of the site. There is also established planting on the western boundary with the A.14 and parts of the southern boundary. In allowing the appeal the Inspector required, by condition, the submission of a tree survey and arboricultural method statement. Members are advised that the Arboricultural Officer has considered the information submitted to discharge the condition and has advised it to be sufficient.
- 7.4 As regards issues of ecology and biodiversity, conditions attached to the outline planning permission required the submission of a Landscape and Ecological Management Plan, reptile method statement and skylark mitigation strategy. This, on the basis that ecological investigation carried out at the outline stage established the ecological value of the site, together with necessary measures to mitigate impact of development on ecology. It is also noted that the s106 agreement that is attached to the outline permission includes inter alia a contribution of £200 per dwelling to be paid towards the Council's Recreational disturbance Avoidance and Mitigation Strategy (RAMS).
- 7.5 Members are advised that, as part of this reserved matters submission, the applicant has included an updated Ecological Impact Assessment, in addition to the Habitats Regulations Assessment

and various landscaping details. On this basis the Council's Ecological consultants have advised that there is sufficient ecological information available for determination. The consultants' advice is that no objection to the proposals is raised, subject to a condition being imposed that requires the submission of a Biodiversity Enhancement Layout. The consultant also notes the conditions that were imposed by the Inspector, and the importance that these are properly addressed to ensure that impacts are properly mitigated.

8. Land Contamination, Flood Risk, Drainage and Waste

- 8.1 Members will note that in relation to land contamination, the Officer identifies that potential issues were considered at the time of the outline planning application. In allowing the appeal proposal the Inspector inter alia imposed the following condition:

'If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the local planning authority) shall be carried out until the developer has submitted a remediation strategy to the Local Planning Authority detailing how this unsuspected contamination shall be dealt with and obtained written approval from the Local Planning Authority. The remediation strategy shall be implemented as approved.'

- 8.2 In this regard, further investigation has taken place in relation to land contamination. This has found no issues of concern.
- 8.3 In relation to flood risk and drainage, Members are advised that the site is wholly within Flood Zone 1 as defined on the Environment Agency mapping system. Flood Zone 1 is defined as '...Land having a less than 1 in 1000 annual probability of river or sea flooding...' Nevertheless, as the site is more than 1 hectare in size, development proposals have to be accompanied by a Flood Risk Assessment. As with land contamination, the issue of flood risk was considered at the outline application stage (and also during the subsequent appeal). Again, in allowing the appeal proposal insofar as it related to the current site, a specific condition was imposed that required the submission of a surface water drainage scheme, carried out in accordance with the FRA that accompanied the outline planning application submission. The submission of this scheme was to be concurrent with the first reserved matters application, and Members are advised that the details are currently with the Council for consideration.
- 8.4 Notwithstanding the fact that the site is within Flood Zone 1, neighbouring representations have identified that localised ground conditions had meant that at one point, pre-submission, a wetland area was proposed as part of the development. However, it appears that the ground conditions that would have enabled the creation of a wetland area were in fact created by a broken drainage pipe. This information has been drawn to the attention of the applicant, and the following response has been received:

'On initial study of the site including walkover, it seemed that there was an area to the east of the site adjacent to Old Norwich Road where a naturally occurring spring/wetland was present. The initial designs sought to enhance this area. However, as we now know that the nearby Anglian Water mains had a major leak and was in fact causing surface water flooding as a result. As Anglian Water have since repaired the leak and the area has since dried the creation of a new wetland area would not be appropriate, due to the existing permeable sub strata.'

- 8.5 In relation to waste disposal the proposal put forward for Members' consideration includes a plan that shows the provision of bin collection points within the development, which would take place within front curtilage areas of individual dwellings.

9. Heritage Issues [Including The Impact On The Character And Appearance Of The Conservation Area And On The Setting Of Neighbouring Listed Buildings]

- 9.1 Members will be aware of the duty placed on Local Authorities to protect heritage assets – as emphasised in national planning policy and reflected in the Council’s own policy base. Members are advised that there are not any listed buildings within the vicinity of the application site whose setting would be impacted by the proposed development. The nearest heritage asset is the conservation area within Whitton, which is located to the south of the site and covers the junction of Old Norwich Road with Whitton Church Lane. Members are advised that this conservation area is outside of the Mid Suffolk District boundary – being located within Ipswich Borough. Nevertheless, the impact of development proposals on the character of the conservation area has to be considered, and this was the case at the time of the outline application and subsequent appeal. In this regard, the Inspector commented on this issue as follows:

‘...The significance of the Whitton CA stems largely from remaining elements of the relationship between buildings, street pattern, open spaces and the rural hinterland to the north...There is no disagreement between the main parties that the proposal would cause less than substantial harm to the character of the CA. No harm is alleged to the appearance of the CA itself or to listed buildings or their settings within it. I have no reason to disagree with these points...’

- 9.2 The Inspector did identify that the main impact arising from the proposal (at that time for 315 units) would arise from traffic. In that regard the following further comments were made:

‘...Noise increases would be at or close to the lowest observable adverse effect level, and even if slightly greater would be unlikely to significantly affect the appreciation of the significance of the CA.’

- 9.3 In concluding, the Inspector reiterated the statutory position whereby great weight attaches to any identified harm to a heritage asset, and this has to be balanced against the benefits of the proposal. Clearly, in granting outline planning permission for the development of the identified site he felt that the benefits of the proposal did so – in recognition that the harm identified i.e. to the character of the Whitton conservation area was in any event judged to be at the lower end of the scale.
- 9.4 In relation to impacts on archaeology arising from the development, Members will note that SCC Archaeology, in its original consultation response, identified that the requirements of the archaeological condition imposed by the Inspector as part of the outline approval did not achieve what would, in SCC Archaeology’s opinion, be required in order to fully quantify the likely archaeological value of the site. Representations from local residents have also identified the likely sensitivity of the site as being an important point to consider properly.
- 9.5 As a planning principle, the fact that an archaeological condition has been imposed by a Planning Inspector at outline approval stage would mean that the further imposition of a condition at reserved matters stage to address the same issue would not meet the relevant tests e.g. necessity and reasonableness. That said, SCC Archaeology’s concerns in this regard have been raised with the developer and further discussion is taking place. An update for Members will be provided at the Committee meeting.

10. Impact On Residential Amenity

- 10.1 The impact of proposed development on residential amenity is, of course, a fundamental planning consideration. This is reflected in local plan policies SB2, H13, and H16 – all of which identify the need for new developments to not adversely impact amenity.
- 10.2 In the case of this reserved matters submission, the site abuts established residential development to the west. To this end, proposed dwellings adjacent to the boundaries have been positioned in order that potential for overlooking is limited. In addition, it is considered that the space between buildings is sufficient to protect against unacceptable loss of privacy. The impact would be further mitigated by established planting along sections of the shared boundary which would filter views further. It is also the case that a landscaped buffer would create further distance between existing and proposed dwellings along a significant stretch of the western boundary.
- 10.3 A specific concern has been raised by the potentially overbearing impact of the proposed dwelling located on plot 1 in relation to the nearest existing dwelling, identified as the 'Old Filling Station'. The proposed dwelling, a two-storey house, would be located approximately 3 metres away from the shared boundary, and would be on an approximate northwest/southeast axis. The arrangement of accommodation in the building would mean that the flank wall facing the 'Old Filling Station' would only contain obscure glazed windows. It is considered that the combination of factors outlined would mean that an unacceptable loss of amenity to the identified property would be avoided.
- 10.4 In regard to the interface of the development with other boundaries it is considered that amenity issues would not arise *from* the proposed development but rather with impacts upon it. For example, the site's western boundary abuts the A.14 trunk road and although the site is in an elevated position in relation to the road, there will be some noise impacts. In this regard, the use of acoustic barriers to address this issue was identified, and a specific condition (no. 17) was imposed by the Inspector as follows:
- Concurrent with the first reserved matters application, and any subsequent reserved matters application, details of a scheme for acoustic measures to protect residential amenity shall be submitted to and approved in writing by the Local Planning Authority and implemented in full in accordance with the approved details prior to the first occupation of the dwelling to which the measures relate.*
- 10.5 In addition, it is the case that the outline planning permission included a condition for the submission of a Construction Management Plan, inter alia the aim of which is to reduce construction impacts on local residents.

11. Planning Obligations / CIL (delete if not applicable)

- 11.1 Members are advised that, during the appeal process following the Council's refusal of the outline planning application, a s106 agreement was drafted that would secure the mitigation required in the event that the proposal were approved by the Inspector. In his decision letter he comments on the agreement as follows:

'An obligation pursuant to S106 of the 1990 Act was submitted, by agreement, subsequent to the close of the inquiry. The obligation deals with a number of matters relating to financial contributions, the provision of affordable housing, open space provision and management, and travel plans. I have taken note of the statements of compliance with the Community Infrastructure Levy Regulations which were submitted with evidence. On the basis of the contents of the obligation and the compliance statements I am content that all matters conform to the CIL Regulations and that the obligation can be taken into account if planning permission is to be granted.'

11.2 For Members' information, the terms of the completed agreement can be summarised as follows:

- Provision of 35% affordable housing on the site
- Provision of Public Open Space on the site (including play equipment, landscaping, paths and access arrangements, street furniture and fencing) to be transferred to a Management Company
- A contribution of £348 450 towards the costs of highway junction improvements at the Old Norwich Road/ Whitton Church Lane junction and the Old Norwich Road/Bury Road junction)
- A contribution of £4 120.29 per dwelling towards the cost of building a new primary school.
- A contribution of £296 per dwelling towards the cost of land for a new primary school.
- A contribution of £200 per dwelling to be paid towards the Council's Recreational disturbance Avoidance and Mitigation Strategy (RAMS)
- Provision of Travel Plans (interim and full) and also provision of Residential Travel Packs for each dwelling.

11.3 In its consultation response the SCC Development Contributions Manager has commented that '...The planning obligations previously secured under the first planning permission must remain in place if reserved matters approval is granted...' and this would be the case. In addition, Members will note that the NHS has advised that mitigation of impacts on its local service provision would be secured through a CIL funding bid.

12. Parish Council Comments

12.1 The comments that have been received from Claydon and Whitton Parish Council are fully acknowledged and appreciated. Taking each of the points raised in turn, the following comments are made:

- As explained elsewhere, the condition imposed by the Inspector does not meet the requirements of SCC Archaeology, and this issue is being considered further. In any event, the investigation on site would normally be undertaken by contractors appointed by the developer, with the results considered by the County Council.
 - The form of access to the site follows the requirements identified by SCC Highways.
 - The comments regarding traffic impacts arising from the development are noted. However, this aspect of the development proposals was considered at the outline application stage, and subsequently at the Appeal. The Highway Authority did not raise an objection to the proposal and the Inspector did not do so either. Localised improvements to the highway, secured through s106 agreement, are identified elsewhere in this report.
 - The impact of the dwelling on plot 1 on the amenity of the neighbouring dwellings has been considered. Although there will be a change in outlook resulting from the proposed development, the impact is not considered to be unacceptably detrimental to the amenity of the occupiers of the dwellings adjacent.
 - The proposal is to develop a significantly smaller site than was proposed under the original outline planning application, which was considered at appeal, with a subsequent reduction in the number of units i.e. 190 as opposed to 315 as originally proposed. The reserved matters scheme put forward for consideration would utilise bus stop facilities on Old Norwich Road, whereas a larger scheme may have justified some degree of bus penetration within the site.
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PART FOUR – CONCLUSION

13. Planning Balance and Conclusion

- 13.1 Notwithstanding the tension with the adopted Local Plan allocation, the grant of outline planning permission, via appeal, against the Council's refusal of application 1832/17 established the acceptability in principle of 190no. dwellings being erected on the identified site. On this basis of the above the principle and nature of the development is fixed; Members are not required to re-consider the permission from scratch and officers are satisfied that the development will continue to deliver the anticipated benefits and within the envelope of impacts already considered.
- 13.2 As a planning judgement, given the fact that the outline planning permission established the acceptability of the development taking place on the identified site, it now falls for the details of the proposed development to be considered under this reserved matters submission.
- 13.3 The proposal as presented to Committee is not the first iteration of the plans; ongoing liaison has taken place with the applicant's agent to address issues of townscape improvement, as well as other issues arising from consultee responses. The aim has been to ensure that a volume residential development can be provided on the site that is respectful of the constraints that exist and the challenges (and opportunities) that are presented by the site's topography. In both cases it is considered that the scheme presented to Members achieves an appropriate standard. The layout of the proposal is considered to be of merit in townscape terms, creating a legible development with properly defined public and private areas. In addition, the form of buildings reflects a traditional approach which is considered to be an appropriate design response in the context of the surroundings. The use of design and landscape in order to create differing character areas would mean that the development had its own visual identity.
- 13.4 In consideration of the proposals, the objections and concerns expressed by the Parish Council, and local residents, are fully acknowledged and appreciated. The development of the land will clearly be a fundamental alteration, and the agreed means of access will generate additional traffic movements. That said, the principle is established through the Appeal approval and the submission is considered to follow the development parameters established at that time. The application for reserved matters approval put forward for consideration by Members is judged by your officers to be an appropriate scheme, that is worthy of a positive recommendation.

14. Report update

- 14.1 As noted in Part One of this report, following consideration of the proposal, Members resolved to defer determination in order that a range of issues could be considered further. These are listed below:
- Triple parking provision
 - Boundary treatment for buffer area
 - Design of Plot 1
 - Roundabout including cycle route
 - False chimneys
 - Heating
 - Pedestrian connectivity
 - SuDS details

Triple parking provision

- 14.2 The applicant has reconsidered the instances of triple parking across the site, and a revised parking plan has been received that shows all occurrences of triple parking being removed, apart from one plot. The reason for the retention of the arrangement on this single plot (plot 135) is that the available space is limited if the layout proposals are to be retained. Generally, as advised elsewhere, it is considered that the overall layout as proposed merits support in planning terms, and the retention of the single instance of a triple parking arrangement allows this layout arrangement to be retained. In addition, this plot is located within a private drive where the other plots have the required number of spaces without the need for triple parking. There are also a number of visitor spaces along the shared surface route into the private drive. The outcome of addressing Members' concerns in this regard is considered to be a positive response. In addition, it is the case that the provision of triple parking did not give rise to an objection from the Highway Authority.

Boundary treatment for buffer area

- 14.3 The boundary treatment for the buffer area has been discussed with the applicant and further details have been obtained. It has been confirmed that the area will be locked from public access. The land will be managed by the private management company and any access would be considered trespass. Two further plans to demonstrate the relationship of this area with existing dwellings are being prepared.
- 14.4 In addition, to secure the areas it is considered that the use of close-boarded fencing as opposed to walling would be acceptable in amenity terms, bearing in mind that the overall area would be located in a position where it would be screened (and indeed overlooked) by dwellings. In terms of the access to the area, this would be controlled by the management company, and Members are familiar with this type of arrangement being in place for the control and maintenance of open spaces within large residential developments such as this.

Design to Plot 1

- 14.5 In response to this point the applicant has confirmed that the proposed arrangement of development on this particular plot would be varied such that the position of the dwelling and its associated garage would be handed, so that the garage was the closer building to the shared boundary, and the dwelling would be moved further away. In addition, the roof pitch of the garage was originally set at 35 degrees, but is now set at 25 degrees, to further reduce the overall impact of this building. Members will note that the previously-proposed location of the dwelling on plot 1 did not cause concerns for officers in relation to amenity impact. Nevertheless, the amendments now proposed would further mitigate the overall impact that development on this plot would have. In this regard, it is understood that the applicant has liaised with the affected neighbour regarding the proposed revisions.

Roundabout including cycle route

- 14.6 As advised previously, the means of vehicular access to the site and the roundabout junction arrangement has been proposed by the applicant following pre-submission liaison with the Highway Authority. Following on from the Committee meeting, the applicant has provided further information regarding the access, including a technical note.
- 14.7 The note advises that, pre-submission, three access options were considered as follows:
- Changed priority junction arrangement – discounted as it would create a cul de sac north of Whitton, and compromise the bus route and the route for cyclists.

- Standard Major/Minor Priority junction arrangement – discounted as the presence of the bus gate (and subsequent low traffic flows) causes an imbalance of capacity which could lead to complacency of road users leaving the site, and is perceived to carry the greatest risk for cyclists travelling north and pedestrians crossing the junction.
- Mini Roundabout junction arrangement – chosen as the optimal junction arrangement due to providing a balanced priority across all arms of the junction (considered to be the safest option for all road users, including cyclists). This arrangement has been subject to a Stage 1 Road Safety Audit. The note also advises that there are opportunities for additional signage to the eastern and southern arms of the roundabout that would highlight the no through route for the bus gate to the north.

14.8 The NPPF makes clear that ‘...In assessing...specific applications for development, it should be ensured that...safe and suitable access to the site can be achieved for all users...Development should only be prevented or refused on highway grounds if there would be an unacceptable impact on highway safety...’ In this regard it is clear that alternatives to the proposed junction have been considered prior to the submission of this reserved matters proposal, and the roundabout arrangement is considered to be the most appropriate arrangement. On this basis, officers consider that the proposed means of access merits support in planning terms.

False chimneys

14.9 The architectural approach that has been taken on the site takes a traditional form, which is considered to be an appropriate visual response to the context of the surroundings and Suffolk as a whole. Features such as chimneys are found on this type of building but based on comments made at the last meeting, the applicant has agreed to remove chimneys from the proposed development.

Heating

14.10 In relation to the issue of heating, the applicant has provided an Energy and Sustainability Statement explaining the approach taken on their developments. The document concludes that:

‘...the development will follow a fabric first approach to sustainable construction, and sets out a proposed construction specification which exceeds the minimum requirements of the current adopted version of Approved Document L1A 2013...As the dwellings will meet the relevant energy requirements within the Building Regulations, as supported by planning policy, no renewable energy systems will therefore be incorporated into the dwellings at construction stage, however it is established that roof-mounted systems in the form of solar photovoltaics constitute the most appropriate systems to be retrofitted at a later date.’

14.11 It is understood that a ‘fabric first’ approach to sustainable construction relates to the insulation standards, thermal bridging and air leakage within the new buildings. The Council’s adopted policies recognise the importance of achieving sustainability, reflecting the presumption in favour of sustainable development within the NPPF. The overall sustainable ‘credentials’ of the proposed development in terms of location etc. have been explored at the time of the appeal. In terms of the sustainability of the construction, the scheme’s compliance with current building regulations is confirmed by the applicant.

Pedestrian connectivity

- 14.12 The applicant has considered this issue further and information has been provided that shows permeability for pedestrians, and links to the existing PROW in the area. The technical note provided by the applicant also explains why additional points of pedestrian access are not achievable. Inter alia the note states:

'...Due to existing boundary constraints to the north, west and south, the only option for site permeability is to connect to Old Norwich Road to the east...either via the proposed site access near or via the existing public right of way to the south east of the site...'

- 14.13 On the issue of pedestrian connectivity with the wider area it is considered that the proposal is a reasonable response, bearing in mind the constraints of the site. Clearly the options to the west are curtailed by the trunk road, and PROW provision to the north runs along the line of Old Norwich Road, which may be accessed via the proposed site access. The links to the PROW on the southern boundary have been realised in the scheme. It is your officers' view that safe routes for pedestrians are also provided within the site, which is also an important consideration.

SuDS details

- 14.14 At the time the Inspector granted outline planning permission for the proposed development, a condition was imposed which required the submission of a surface water drainage scheme, concurrent with the submission of the (first) reserved matters application. The consideration of this information is currently with the LLFA. As part of the condition, there is a requirement that topographic plans be provided '*...showing where the water will flow and be stored to ensure no flooding of buildings or offsite flows...*'
- 14.15 Members will also note that the LLFA has not raised an objection to this reserved matters application submission, but has identified that the final landscaping proposals for the proposed SuDS system should be agreed.
- 14.16 Following deferral, a drainage technical note has been provided. This advises that the best drainage option was to infiltrate water into the ground. Furthermore, an area at the southern edge of the site was identified as being most suitable, with a basin being provided to store rainfall runoff while it drains into the underlying ground. The report further advises that '*...The impact on neighbouring properties has been carefully considered, for much of the site the introduction of a sewer network will ensure that overland runoff toward the adjacent dwellings will be no worse than for the existing situation. The infiltration basin has been designed in accordance with current best practice and Suffolk's drainage officer has been consulted throughout the process. It has been sized to accommodate a storm with a 1% chance of occurring each year, including an allowance for more extreme storm events over the next 100 years due to climate change. As an additional safety precaution the infiltration rate used in the design is half that encountered during site investigations to guard against inconsistent ground conditions and degradation over the lifespan of the development...*'

Conclusion

- 14.17 In summary, following the Committee's deferral of the application the applicant has engaged with officers to address the points identified in this supplementary report. Changes to the proposals have resulted in the virtual eradication of triple parking, loss of chimneys, rearrangement of development on Plot 1 and clarification of pedestrian connectivity. Clarification has also been provided in relation to site access, drainage, and the landscape buffer area. Further information has been obtained in relation to the applicant's approach to sustainable construction – prompted by a query regarding heating proposals – stating compliance with building regulations in this regard. On this basis, the scheme as revised is continued to be supported by officers and approval of reserved matters is recommended to Committee.

RECOMMENDATION

That the reserved matters are APPROVED subject to the following conditions:-

- Reserved matters permission given in accordance with the terms of the outline planning permission relating to this site and the conditions attached thereto remain in force, except where discharged or superseded by the reserved matters approval.
- Approved Plans (Plans submitted and as subsequently amended that form this application)
- Approval of final details for boundary treatments and external hard surfaces
- Vehicle parking, cycle parking and bin collection points to be provided in accordance with the detailed plans provided and thereafter retained as such
- Submission of a Sustainability and Energy Strategy
- Details of a Biodiversity Enhancement Layout to be submitted
- Submission of a detailed landscaping scheme comprising of details for the landscaping proposals for the SuDS features

Plus any further conditions as may be deemed necessary by the Chief Planning Officer

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

- Proactive working statement
- SCC Highways and LLFA notes
- Support for sustainable development principles