

## **Committee Report**

**Item 6A**

**Reference:** DC/20/03247

**Case Officer:** Samantha Summers

**Ward:** Orwell.

**Ward Member/s:** Cllr Jane Gould.

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

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### **Description of Development**

Full Planning Application - Erection of phased development of 22no. dwellings, creation of cycle path links to Holbrook and Chelmondiston, improvements to Berners Hall car park, provision of public open space and landscape enhancements.

### **Location**

Sites and Cycle Paths Woolverstone To Holbrook, Woolverstone To Chelmondiston, Main Road, Woolverstone, Suffolk

**Expiry Date:** 08/04/2021

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

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

**Applicant:** Geoffrey Mayhew Farms Ltd.

**Agent:** Mr Roger Balmer

**Parish:** Woolverstone, Holbrook, Chelmondiston, Freston

**Site Area:** 3.97

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

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

**Has the application been subject to Pre-Application Advice:** Yes - DC/18/02338.

The pre-application concluded, "It is evident from the submitted plans that consideration has been given to the heritage and landscape constraints bearing upon potential development in the village and it is clear that the submitted outline proposals have sought to respect the established pattern of development with regards to the setting of listed buildings and the conservation area. New housing proposals will need to address policies CS2, CS11 and CS15 demonstrating in particular exceptional circumstances and justifiable need and that the proposals are demonstrably sustainable. This letter has also included detailed comments from Heritage and Highways which need to be taken on board in developing the proposals further."

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

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

- This is a development of over 15 dwellings

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

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### **Summary of Policies**

CN01 - Design Standards  
CN06 – Listed Buildings  
CN08 - Development in/near conservation areas  
CR02 - AONB Landscape  
CR07 - Landscaping Schemes  
TP15 - Parking Standards - New Development  
CS01 - Applying the presumption in Favour of Sustainable Development in Babergh  
CS02 - Settlement Pattern Policy  
CS03 - Strategy for Growth and Development  
CS11 - Core and Hinterland Villages  
CS15 - Implementing Sustainable Development  
CS18 - Mix and Types of Dwellings  
CS19 - Affordable Homes  
NPPF - National Planning Policy Framework  
CR07 - Landscaping Schemes  
HS32 - Public Open Space (New dwellings and Amended HS16 Sites up to 1.5ha)

### **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**

##### **Freston Parish Council**

Six of the dwellings sit within the boundary of Freston and these dwellings are viewed as a major development for Freston.

Freston is designated a Hamlet in Babergh District Councils Local Plan (2011 - 2031) and is not designated for major developments.

The proposed site (Number 1) for Freston is not identified within Babergh District Councils Joint Local Plan (2011- 2031.) The proposed site is to be built on greenfield sites of premium grade 1 and 2 lands and has no history of planning applications.

The application runs contrary to Babergh policies of preserving and enhancing conservation areas and building in the open countryside. If this development is given planning permission, it will set a precedent for building in the open countryside across Babergh to the detriment of the largely rural nature of the District.

Freston crossroads are currently considered “unsafe” (Bob Leonard SCC 23.08.2007).

The parish of Freston sits within Babergh Districts Council own Habitats Sites Mitigation – ‘Suffolk Coast Recreational disturbance Avoidance Mitigation Strategy. This development could have a long-lasting detrimental effect on the area that Babergh District Council are wanting to protect. (BDC Habitats Regulation Assessment 15/09/2020).

The development will affect the following bridleways and footpaths within the parish of Freston: 37, 26 27, 28,29 and 38.

The bus stop has been badly damaged by vehicle collisions 3 times in the last 10 years (evidence can be provided).

The extension of the footpath into Freston Parish from Woolverstone will require the setting back of the ancient hedge that runs in line with the village walls and the removal of part of the boundary wall of No 1 Main Road to create a 1.2m footpath. You can see from the photograph that SCC Highways have widened the road at this point to facilitate drainage. The bank will either have to be supported or removed re-landscaping the historic entrance to the Conservation Area. The plans show the removal of the beech and holly hedge.

### **Woolverstone Parish Council**

It is a shame that the new information is not supported by a summary explaining the alterations to the original application as it makes it extremely difficult for the layman to understand what is being proposed and how it differs from the first application apart from studying the drawings.

Woolverstone Parish Council would like to reiterate its objections to this application which it made on 15th September 2020. Woolverstone Parish Council objects to this application in the strongest terms.

The amendments to the original application do not alter the essential nature. In fact, the heart of this application is straightforward. It is an application to build a large development of 22 houses in the hamlet of Woolverstone contrary to many current policies held by Babergh District Council. The application sites are in a sensitive landscape location, some in a Conservation Area with a unique heritage of listed buildings. All proposed properties are outside the current settlement boundary and eight of the properties are in “open countryside”. At no point has the applicant made a case that there is an exceptional need for these houses within the neighbourhood.

There is no Housing Need Assessment included within the application.

The proposed cycle route from Chelmondiston to Woolverstone does not follow the logical route for any aspirational cycle route from Shotley to Ipswich which would be to the north of the houses in the village and passing on through to Freston; we need to think of the bigger picture here. Instead, it is a fractured

and flawed design which requires multiple road crossing and leaves serious gaps in areas where the B1456 is narrow and increasingly busy.

The application runs contrary to Babergh policies of preserving and enhancing conservation areas and building in the open countryside. If this development is given planning permission, it will set a precedent for building in the open countryside across Babergh to the detriment of the largely rural nature of the District.

Furthermore, the presumption in favour of sustainable development does not apply in this instance because the proposals do not accord with the up-to-date development plans of Babergh District Council. BDC also has a 6.54-year housing supply therefore its policies apply.

Indeed, the expectation is that planning permission should be refused unless there are prevailing material considerations to the contrary. We do not believe there are prevailing material considerations to support this application. The applicants have made no claim for such.

The cumulative impacts on the B1456 of developments already given planning permission, including the 285-house development at former HMS Ganges, have not been taken into account or even referred to in this application.

We have yet to see an updated viability document that demonstrates why the required 35% of affordable housing is unviable and only 2 houses have been identified for social housing.

This application runs contrary to the NPPF paragraphs 77 and 78. "In rural areas, planning policies and decisions should be responsive to local circumstances and support housing developments that reflect local needs." There is no case made for identified local need; none has been identified. In fact, the housing proposed is at the top end of the market with the majority of houses valued at between £400,000 and £500,000. There is certainly no "exceptional circumstances subject to a proven justifiable need" for the housing proposed in this development in the countryside.

Similarly, "To promote sustainable development in rural areas, housing should be located where it will enhance or maintain the vitality of rural communities."

Woolverstone has no services to support, no pub, no shop, no doctor's surgery. To build a significant development where there are no services challenges the very notion of sustainable development.

Woolverstone, as a hamlet with no services, is sequentially the least preferable location for a large housing development, one that would increase the size of the hamlet by 21%. Most of Woolverstone is within a Conservation Area with designated and non-designated assets where the important historic role of the buildings and the spaces between directly contributes to their significance and special interest. It is a unique example of a 19th century model estate village designed to be witness to the forward thinking and care of the Berners family of Woolverstone Park.

The limited public benefits contained within this application do not outweigh the harm to the setting of the listed buildings, the Conservation Area or the sensitive landscape and open countryside of the hamlet of Woolverstone. In the recent Appeal decision at Sproughton December 2020 Appeal Ref: APP/D3505/W/20/3256969, the inspector clearly identified with regard to heritage assets and their historic relationships that "development is designed to conserve and where appropriate enhance the settings of the heritage assets." This application fails this test.

In particular in this re-consultation, we would like to object to the extension of the Woolverstone footpath beyond No 1 Main Road, which forms part of the heritage entrance to the village. With the "Agents

House” on the left and No 1 “High Road” on the right; the pair of houses clearly mark the start of the model village created by the Berners family at Woolverstone Park. The extension of the footpath into Freston Parish will require the setting back of the ancient hedge that runs in line with the village walls and the removal of part of the boundary wall of No 1 Main Road to create a 1.2m footpath. You can see from the photograph that SCC Highways have widened the road at this point to facilitate drainage. The bank will either have to be supported or removed re-landscaping the historic entrance to the Conservation Area.

The plans show removal of the beech and holly hedge.

Furthermore, moving the Woolverstone village sign to the north side of the road will render it almost indiscernible to the road user as the view will be blocked until almost upon it by both the slight curve in the road and a mature oak tree.

We have great concern about the upgrading of the footpath from Woolverstone to Chelmondiston from footpath to metalled surface cycle path. We have not seen a formal request to change the status of the footpath here. Neither have we seen a formal request to change the status of the footpath leading from Berners Hall down to Harkstead Lane.

While this is a beguiling application, it should be rejected as contrary to Babergh’s current planning policies to protect the countryside and our heritage.

For the sake of completeness, there are a couple of other issues we would like to raise with you with regard to the documents for this application. We shared these with planning previously, but they do not appear in the list of documentation.

Firstly, the inclusion of the Sustrans report, “Woolverstone to Chelmondiston – Route assessment report” as “Transport Statement 7515459” in the suite of documents for the above application is causing great confusion. While we understand that there are two cycle path routes that are part of the application, the “Transport Statement 7515459” describes other routes which are "aspirational". In truth the two cycle paths do not create a network and hence the need for an additional network. As such, it is clear that “Transport Statement 7515459” is not a material consideration for this application and is a tool for “marketing” and promoting the idea of “sustainability” for the application.

"Sustrans has been asked to produce a feasibility report to look at the options for ‘active travel’ between Woolverstone, Chelmondiston and Holbrook on the Shotley Peninsula, in Suffolk. Geoffrey Mayhew Farms Ltd. is proposing a development of 22 houses on 5 sites in Woolverstone. The active travel links between the sites and to the nearby local villages, coloured red and green on the following figures, can help add to the sustainability and marketing of the developments. They will also improve connectivity for non-motorised users, with benefits for access to local schools, work, services, de-congestion and the wider recreational offer. Wider connections, coloured pink and light blue, can be achieved at a later date, through discussion with neighbouring landowners and Suffolk County Council Highways."

Sustrans: “Woolverstone to Chelmondiston – Route assessment report”

In fact, we felt that this document, which is not a material consideration for the application, should have been removed from the suite of documents supporting the application because it has given rise to so much confusion. If it is not part of the application, it shouldn't be considered by us, the planning Officer or the Planning Committee. As an aspiration, we have been told we cannot comment on it because it is not part of the application; however, the document gives a perception of sustainability and seems to add favourable weight to the applicant’s proposal. We feel this should be flagged up to councillors.

Secondly, we are concerned by the repeated references to “collaboration” in the “Planning Statement”. As such “collaboration” implies a working together towards a common goal. This has not been the case at all. Woolverstone Parish Council has never given a view about this application. We have pursued a path of studied neutrality. The Parish Council has remained neutral to the application and has given no view until we saw the complete application on 6th August 2020.

However, we did have a duty to share information with residents of the village about the proposals. The Chairman was approached personally by the applicant in February 2019 at which point the Chairman informed him he should speak to the Parish Council which he subsequently did with Roger Balmer on 14th February 2019.

“Geoff Mayhew, Jamie Mayhew, and Architect Roger Balmer came to the meeting to outline plans for a possible 22 houses in carefully chosen locations within the village. They have consulted with Michael Collins (ex-heritage Babergh) and Alison Farmer Consultant for AONB. Roger Balmer stressed that these proposals were at a very early stage and that they were keen to consult with the village as to position and design in order to blend in with the village without copying what was already there.

Geoff Mayhew said that there could be benefits for the village, without going into detail. It was agreed that there should be an open village meeting to look at plans in more detail, date to be arranged” WPC Minutes 14th Feb 2019 Subsequently, a village meeting took place on 4th April 2019. This was an information evening for residents; although there was little information. At this time all that was present was a map with proposed locations for 22 buildings and some warm words. It gave residents an opportunity to ask questions. A SWOT analysis was collected plus longer emails which was to inform the Parish Council of the breadth of views within the village and, as a courtesy, was shared with the applicants. There clearly wasn’t enough information to even consider a response which the Chairman made clear to the applicants:

“The Parish Council and villagers would sincerely like to thank you for seeking to engage with us on proposals for a limited housing development within the Parish of Woolverstone...

However, in order to go further with this proposal there was a clear view that there simply was insufficient evidence of how this proposal would visually impact the village. The complete lack of housing designs makes it difficult to consider the impact of the proposals on the character and appearance of the village. To further the process of engagement we need to see examples of proposed housing for the locations that have been identified; not only the design and design details (e.g., fenestration, roofing etc.) of the proposed houses and how they settle into their proposed locations but also the materials for their construction.

I think we have to be able to “see” how this will fit into the village. For example, you mention single storey dwellings. It would be good to know what you have in mind and where on the location map you intend these to be placed. Likewise, there is a predominance of one-and-half storey houses in Woolverstone. Is there a nod in this direction and, again, where would they be placed?

If we are to progress with these proposals, we need to have a much clearer understanding of the impact of the proposals on the character and appearance of Woolverstone as a next step.”

Email to Roger Balmer 22nd May 2019

The Chairman shared Woolverstone Parish Council’s response to the new JLP on 18<sup>th</sup> October 2019 to show how Woolverstone Parish Council viewed expanding housing within the village, where it felt building should be undertaken and our views about transport, building on greenfield spaces and so on. If anything, this should have been read as an objection to the proposals being made.

Roger Balmer and Geoff Mayhew requested a second meeting with the Parish Council on 14th December 2019.

“Roger Balmer (Architect) and Geoff Mayhew advised there has been continued work with the application for houses being located as advised in April. At present they propose: 4 bungalows on the Main Road—2 pairs –between Widows Homes and Berners Hall; at the entrance to the village before the 30 mph sign 3 pairs of 3-bedroom houses at the height of other properties in that area. The remainder of proposed houses will be full height houses. In total there are 22 properties planned. Plans will be submitted towards the end of January. It is proposed that “additional” land will be given adjacent to Berners Hall, this could be used as additional car park / grassed overspill area. It is proposed that there would then be land between this and the new bungalows which would remain in Geoff Mayhew’s ownership but be protected under a possible section 106. There is a cycle path planned, 2.5 metres wide to run from the village to Holbrook. This would be maintained by Geoff Mayhew. Simon Pearce will respond to questions about the car park and open space after seeking views of the Berners Hall Management Committee by Thursday, 12th December.”

WPC Minutes 14th Dec 2019

Again, Woolverstone Parish Council received this as an information session and gave no response.

Four questions about parking, widening the entrance, grass overspill and additional land were redirected to Berners Hall Management Committee. One member of BHMC gave an informal response “without prejudice” which was conveyed to the applicant on 17th December 2019. Roger Balmer agreed this response was “unofficial”.

The first sight of the full application was on 6th August 2020.

You can see there has not been, at any point, “collaboration” with the applicant or his agent during this process. Woolverstone Parish Council has deliberately withheld its view until we had sight of the full application and to which we have the strongest objections.

### **Holbrook Parish Council**

Recommend approval.

### **Chelmondiston Parish Council**

The Planning Committee of the Chelmondiston Parish Council would like to make the following comments to the amended planning application:

Firstly, in relation to the Planning Application of the 22 dwellings - the Planning Committee supports the decision of one of the neighbouring parishes - Woolverstone Parish Council who have objected to the application.

Secondly, in relation to the cycle path Woolverstone to Chelmondiston - the Planning Committee Object to the proposed planning application.

The reasons are as follows:

The planning application Cycle paths Woolverstone to Chelmondiston - There is no indication in the planning application who owns the land in relation to the cycle path.

What materials will be used for the cycle path?

Who will be responsible for the maintenance of the cycle path?

The two-cycle paths in the planning application (Woolverstone to Holbrook Woolverstone to Chelmondiston) will not be connected.

What are the proposals for footpaths and rights of way?

The members feel that the cycle path (Woolverstone to Chelmondiston) may not be used by the parishioners in Woolverstone or Chelmondiston but more likely to be tourists.

The members feel that the cycle path is simply an add on as there is a lack of detail provided by the developer/landowner.

## **National Consultee**

### **Ipswich Ramblers Association**

The Ipswich Ramblers take the view that if the parts of the Footpaths affected by the proposed cycle-track they would accept the changes.

### **Anglian Water**

The foul drainage from this development is in the catchment of Chelmondiston Water Recycling Centre that will have available capacity for these flows.

### **East Suffolk Drainage Board**

The site is near to the Internal Drainage District (IDD) of the East Suffolk Internal Drainage Board (IDB) and is within the Board's Watershed Catchment (meaning water from the site will eventually enter the IDD). Maps are available on the Board's webpages showing the Internal Drainage District ([https://www.wlma.org.uk/uploads/ESIDB\\_Index\\_plan.pdf](https://www.wlma.org.uk/uploads/ESIDB_Index_plan.pdf)) as well as the wider watershed catchment ([https://www.wlma.org.uk/uploads/ESIDB\\_Watershed.pdf](https://www.wlma.org.uk/uploads/ESIDB_Watershed.pdf)).

I note that the applicant has indicated that they intend to dispose of surface water via infiltration, however I cannot see that the viability of the proposed drainage strategy has been evidenced. As such we would recommend that the proposed strategy is supported by ground investigation to determine the infiltration potential of the site and the depth to groundwater. If on-site material were to be considered favourable, then we would advise infiltration testing in line with BRE Digest 365 (or equivalent) to be undertaken to determine its efficiency.

If (following testing) a strategy wholly reliant on infiltration is not viable and a surface water discharge proposed to a watercourse within the watershed catchment of the Board's IDD then we request that this be in line with the Non-Statutory technical standards for sustainable drainage systems (SuDS), specifically S2 and S4. Resultantly we recommend that the discharge from this site is attenuated to the Greenfield Runoff Rates wherever possible.

The reason for our recommendation is to promote sustainable development within the Board's Watershed Catchment therefore ensuring that flood risk is not increased within the Internal Drainage District (required as per paragraph 163 of the National Planning Policy Framework). For further information regarding the Board's involvement in the planning process please see our Planning and Byelaw Strategy, available online.

## **Natural England**

### **FURTHER INFORMATION REQUIRED TO DETERMINE IMPACTS ON DESIGNATED SITES**

#### **Habitats Regulations Assessment - Recreational Impacts on European Sites**

This development falls within the 13 km 'zone of influence' for the Stour and Orwell Estuaries Special Protection Area (SPA) and Ramsar site, as set out in the emerging Suffolk Recreational Disturbance Avoidance and Mitigation Strategy ('RAMS'). It is anticipated that new housing development in this area is 'likely to have a significant effect', when considered either alone or in combination, upon the interest

features of European Sites due to the risk of increased recreational pressure caused by that development.

As such, we advise that a suitable contribution to the emerging Suffolk RAMS should be sought from this residential development whilst ensuring that the delivery of the RAMS remains viable. If this does not occur in the interim period, then the per house tariff in the adopted RAMS will need to be increased to ensure the RAMs is adequately funded. We therefore advise that you should not grant permission until such time as the implementation of this measure has been secured.

Notwithstanding this, Natural England's advice is that this proposed development, and the application of these measures to avoid or reduce the likely harmful effects from it, may need to be formally checked and confirmed by your Authority, as the competent authority, via an appropriate assessment in view of the European Site's conservation objectives and in accordance with the Conservation of Habitats & Species Regulations 2017 (as amended).

This is because Natural England notes that the recent People Over Wind Ruling by the Court of Justice of the European Union concluded that, when interpreting article 6(3) of the Habitats Directive, it is not appropriate when determining whether or not a plan or project is likely to have a significant effect on a site and requires an appropriate assessment, to take account of measures intended to avoid or reduce the harmful effects of the plan or project on that site. The ruling also concluded that such measures can, however, be considered during an appropriate assessment to determine whether a plan or project will have an adverse effect on the integrity of the European site. Your Authority should have regard to this and may wish to seek its own legal advice to fully understand the implications of this ruling in this context.

Natural England advises that it is a matter for your Authority to decide whether an appropriate assessment of this proposal is necessary in light of this ruling. In accordance with the Conservation of Habitats & Species Regulations 2017 (as amended), Natural England must be consulted on any appropriate assessment your Authority may decide to make.

## **County Council Responses**

### **SCC – Highways**

Notice is hereby given that the County Council as Highway Authority make the following comments:

Although the site may not be considered as a sustainable location from a transport policy perspective, we consider the proposal would not have an impact on the public highway with regard to congestion, safety or parking. Therefore, the County Council as Highways Authority, does not wish to restrict the grant of permission as it would not have a severe impact on the road network (NPPF para 109).

### **CONDITIONS**

Should the Planning Authority be minded to grant planning approval the Highway Authority in Suffolk would recommend they include the following conditions and obligations:

#### **Site 1**

Visibility Condition: Before the access is first used visibility splays as indicated on Drawing No. 1418/24A with an X dimension of 2.4m and a Y dimension of 90m and 125m and thereafter retained in the specified form. Notwithstanding the provisions of Part 2 Class A of the Town & Country Planning (General Permitted Development) Order 1995 (or any Order revoking and re-enacting that Order with or without modification) no obstruction over 0.6 metres high shall be erected, constructed, planted or permitted to grow within the areas of the visibility splays.

Reason: In the interests of highway safety in order to maintain intervisibility between highway users.

Footway Condition: The footway to be provided in its entirety before the development is brought into use as indicated on Drawing No. 1418-05A.

Reason: To ensure that suitable footways are provided to access the application site and to connect the sites with public rights of way and footway network.

#### Site 2

Visibility Condition: Before the access is first used visibility splays as indicated on Drawing No. 1418/24A with an X dimension of 2.4m and a Y dimension of 90m and 90m and thereafter retained in the specified form. Notwithstanding the provisions of Part 2 Class A of the Town & Country Planning (General Permitted Development) Order 1995 (or any Order revoking and re-enacting that Order with or without modification) no obstruction over 0.6 metres high shall be erected, constructed, planted or permitted to grow within the areas of the visibility splays.

Reason: In the interests of highway safety in order to maintain intervisibility between highway users.

Footway Condition: The footway to be provided in its entirety before the development is brought into use as indicated on Drawing No. 1418-07A.

Reason: To ensure that suitable footways are provided to access the application site and to connect the sites with public rights of way and footway network.

#### Site 3

Visibility Condition: Before the access is first used visibility splays as indicated on Drawing No. 1418/24A with an X dimension of 2.4m and a Y dimension of 90m and 80m and thereafter retained in the specified form. Notwithstanding the provisions of Part 2 Class A of the Town & Country Planning (General Permitted Development) Order 1995 (or any Order revoking and re-enacting that Order with or without modification) no obstruction over 0.6 metres high shall be erected, constructed, planted or permitted to grow within the areas of the visibility splays.

Reason: In the interests of highway safety in order to maintain intervisibility between highway users.

#### Site 4

Visibility Condition: Before the access is first used visibility splays as indicated on Drawing No. 1418/24A with an X dimension of 2.4m and a Y dimension of 43m and 43m and thereafter retained in the specified form. Notwithstanding the provisions of Part 2 Class A of the Town & Country Planning (General Permitted Development) Order 1995 (or any Order revoking and re-enacting that Order with or without modification) no obstruction over 0.6 metres high shall be erected, constructed, planted or permitted to grow within the areas of the visibility splays.

Reason: In the interests of highway safety in order to maintain intervisibility between highway users.

#### Site 5

Visibility Condition: Before the access is first used visibility splays as indicated on Drawing No. 1418/24A with an X dimension of 2.4m and a Y dimension of 43m and 43m and thereafter retained in the specified form. Notwithstanding the provisions of Part 2 Class A of the Town & Country Planning (General Permitted Development) Order 1995 (or any Order revoking and re-enacting that Order with or without modification) no obstruction over 0.6 metres high shall be erected, constructed, planted or permitted to grow within the areas of the visibility splays.

Reason: In the interests of highway safety in order to maintain intervisibility between highway users.

#### All Sites

Access Condition: Before the development is commenced, details of the access and associated works, (including layout, levels, gradients, surfacing and means of surface water drainage), shall be submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure that roads/footways are constructed to an acceptable standard.

Parking Condition: Before the development is commenced details of the areas to be provided for the manoeuvring and parking of vehicles including electric vehicle charging points and secure cycle storage shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be carried out in its entirety before the development is brought into use and shall be retained thereafter and used for no other purpose.

Reason: To enable vehicles to enter and exit the public highway in forward gear in the interests of highway safety, to promote the use of sustainable travelling alternatives within the area and use of electric vehicles.

Bin Condition: Before the development is commenced details of the areas to be provided for storage and presentation of Refuse/Recycling bins shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be carried out in its entirety before the development is brought into use and shall be retained thereafter for no other purpose.

Reason: To ensure that refuse recycling bins are not stored or presented on the highway causing obstruction and dangers for other users.

Cycle Path Condition: The cycle path to be provided in its entirety before the development is brought into use as indicated on Drawing No. 1418-31.

Reason: To ensure that suitable cycle links are provided to access the application sites and to connect the sites with public rights of way and highway network.

Construction Management Plan Condition: Before the development hereby permitted is commenced a Construction Management Plan shall have been submitted to and approved in writing by the Local Planning Authority. Construction of the development shall not be carried out other than in accordance with the approved plan. The Construction Management Plan shall include the following matters:

- a photographic survey to be carried out to determine the condition of the carriageway and footways prior to commencement of the works
- Means of access for construction traffic
- haul routes for construction traffic on the highway network and monitoring and review mechanisms.
- provision of boundary hoarding and lighting
- details of proposed means of dust suppression
- details of measures to prevent mud from vehicles leaving the site during construction
- details of deliveries times to the site during construction phase
- details of provision to ensure pedestrian and cycle safety
- programme of works (including measures for traffic management and operating hours)
- parking and turning for vehicles of site personnel, operatives and visitors
- loading and unloading of plant and materials
- storage of plant and materials

- maintain a register of complaints and record of actions taken to deal with such complaints at the site office as specified in the Plan throughout the period of occupation of the site.

Reason: In the interest of highway safety to avoid the hazard caused by mud on the highway and to ensure minimal adverse impact on the public highway during the construction phase.

#### Comments from PROW team

The plans must properly depict public rights of way accurately to identify how proposals will impact on the network. Screenshots from Google Maps are not adequate. A detailed plot of public rights of way can be provided to the applicant but they need to contact [DefinitiveMaps@suffolk.gov.uk](mailto:DefinitiveMaps@suffolk.gov.uk) for more information. Note, there will be a fee for this service.

In the experience of the County Council, early contact with the relevant PROW officer avoids problems later on, when they may be more time consuming and expensive for the applicant to address, and we would strongly recommend that the Applicant contacts the Area Rights of Way Officer via [PROW.east@suffolk.gov.uk](mailto:PROW.east@suffolk.gov.uk) to discuss their plans. More information about Public Rights of Way can be found at <https://www.suffolk.gov.uk/roads-and-transport/public-rights-of-way-insuffolk/>.

### SCC – Public Rights of Ways

We continue to object to this proposal for the following reason:

The previous responses to this application (dated 19 August 2020 and 26 February 2021 and attached for ease of reference) have still not been addressed by the Applicant’s new plan. All site plans must properly depict public rights of way accurately to identify how proposals will impact on the network. Screenshots from Google Maps are not adequate. A detailed plot of public rights of way can be provided to the applicant but they need to contact [DefinitiveMaps@suffolk.gov.uk](mailto:DefinitiveMaps@suffolk.gov.uk) for more information. Note, there will be a fee for this service.

In the experience of the County Council, early contact with the relevant PROW officer avoids problems later on, when they may be more time consuming and expensive for the applicant to address, and we would strongly recommend that the Applicant contacts the Area Rights of Way Officer via [PROW.east@suffolk.gov.uk](mailto:PROW.east@suffolk.gov.uk) to discuss their plans. More information about Public Rights of Way can be found at <https://www.suffolk.gov.uk/roads-and-transport/public-rights-of-way-insuffolk/>.

### SCC – Developer Contributions

This letter provides an update in respect of infrastructure requirements set out in my letter dated 25 August 2020 which was time-limited to six months.

Updated summary table of infrastructure requests:

CIL	Education	Capital Contribution
	- Secondary @ £23,775 per place	£95,100
	- Sixth form @ £23,775 per place	£23,775
CIL	Libraries improvements @ £216 per place	£4,752
CIL	Waste @ £124 per dwelling	£2,728
S106	Highways	Tbc
S106	Monitoring fee per obligation trigger	£412

1. Waste.

Recycling Centre – Every additional dwelling potentially accessing Portman's Walk Recycling Centre is now exacerbating the need for a new Recycling Centre on this side of Ipswich. This is becoming a more urgent priority for the Waste Service as the likely cost of a new Recycling Centre is between £3m and 5m. This is a priority site in the Waste 6 Infrastructure Strategy and budget will be identified for this purpose, however, the Waste Service may request developer contributions in this area.

A contribution of (£124 per dwelling x 22 dwellings) = £2,728 (2021 costs) is required to expand and improve Recycling Centre facilities serving the proposed development.

2. The above information is time-limited for 6 months only from the date of this letter.

### **SCC – Flood and Water Team**

Thank you for your notification of planning application DC/20/03247 for the proposed development of Sites & Cycle Paths Woolverstone To Chelmondiston, Main Road, Woolverstone received on the 6TH of August 2020 Suffolk County Council, Flood & Water Management is a statutory consultee under the Town and Country Planning Act for major applications only.

Therefore, as this is a minor application, we have no comment to make, and we would point the LPA and the applicant towards the following guidance: -

Long Term Flood Risk - <https://flood-warning-information.service.gov.uk/long-term-flood-risk>

Flood risk assessment: standing advice - <https://www.gov.uk/guidance/flood-risk-assessmentstanding-advice>

The Local Planning Authority should be mindful that the application complies with national, local policy, best practise and guidance in relation to flood risk and surface water drainage.

### **SCC – Fire and Rescue Team**

The plans have been inspected by the Water Officer who has the following comments to make.

#### **Access and Fire Fighting Facilities**

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

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

#### **Water Supplies**

Suffolk Fire and Rescue Service records show that the nearest fire hydrant in this location is over 90m from the proposed build site and we therefore recommend Suffolk be given to the potential life safety, economic, environmental and social benefits derived from the provision of an automatic fire sprinkler system. (Please see sprinkler information enclosed with this letter).

Consultation should be made with the Water Authorities to determine flow rates in all cases.

## **Internal Consultee Responses**

### **BMSDC – AONB Team**

The 5 sites are located within the setting to Suffolk Coast & Heaths AONB, within the Additional Project Area, to the nationally designated landscape. The AONB boundary runs along the northern edge of Main Road through Woolverstone.

The development has been planned and designed to respect both the high-quality character of the receiving landscape and the high-quality built character of Woolverstone.

We welcome the proposed approach to split the 22 dwellings across 5 sites: 3 sites within Woolverstone and 2 sites along Harkstead Road (Plots 4 & 5).

While the proposal will increase the amount of development within Woolverstone, the arrangement of the new dwellings particularly those along Main Road is such that the dominant built character i.e., paired cottages close to the road frontage will be repeated in the design of the new development. As well as maintaining the historic settlement pattern, it will retain important gaps in the village and also help reduce the visual dominance of the new development and enable the new dwellings to be integrated more sympathetically within the village and surrounding Project Area. We consider that with the landscape mitigation referenced in the LVIA, that sites 1-3 can be delivered without harm to the AONB and Additional Project Area.

Sites 4 and 5 sit outside the settlement boundary of Woolverstone along Harkstead Lane. The scheme proposes the delivery of 2 pairs of houses on each of these sites as additions to existing small housing clusters. Given the careful consideration paid to the design, choice of materials and siting of the dwellings on sites 4 & 5, along with landscaping proposed, we believe that these dwellings could also be delivered without harm to the Additional Project Area. This is supported by policy CS2, CS11 criteria i & ii and criteria i, ii, vii, viii, ix and x of policy CS 15 and by emerging policy LP01.

The AONB Team welcomes the biodiversity net gains proposed as part of this scheme including the new areas of open space/wildflower meadows and cycle lanes between Woolverstone, Holbrook and Chelmondiston.

The AONB team fully support the mitigation measures proposed in the Section 3 of the LVIA. The landscape proposals shown on drawings 1418-05,1418-07,1418-09,1418-11,1418-13,1418-13 and 1418-15 should be conditioned if the LPA is mindful to approve the application.

The proposed landscaping will deliver enhancements that will help conserve the special qualities identified in the Valued Landscape Report for the Suffolk Coast & Heaths Additional Project Area. These along with the ecological enhancements and proposed cycle paths will satisfy policy CR02 and help meet objectives L1, L3, CE3, LUW1 and EtA6 in the Suffolk Coast & Heaths AONB Management Plan.

### **BMSDC – Place Services Ecology**

No objection subject to securing:

- a) a proportionate financial contribution towards visitor management measures for the Stour and Orwell Estuaries SPA/Ramsar.
- b) ecological mitigation and enhancement measures

Summary

We have reviewed the Ecology Report (MHE Consulting, February 2020) relating to the likely impacts of development on designated sites, protected and Priority Species & Habitats.

We are satisfied that there is sufficient ecological information available for determination. This provides certainty for the LPA of the likely impacts on designated sites, Protected and Priority Species & Habitats and, with appropriate mitigation measures secured, the development can be made acceptable.

The mitigation measures identified in the Ecology Report (MHE Consulting, February 2020) should be secured and implemented in full. This is necessary to conserve Protected and Priority Species. As a result, it is highlighted that we agree with the conclusions of the applicant's ecologist in regard to the likely impacts of the development of upon Skylarks and approve of the proposed enhancement measures to deliver four Skylark plots.

We also recommend that a Wildlife Friendly Lighting Strategy is implemented for this application.

Therefore, technical specification should be submitted prior to occupation, which demonstrates measures to avoid lighting impacts to foraging / commuting bats, which are likely present within the local area. This should summarise the following measures will be implemented:

- Light levels should be as low as possible as required to fulfil the lighting need and directed away from bat roost compensation sites.
- Warm White lights should be used at <3000k. This is necessary as lighting which emit an ultraviolet component or that have a blue spectral content have a high attraction effects on insects. This may lead in a reduction in prey availability for some light sensitive bat species.
- The provision of motion sensors or timers to avoid the amount of 'lit-time' of the proposed lighting.
- Lights should be designed to prevent horizontal spill e.g., cowls, hoods, reflector skirts or shields.

In addition, we satisfied with the proposed compensation measures for the highlighted Priority Habitat on the sites (Hedgerows and Lowland-Mixed Deciduous Woodland), this will allow the LPA to demonstrate that it has met its biodiversity duty under s40 NERC Act 2006. Furthermore, we support the biodiversity enhancements, which have been recommended to secure significant measurable net gains for biodiversity, as outlined under Paragraph 170[d] & 175[d] of the National Planning Policy Framework 2019. The proposed native species planting, and the bespoke biodiversity enhancement measures, should be finalised within a detailed Landscape and Ecological Management Plan, to be secured as a condition of any consent. This should include a works schedule for a minimum 10 years due to proposals to create a new informal copse and Skylarks Plots. This is because the informal copse may require a longer period time to ensure successful establishment and the Skylarks plots will be required to be implemented over a 10-year period, in line with Agri-environment schemes.

We also note that this application falls within the 13km Zone of Influence (ZOI) for the Stour and Orwell Estuaries SPA & Ramsar site. Consequently, the LPA is advised that a financial contribution should be sought, in line within the Suffolk Recreational Avoidance and Mitigation Strategy (RAMS), from the residential development within the 13 km ZOI specified. This will need to be secured by a unilateral undertaking or a S.111 agreement with the local planning authority. Further information can be found on the B&MS Website: <https://www.midsuffolk.gov.uk/planning/planningpolicy/adopted-documents/babergh-district-council/habitats-mitigation/>. The LPA will also need to prepare a HRA Appropriate Assessment Record to determine any adverse effect on site integrity and secure the developer contribution for delivery of the visitor management measures at the Stour & Orwell Estuaries SPA & Ramsar site.

This will enable LPA to demonstrate its compliance with its statutory duties including its biodiversity duty under s40 NERC Act 2006.

Impacts will be minimised such that the proposal is acceptable subject to the conditions below based on BS42020:2013.

Submission for approval and implementation of the details below should be a condition of any planning consent.

Recommended conditions

#### 1. ACTION REQUIRED IN ACCORDANCE WITH ECOLOGICAL APPRAISAL RECOMMENDATIONS

“All mitigation measures and/or works shall be carried out in accordance with the details contained in the Ecology Report (MHE Consulting, July 2020) as already submitted with the planning application and agreed in principle with the local planning authority prior to determination.

This may include the appointment of an appropriately competent person e.g., an ecological clerk of works (ECoW,) to provide on-site ecological expertise during construction. The appointed person shall undertake all activities, and works shall be carried out, in accordance with the approved details.”

Reason: To conserve protected and Priority species and allow the LPA to discharge its duties under the Conservation of Habitats and Species Regulations 2017 (as amended), the Wildlife & Countryside Act 1981 as amended and s40 of the NERC Act 2006 (Priority habitats & species).

#### 2. PRIOR TO COMMENCEMENT: LANDSCAPE AND ECOLOGICAL MANAGEMENT PLAN

“A Landscape and Ecological Management Plan (LEMP) shall be submitted to, and be approved in writing by, the local planning authority prior to commencement of the development.

The content of the LEMP shall include the following:

- a) Description and evaluation of features to be managed.
- b) Locations of proposed enhancement measures by appropriate maps and plans.
- c) Ecological trends and constraints on site that might influence management.
- d) Aims and objectives of management.
- e) Appropriate management options for achieving aims and objectives.
- f) Prescriptions for management actions.
- g) Preparation of a work schedule (including an annual work plan capable of being rolled forward over a 10-year period).
- h) Details of the body or organisation responsible for implementation of the plan.
- i) Ongoing monitoring and remedial measures.

The LEMP shall also include details of the legal and funding mechanism(s) by which the long-term implementation of the plan will be secured by the developer with the management body(ies) responsible for its delivery. The plan shall also set out (where the results from monitoring show that conservation aims and objectives of the LEMP are not being met) how contingencies and/or remedial action will be identified, agreed and implemented so that the development still delivers the fully functioning biodiversity objectives of the originally approved scheme. The approved plan will be implemented in accordance with the approved details.”

Reason: To allow the LPA to discharge its duties under the Conservation of Habitats and Species Regulations 2017 (as amended), the Wildlife & Countryside Act 1981 as amended and s40 of the NERC Act 2006 (Priority habitats & species)

#### 3. PRIOR TO OCCUPATION: WILDLIFE SENSITIVE LIGHTING DESIGN SCHEME

“A lighting design scheme for biodiversity shall be submitted to and approved in writing by the local planning authority. The scheme shall identify those features on site that are particularly sensitive for bats and that are likely to cause disturbance along important routes used for foraging; and show how and

where external lighting will be installed (through the provision of appropriate technical specifications) so that it can be clearly demonstrated that areas to be lit will not disturb or prevent bats using their territory.

All external lighting shall be installed in accordance with the specifications and locations set out in the scheme and maintained thereafter in accordance with the scheme. Under no circumstances should any other external lighting be installed without prior consent from the local planning authority.”

Reason: To allow the LPA to discharge its duties under the Conservation of Habitats and Species Regulations 2017 (as amended), the Wildlife & Countryside Act 1981 as amended and s40 of the NERC Act 2006 (Priority habitats & species).

### **BMSDC – Heritage Team**

This application relates to the erection of a phased development of 22no. dwellings, the creation of cycle path links to Holbrook and Chelmondiston, improvements to Berners Hall car park, provision of public open space and landscape enhancements. The issues of Heritage Team concern focus on the impacts of the proposed development on the significance of the various designated assets within the village.

The pattern of development is fundamental to the character of a Conservation Area. In this instance the pattern of development combines with architectural coherence, sensitive scale and the relationship of built form to open space, which results in a long, low density settlement which is distinct and has been well preserved since its Victorian development.

The scheme proposed here is well considered and will ensure the rhythm of development is sustained.

The properties are well articulated and whilst on occasion rather large, will not upset the character of the Conservation Area. The relationship of Home Farm to the land will be changed – but because of its village location, and the history and evolution of the settlement, the change in its setting will not result in detriment to its significance. In terms of the impacts of the scheme on the settings of the various other listed buildings in the village, the development will be notable, but because of the use of attractive architecture, good detailing and the ‘pepper pot’ approach to siting, the development will sustain their significance.

The work will accord Ss.66 and 72 of the P(LBCA)A1990. It will also accord with Local Plan policies CN01 and CN06 - and it is for these reasons I do not object.

#### Conditions

- Sample panel of brickwork not less than 1msq to be erected and retained on site for the duration of construction. Opportunity given for the Heritage Officer to inspect – and photographs to be submitted to the LPA.
- Manufacturer’s literature for all external cladding materials to walls and roofs
- Manufacturer’s literature for rainwater goods
- Manufacturer’s literature for all windows (including garden rooms) and doors
- Detailed sections for all eaves and verges at 1:10
- Details of all boundaries and hard surfaces to driveways

### **BMSDC – Place Services Landscape**

The application site area is within the hinterland village of Woolverstone and falls within Suffolk Coast & Heaths Project Area and Conservation Area. To the north is the Suffolk Coast and Heaths AONB area. Any new development should be designed to meet the requirements of policies CR02, CS2, CS15 and CS11.

The proposed development has been dispersed across 5 sites within the village of Woolverstone and has been designed to minimise its visual impact and to be integrated with the existing historic settlement pattern. The retention of key gaps in built form and retention of key views connecting to the wider rural landscape are welcome.

We also welcome the landscape mitigation proposed as part of this scheme including new areas of open space, wildflower meadows, hedgerows and native specimen trees. These contribute towards biodiversity net gains and ensures that the landscape and visual impact of the new development is managed appropriately.

We are in support of the findings and recommendations included in the LVA report and we will require that the mitigation measures identified on section 3 of the LVA are implemented fully as part of the development proposal to satisfy the relevant policies above and to deliver a development which successfully responds and integrates with the character of the village and the landscape character.

If the application is mindful for approval, the following landscape conditions will be required:

**ACTION REQUIRED PRIOR TO COMMENCEMENT OF DEVELOPMENT: SOFT LANDSCAPE PLAN.**

No development shall take place until there has been submitted to and approved, in writing, by the Local Planning Authority a scheme of soft landscaping for the site, which shall include any proposed changes in ground levels and also accurately identify spread, girth and species of all existing trees, shrubs and hedgerows on the site and indicate any to be retained, together with measures for their protection which shall comply with the recommendations set out in the British Standards Institute publication BS 5837:2012 Trees in relation to design, demolition and construction. The soft landscaping plan should also include plant species, quantity, location and sizes of the proposed planting. The plans should clearly show the position of new fencing and gates in relation to existing and proposed planting.

**ACTION REQUIRED PRIOR TO COMMENCEMENT OF DEVELOPMENT: LANDSCAPE MANAGEMENT PLAN.**

No development shall take place until there has been submitted to and approved, in writing, by the Local Planning Authority a landscape management plan and work schedule for a minimum of 5 years, including both new and existing planting.

**ACTION REQUIRED PRIOR TO COMMENCEMENT OF DEVELOPMENT: HARD LANDSCAPE PLAN.**

No development shall take place until there has been submitted to and approved, in writing, by the Local Planning Authority a scheme of hard landscaping for the site. These details shall include proposed finished levels and contours showing earthworks and mounding; surfacing materials; means of enclosure; car parking layouts; other vehicle and pedestrian access and circulation areas; hard surfacing materials; minor artefacts and structures (for example furniture, play areas and equipment, refuse and/or other storage units, signs, lighting and similar features); proposed and existing functional services above and below ground (for example drainage, power, communications cables and pipelines, indicating lines, manholes, supports and other technical features).

**BMSDC – Environmental Protection Contamination**

Many thanks for your request for comments in relation to the above application. Having reviewed the application and supporting ground investigation by JP Chick I can confirm that I have no objection to the proposed development from the perspective of land contamination. I would only request that the LPA are contacted in the event of unexpected ground conditions being encountered during construction and that the below minimum precautions are undertaken until such time as the LPA responds to the notification. I would also advise that the developer is made aware that the responsibility for the safe development of the site lies with them.

## BMSDC – Strategic Housing Team

### 1. Background Information

- This is an outline development proposal for up to 22 dwellings.
- This development proposal triggers an affordable housing contribution under current local planning policy of 35%, based on 65 dwellings this equates to 7.7 (8) dwellings.
- The scheme only proposes 2 affordable homes which would only equate to 9.09% affordable housing.

### 2. Housing Need Information:

2.1 The Ipswich Housing Market Area, Strategic Housing Market Assessment (SMHA) document, updated in 2019, confirms a continuing need for housing across all tenures and a growing need for affordable housing.

2.2 The 2019 SHMA indicates that in Babergh there is a need for 110 new affordable homes per annum.

2.3 The Council's 2014 Suffolk Housing Needs Survey shows that there is high demand for smaller homes, across all tenures, both for younger people, who may be newly forming households, and also for older people who are already in the property-owning market and require different, appropriate housing, enabling them to downsize. Affordability issues are the key drivers for this increased demand for smaller homes.

2.4 The Council's Choice Based Lettings system currently has circa 844 applicants registered for affordable housing in Babergh in May 2020.

2.5 The Council's Choice Based Lettings system currently has:

<b>CBL Data 2020 – Housing Need</b>				
	Over 55	Code 2 Adaptions	Code 3 Adaptions	Total
<b>CHELMONDISTON</b>	2		1	6
<b>WOOLVERSTONE</b>	2	1		4
<b>HOLBROOK</b>	6	1	2	15

2.6 This site is a S106 planning obligation site so the affordable housing provided will be to meet district wide need hence the 844 applicants registered is the important number.

### 3. Preferred Mix for Open Market homes.

3.1 The open market needs to address the growing demand for smaller homes for sale, both for younger people who may be newly forming households, but also for older people who are already in the property-owning market and require appropriate housing enabling them to downsize.

3.2 With an ageing population, both nationally and locally new homes should, wherever possible, be built to Building Regulation Part M (4) Category 2 standards and this can include houses, apartments and bungalows. Built to this standard will help our ageing population to remain in their homes for longer.

3.3 There is strong demand for one and two-bedroom flats/apartments and houses. Developers should consider flats/apartments that are well specified with good size rooms to encourage downsizing amongst older people, provided these are in the right location for easy access to facilities. Older people have also expressed their desire for chalet bungalows of one and a half storey. There is also a demand for smaller terraced and semi-detached houses suitable for all age groups. This application does not provide any indicative layout in terms of type and tenure.

3.4 Broadband and satellite facilities as part of the design for all tenures should be standard to support.

3.5 All new properties need to have high levels of energy efficiency.

3.6 The applicant is expected to have due regard to table 4.4c from the SHMA 2019 in terms of the proportion of 1,2, 3, 4 bed + homes for the open market sale homes.

Table 4.4c Size of new owner-occupied accommodation required in Babergh over the next 18 years.

Size of home	Current size profile	Size profile 2036	Change required	% of change required
One bedroom	598	1,183	585	12.2%
Two bedrooms	5,037	6,765	1,729	36.1%
Three bedrooms	12,327	13,774	1,447	30.2%
Four or more bedrooms	10,065	11,098	1,033	21.5%
Total	28,026	32,820	4,794	100.0%

#### 4. Preferred Affordable Housing Mix:

4.1 This scheme should provide an affordable contribution of 35% = 8 affordable housing dwellings. However, the scheme proposes a 9.09% which equates to 2 affordable homes. The current registered highest district housing need by bedroom size is for 1- and 2-bedroom homes followed by a smaller need for 3+ bedrooms.

The following mix is recommended:

- 6 Affordable rented dwellings =  
2 x 2b x 4p houses @ 79sqm minimum  
4 x 3b x 6p houses @ 102sqm minimum
- 2 Shared Ownership dwellings =  
1 x 2b x 4p houses @ 79sqm minimum  
1 x 3b x 5p houses @ 93sqm minimum

As this the open market dwellings will be built over 5 sites, we would welcome the chance to discuss the proposals in detail especially as consideration needs to be made to the best placed locality of the affordable housing dwellings.

#### 5. Other requirements for affordable homes:

- Properties must be built to current Homes England and Nationally Described Space Standards March 2015.
- It is recommended that ground floor flats have a level access shower.

- The council is granted 100% nomination rights to all the affordable units on initial lets and 100% on subsequent lets.
- The Council will not support a bid for Homes England grant funding on the affordable homes delivered as part of an open market development. Therefore, the affordable units on that part of the site must be delivered grant free.
- The location and phasing of the affordable housing units must be agreed with the Council to ensure they are integrated within the proposed development according to current best practice. On larger sites such as this one, the affordable housing should not be placed in groups of more than 15 units.
- Standard triggers points as set out below to be included in the S106: -
  - (a) Not Occupy or permit Occupation of more than fifty per cent (50%) (rounded up to the nearest whole Dwelling) Market Housing Units in each Phase until fifty per cent (50% ) of the Affordable Housing Units for that Phase have been constructed and are ready for Occupation and have been transferred to the Registered Provider; and
  - (b) Not Occupy or permit Occupation of more than eight per cent (8%) (rounded up to the nearest whole Dwelling) Market Housing Units in each Phase until all of the Affordable Housing Units for that Phase have been constructed and are ready for Occupation and have been transferred to the Registered Provider
- Adequate parking and cycle storage provision is made for the affordable housing units adjacent to the dwellings.
- Properties must be tenure blind.
- It is preferred that the affordable units are transferred freehold to one of Babergh's partner Registered Providers and for the avoidance of doubt this could include the Council itself.

## **BMSDC – Public Realm**

Public Realm support what is considered to be an appropriate proposal in this location. The gifting of the new informal open spaces to the parish to retain local management is welcomed.

### **B: Representations**

At the time of writing this report at least 41 letters/emails/online comments have been received. It is the officer opinion that this represents 40 objections and 1 general comment. A verbal update shall be provided as necessary.

Views are summarised below:-

- rear gardens backing onto cycle lanes would be exposed to the public and would result in a loss of privacy and susceptible to trespass and burglary
- loss of countryside view
- tree planting would lead to loss of light
- no demand for new housing
- impact on road network would cause highway safety issues
- design of properties not in-keeping with the area
- the developments would detract and degrade the open aspect and gaps in the streetscene
- cycle path is not sustainable because it is not finished with tarmac
- issues around landownership for the cycle paths
- additional pollution from motor vehicles
- loss of agricultural land
- impact on the conservation area

- loss of wildlife habitat
- loss of open space and “joining up” of developments and settlements
- number of dwellings is not proportionate to size of village
- impact on the AONB
- bus service is poor

(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**

No relevant history.

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

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

- 1.1 The application site covers a large area which includes the villages of Freston and Woolverstone. Five separate sites for housing are proposed, three along the Main Road through Woolverstone and two further sites in Harkstead Lane.
- 1.2 None of the sites are within the Suffolk Coast and Heaths Area of Outstanding Natural Beauty but the ones in Main Road are adjacent to the AONB. The site is wholly within the Suffolk Coast and Heaths AONB project Area.
- 1.3 Much of Woolverstone is within a Conservation Area. Woolverstone is an estate village and was built around Woolverstone Hall, a Grade I Listed manor house sitting on the banks of the River Orwell in extensive grounds. The Hall sits on the northern side of the Main Road; however, because of some estate cottages being located on the southern side of Main Road, the Conservation Area extends to a thin slither on the southern side of the road, which takes in these buildings which are linked with the Hall. Harkstead Lane is not included within the Conservation Area.
- 1.4 Listed Buildings along Main Road include Home Farm at the western end of the village, the Berners Hall, 15-20 Main Road and Woolverstone Hall Walled Garden. These are all Grade II Listed buildings. The estate cottages, which are mainly semi-detached are considered to be non-designated heritage assets.
- 1.5 The land is classed as Grade 2 agricultural land. Grade 2 land is very good quality agricultural land which is capable of consistently producing moderate to high yields of a narrow range of arable crops.

### **2.0 The Proposal**

- 2.1 22 new dwellings are proposed over five separate sites.

Site 1  
6 x 3 bed semi-detached dwellings

Site 2

4 x 2 bed semi-detached dwellings

Site 3

2 x 1 bed semi-detached dwelling

2 x 2 bed semi-detached dwelling

Site 4

4 x 3 bed semi-detached dwellings

Site 5

4 x 3 bed semi-detached dwellings

2.2 Floorspace is shown in the tables below

<u>SCHEDULE OF ACCOMODATION - SITE 1</u>				
Plot no.	House Type	No. bedrooms	House GIA (m <sup>2</sup> )	Garage GIA (m <sup>2</sup> )
Plot 1	A	3	122	27
Plot 2	A	3	122	27
Plot 3	A	3	122	27
Plot 4	A	3	122	27
Plot 5	A	3	122	27
Plot 6	A	3	122	27
<u>Total</u>			<u>732</u>	<u>162</u>

<u>SCHEDULE OF ACCOMODATION - SITE 2</u>				
Plot no.	House Type	No. bedrooms	House GIA (m <sup>2</sup> )	Garage GIA (m <sup>2</sup> )
Plot 1	B(1)	2	100	27
Plot 2	B(1)	2	100	27
Plot 3	B(2)	2	80	-
Plot 4	B(2)	2	80	-
<u>Total</u>			<u>360</u>	<u>54</u>

<u>SCHEDULE OF ACCOMODATION - SITE 3</u>				
Plot no.	House Type	No. bedrooms	House GIA (m <sup>2</sup> )	Garden Store GIA (m <sup>2</sup> )
Plot 1	C	2	95	5
Plot 2	D	1	51	4
Plot 3	C	1	51	4
Plot 4	D	2	95	5
<u>Total</u>			<u>292</u>	<u>18</u>

<u>SCHEDULE OF ACCOMODATION - SITE 4</u>				
Plot no.	House Type	No. bedrooms	House GIA (m <sup>2</sup> )	Garage GIA (m <sup>2</sup> )
Plot 1	E	3	132	27
Plot 2	E	3	132	27
Plot 3	E	3	132	27
Plot 4	E	3	132	27
<u>Total</u>			<u>528</u>	<u>108</u>

<u>SCHEDULE OF ACCOMODATION - SITE 5</u>				
Plot no.	House Type	No. bedrooms	House GIA (m <sup>2</sup> )	Garage GIA (m <sup>2</sup> )
Plot 1	E	3	132	45
Plot 2	E	3	132	27
Plot 3	E	3	132	27
Plot 4	E	3	132	45
<u>Total</u>			<u>528</u>	<u>144</u>

- 2.3 Most dwellings would have a garage. There are two dwellings on Site 2 that have open air parking. On Site 3 all properties would have open air parking with garden stores provided. The number of parking spaces meets the current Suffolk Parking Standards. The Highway Authority has not raised any concerns over the number or sizes of parking spaces provided.
- 2.4 Woolverstone has a relatively loose pattern of development with gaps in the streetscene. The pattern of development is linear along Main Road with good spacing between properties. Dwellings, particularly older properties, have large gardens adding to the sense of space. Dwellings tend to be detached or semi-detached which reflects the estate-style housing

associated with Woolverstone Hall. The proposed dwellings reflect this distinctive character and proposes all dwellings to be semi-detached. Although the spacing is smaller than the existing, by modern day standards, the spacing is generous and considered to be acceptable.

- 2.5 Four house types are proposed over the 5 sites and comprise single-storey, one-and-a-half-storey and two-storey dwellings.
- 2.6 All of the dwellings are fronting the public highway and are in linear form. Therefore, overlooking is not an issue of this application. The exception is Site 3 which is single-storey. The semi-detached bungalows are an L-shape and, therefore, two of the dwellings are set back from the road but attached to those fronting the highway.
- 2.7 The proposed materials would be traditional in appearance with the use of handmade soft red bricks, timber weatherboarding with a grey-stained finish and handmade clay peg tiles. Weathered zinc is proposed for valleys, flat roofs parapet capping and chimney. Windows and doors would be of powder-coated aluminium. Rainwater goods would be galvanised steel.
- 2.8 The site area is large because it takes into consideration the cycleways which are included in this application. The site area is 3.97Ha.

### **3.0 Policy Context**

- 3.1 Babergh has a 6.64-year residential land supply. This position does not engage paragraph 11d of the NPPF.
- 3.2 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.
- 3.3 The age of policies itself does not cause them to cease to be part of the development plan or become “out of date” as identified in paragraph 213 of the NPPF.
- 3.4 Even if policies are considered to be out of date, that does not make them irrelevant; their weight is not fixed, and the weight to be attributed to them is within the remit of the decision taker. There will be many cases where restrictive policies are given sufficient weight to justify refusal despite their not being up to date.
- 3.5 Also, as required by paragraph 213 of the NPPF, the weight attributed to development plan policies should be according to their degree of consistency with the NPPF. The closer the aims of a policy are to the NPPF, the greater the weight that can be attributed to them.
- 3.6 Policy CS1 ‘Applying the Presumption in favour of Sustainable Development in Babergh’ is in-step with paragraph 11(d) of the NPPF, even though the policy’s wording was based on the earlier 2012 NPPF. This policy is therefore afforded full weight. Policy CS11 is considered to be consistent with the aims of the NPPF, in particular with regard to the need for development to respond positively to local circumstances which is consistent with paragraph 77 of the NPPF, and therefore has full weight. Policy CS15 sets out desirable characteristics for development which are based upon the principles of sustainable development which is also consistent with the NPPF and given full weight. Both policies CS11 and CS15 accord with the NPPF, particularly in relation to paragraphs 77 and 78 of the NPPF relating to rural housing, locally identified needs and

promoting sustainable development in rural areas, paragraph 103 relating to limiting the need to travel and offering a genuine choice of transport modes, paragraph 127 to achieve well-designed places and paragraph 170 to contribute to and enhance the natural and local environment.

3.7 Policy CS2 'Settlement Pattern Policy' designates Woolverstone as a Hinterland Village. Freston does not have a Built-Up Area Boundary and is therefore classed as "Countryside". Policy CS2 requires that outside of the settlement boundary, development will only be permitted in exceptional circumstances subject to a proven justified need. This blanket approach is not entirely consistent with the NPPF, which favours a more balanced approach to decision-making. The NPPF does contain a not dissimilar exceptional circumstances test, set out at paragraph 79, however it is only engaged where development is isolated. For the reasons set out in this report, the development is not isolated. Paragraph 79 of the NPPF is not engaged.

3.8 In the absence of an up-to-date allocations document and given the delay in the settlement boundaries review since the last local plan was adopted in 2006, coupled with the fact that its exceptional circumstances test is not wholly consistent with the NPPF, the policy cannot be given full weight. However, its overall strategy is appropriate in taking a responsible approach to spatial distribution, requiring the scale and location of new development to take into account local circumstances and infrastructure capacity. These elements are considered to be consistent with the NPPF and, therefore, the policy is given substantial weight.

3.9 Policy CS11 requires proposals to score positively against the following criteria:

i) the landscape, environmental and heritage characteristics of the village; **The proposal is considered to be acceptable in landscape, environmental and heritage terms. Please see the relevant sections of the report below.**

ii) the locational context of the village and the proposed development (particularly the AONBs, Conservation Areas, and heritage assets); **The proposal is considered to be acceptable, as a whole, in terms of impact on the AONB, Conservation Area and heritage assets. Please see the relevant sections of the report below.**

iii) site location and sequential approach to site selection; **Not all of the sites are policy compliant.**

iv) locally identified need - housing and employment, and specific local needs such as affordable housing; **Please see the relevant sections below on housing need. Two affordable dwellings are proposed for this development. It is noted that if the individual sites had come in separately, no affordable housing contribution would have been due because each site does not reach the threshold for the contribution. The applicant has offered two affordable dwellings and also provided a viability assessment which has been scrutinised by the District Valuer. The District Valuer concluded:**

**"Following a review of the viability assessment undertaken by Savills the key differences are:**

- 1) Benchmark Land Value**
- 2) Lower build costs due to BCIS rates adopted.**

**On the basis of our Stage 2 assessment, following a review of the construction costs having received additional comments from the applicants, I'm of the view that the all**

private scheme is marginally viable whilst the scheme with 2 affordable units is not viable with a deficit of approx. £142,000.

However, on the basis that the applicant is offering the 2 affordable units as part of the proposed scheme I would recommend that the Council give this serious consideration taking account of the revised viability of the scheme.”

v) locally identified community needs; **No community needs assessment accompanied the application. This is not fatal to the application because of the scale of development proposed and the public benefits that are included in the application. These benefits include cycle paths to join Woolverstone with Chelmondiston and Holbrook, a new car park for the village and a public open space.**

vi) cumulative impact of development in the area in respect of social, physical and environmental impacts. **The 22 dwellings have been split into five sites. The impact therefore covers a large area and lessens the impact in physical appearance. Environmental impacts are mitigated through the inclusion of electrical charging points for motor vehicles, landscape improvement and biodiversity enhancements.**

3.10 Policy CS11 requires that proposals must score positively against the following criteria for Hinterland Villages:

#### **Site 1**

i) is well designed and appropriate in size / scale, layout and character to its setting and to the village; **the site comprises 6 x semi-detached dwellings in a linear form. The dwellings are one-and-a-half-storey in height and are of materials that are widely used in Woolverstone. The scale, layout and character are considered to be in-keeping with the village.**

ii) is adjacent or well related to the existing pattern of development for that settlement; **this site is technically within the Parish of Freston. However, the site relates more to Woolverstone, where the pedestrian footway along the public highway, which runs the length of Woolverstone village, finishes at the neighbouring property. The site is just within the 30MPH speed limit of Woolverstone village. The two pairs of semi-detached dwellings adjacent to the site are not within the BUAB but form a small cluster of buildings with Home Farm to the north of the site. Site 1 fails to score well against this criterion.**

iii) meets a proven local need, such as affordable housing or targeted market housing identified in an adopted community local plan / neighbourhood plan; **A basic Local Needs Assessment accompanied the application. The Assessment stated, “Woolverstone Parish Council carried out a Village Survey in 2016, as part of preparations for a Neighbourhood Plan. 84 questionnaires were completed, representing 187 residents of Woolverstone. This covered a number of topics, including future development. A clear view given was that only very limited development was desired, between 5 and 10 houses over the next 15 years. If development was permitted, 1- and 2-bedroom houses were most desired, with 4 bedroom and ‘Housing Association’ dwellings least desired.” Babergh Has identified a need for smaller, more affordable, dwellings within the district, which include single-storey dwellings for older or less able-bodied residents. This proposal includes 2 x 1-bed bungalows, 2 x 2-bed bungalows and houses that are 2 and 3 bedrooms. No four-bedroom properties have been proposed. This is in-line with the 2016 survey that Woolverstone undertook.**

iv) supports local services and/or creates or expands employment opportunities; **Woolverstone does not have any facilities other than a village hall (Berners Hall), private school, yacht club and the church. However, the proposal includes cycle paths which will link Woolverstone with Chelmondiston and Holbrook, which both have a range of facilities which includes schools, doctor's surgery, shops and public houses. It is likely that residents will support these facilities in the nearby villages which, in turn, will safeguard and create employment opportunities. Employment of trades people will also be provided during the development of the sites.**

v) does not compromise the delivery of permitted or identified schemes in adopted community / village local plans within the same functional cluster. **The development is not considered to compromise the delivery of any other scheme in Woolverstone. Woolverstone does not have a Neighbourhood Plan which identifies land for development.**

## **Site 2**

i) is well designed and appropriate in size / scale, layout and character to its setting and to the village; **The site comprises 4 x semi-detached dwellings in a linear form. The dwellings are one-and-a-half-storey in height and are of materials that are widely used in Woolverstone. The scale, layout and character are considered to be in-keeping with the village.**

ii) is adjacent or well related to the existing pattern of development for that settlement; **The site is outside of the BUAB but the dwellings on the opposite side of the road are within the BUAB. The pedestrian footway along the public highway, which runs the length of Woolverstone village, is opposite the site. The site is within the 30MPH speed limit of Woolverstone village. Site 2 is considered to relate to the dwellings opposite and also the two pairs of semi-detached dwellings to the west of the site.**

iii) meets a proven local need, such as affordable housing or targeted market housing identified in an adopted community local plan / neighbourhood plan; **Woolverstone does not have a Neighbourhood Plan. A basic Local Needs Assessment accompanied the application. The Assessment stated, "Woolverstone Parish Council carried out a Village Survey in 2016, as part of preparations for a Neighbourhood Plan. 84 questionnaires were completed, representing 187 residents of Woolverstone. This covered a number of topics, including future development. A clear view given was that only very limited development was desired, between 5 and 10 houses over the next 15 years. If development was permitted, 1 and 2-bedroom houses were most desired, with 4 bedroom and 'Housing Association' dwellings least desired." Babergh Has identified a need for smaller, more affordable dwellings within the district, which include single-storey dwellings for older or less able-bodied residents. This proposal includes 2 x 1-bed bungalows, 2 x 2-bed bungalows and houses that are 2 and 3 bedrooms. No four-bedroom properties have been proposed. This is in-line with the 2016 survey that Woolverstone undertook.**

iv) supports local services and/or creates or expands employment opportunities; **Woolverstone does not have any facilities other than a village hall (Berners Hall), private school, yacht club and the church. However, the proposal includes cycle paths which will link Woolverstone with Chelmondiston and Holbrook, which both have a range of facilities which includes schools, doctor's surgery, shops and public houses. It is likely that residents will support these facilities in the nearby villages which in term will safeguard and create employment opportunities. Employment of trades people will also be provided during the development of the sites.**

v) does not compromise the delivery of permitted or identified schemes in adopted community / village local plans within the same functional cluster. **The development is not considered to compromise the delivery of any other scheme in Woolverstone. Woolverstone does not have a Neighbourhood Plan which identifies land for development.**

### Site 3

i) is well designed and appropriate in size / scale, layout and character to its setting and to the village; **The site comprises 4 x semi-detached dwellings in a linear form. The dwellings are single-storey in height and are of materials that are widely used in Woolverstone. The scale, layout and character are considered to be in-keeping with the village. This site also includes a car park for the village hall (Berners Hall) and a public open space. The single-storey dwellings reflect the single-storey village hall and also respect the Alms-houses that are adjacent to the eastern side of the site.**

ii) is adjacent or well related to the existing pattern of development for that settlement; **The site is outside of the BUAB but sits between two areas of the BUAB and would join the two together. The pedestrian footway along the public highway runs the length of Woolverstone village and is in front of the site. The site is within the 30MPH speed limit of Woolverstone village. Site 3 is considered to relate to the village the best out of all of the sites.**

iii) meets a proven local need, such as affordable housing or targeted market housing identified in an adopted community local plan / neighbourhood plan; **Woolverstone does not have a Neighbourhood Plan. A basic Local Needs Assessment accompanied the application. The Assessment stated, "Woolverstone Parish Council carried out a Village Survey in 2016, as part of preparations for a Neighbourhood Plan. 84 questionnaires were completed, representing 187 residents of Woolverstone. This covered a number of topics, including future development. A clear view given was that only very limited development was desired, between 5 and 10 houses over the next 15 years. If development was permitted, 1- and 2-bedroom houses were most desired, with 4 bedroom and 'Housing Association' dwellings least desired." Babergh Has identified a need for smaller, more affordable dwellings within the district, which include single-storey dwellings for older or less able-bodied residents. This proposal includes 2 x 1-bed bungalows, 2 x 2 bed-bungalows and houses that are 2 and 3 bedrooms. No four-bedroom properties have been proposed. This is in-line with the 2016 survey that Woolverstone undertook.**

iv) supports local services and/or creates or expands employment opportunities; **Woolverstone does not have any facilities other than a village hall (Berners Hall), private school, yacht club and the church. However, the proposal includes cycle paths which will link Woolverstone with Chelmondiston and Holbrook, which both have a range of facilities which includes schools, doctor's surgery, shops and public houses. It is likely that residents will support these facilities in the nearby villages which in term will safeguard and create employment opportunities. Employment of trades people will also be provided during the development of the sites.**

v) does not compromise the delivery of permitted or identified schemes in adopted community / village local plans within the same functional cluster. **The development is not considered to compromise the delivery of any other scheme in Woolverstone. Woolverstone does not have a Neighbourhood Plan which identifies land for development.**

### Site 4

i) is well designed and appropriate in size / scale, layout and character to its setting and to the village; **The site comprises 4 x semi-detached dwellings in a linear form. The dwellings are two-storey in height and are of materials that are widely used in Woolverstone. The scale, layout and character are considered to be in-keeping with the village and also Harkstead Lane.**

ii) is adjacent or well related to the existing pattern of development for that settlement; **The site is outside of the BUAB and is located in Harkstead Lane. This is detached from the village. There are a small number of dwellings on Harkstead Lane, and this site is north of one of the clusters. The site does not score positively against this criterion.**

iii) meets a proven local need, such as affordable housing or targeted market housing identified in an adopted community local plan / neighbourhood plan; **Woolverstone does not have a Neighbourhood Plan. A basic Local Needs Assessment accompanied the application. The Assessment stated, "Woolverstone Parish Council carried out a Village Survey in 2016, as part of preparations for a Neighbourhood Plan. 84 questionnaires were completed, representing 187 residents of Woolverstone. This covered a number of topics, including future development. A clear view given was that only very limited development was desired, between 5 and 10 houses over the next 15 years. If development was permitted, 1- and 2-bedroom houses were most desired, with 4 bedroom and 'Housing Association' dwellings least desired." Babergh Has identified a need for smaller, more affordable dwellings within the district, which include single-storey dwellings for older or less able-bodied residents. This proposal includes 2 x 1-bed bungalows, 2 x 2-bed bungalows and houses that are 2 and 3 bedrooms. No four-bedroom properties have been proposed. This is in-line with the 2016 survey that Woolverstone undertook.**

iv) supports local services and/or creates or expands employment opportunities; **Woolverstone does not have any facilities other than a village hall (Berners Hall), private school, yacht club and the church. However, the proposal includes cycle paths which will link Woolverstone with Chelmondiston and Holbrook, which both have a range of facilities which includes schools, doctor's surgery, shops and public houses. It is likely that residents will support these facilities in the nearby villages which in term will safeguard and create employment opportunities. Employment of trades people will also be provided during the development of the sites.**

v) does not compromise the delivery of permitted or identified schemes in adopted community / village local plans within the same functional cluster. **The development is not considered to compromise the delivery of any other scheme in Woolverstone. Woolverstone does not have a Neighbourhood Plan which identifies land for development.**

## **Site 5**

i) is well designed and appropriate in size / scale, layout and character to its setting and to the village; **The site comprises 4 x semi-detached dwellings in a linear form. The dwellings are two storey in height and are of materials that are widely used in Woolverstone. The scale, layout and character are considered to be in-keeping with the village and also Harkstead Lane.**

ii) is adjacent or well related to the existing pattern of development for that settlement; **The site is outside of the BUAB and is located in Harkstead Lane. This is detached from the village.**

**There are a small number of dwellings on Harkstead Lane, and this site sits between two clusters. The site does not score positively against this criterion.**

iii) meets a proven local need, such as affordable housing or targeted market housing identified in an adopted community local plan / neighbourhood plan; **Woolverstone does not have a Neighbourhood Plan. A basic Local Needs Assessment accompanied the application. The Assessment stated, "Woolverstone Parish Council carried out a Village Survey in 2016, as part of preparations for a Neighbourhood Plan. 84 questionnaires were completed, representing 187 residents of Woolverstone. This covered a number of topics, including future development. A clear view given was that only very limited development was desired, between 5 and 10 houses over the next 15 years. If development was permitted, 1- and 2-bedroom houses were most desired, with 4 bedroom and 'Housing Association' dwellings least desired." Babergh Has identified a need for smaller, more affordable dwellings within the district, which include single-storey dwellings for older or less able-bodied residents. This proposal includes 2 x 1-bed bungalows, 2 x 2-bed bungalows and houses that are 2 and 3 bedrooms. No four-bedroom properties have been proposed. This is in-line with the 2016 survey that Woolverstone undertook.**

iv) supports local services and/or creates or expands employment opportunities; **Woolverstone does not have any facilities other than a village hall (Berners Hall), private school, yacht club and the church. However, the proposal includes cycle paths which will link Woolverstone with Chelmondiston and Holbrook, which both have a range of facilities which includes schools, doctor's surgery, shops and public houses. It is likely that residents will support these facilities in the nearby villages which in term will safeguard and create employment opportunities. Employment of trades people will also be provided during the development of the sites.**

v) does not compromise the delivery of permitted or identified schemes in adopted community / village local plans within the same functional cluster. **The development is not considered to compromise the delivery of any other scheme in Woolverstone. Woolverstone does not have a Neighbourhood Plan which identifies land for development.**

3.11 Sites 2 and 3 are considered to score reasonably well against policy CS11, but sites 1, 4 and 5 less so on some points. Policy CS15 has a long list of criteria, some of which do not apply to this proposal. The points that do apply are:

i) respects the landscape, streetscape, heritage assets because of the design of the dwellings and the quality materials that have been chosen to finish the dwellings.

ii) The proposal is considered to make a positive contribution to the local character of the area by reflecting the type and design of the estate cottages within Woolverstone, which is an important part of the village character.

iv) Although some of the sites are outside of the main village, both existing footpaths and the proposed cycle paths link all of the sites to the village and also to Chelmondiston and Holbrook for more services.

v) Woolverstone is a small village, and the proposal includes public open space and also additional car parking for the village hall. These are considered to be enhancements for the village.

vi) Four bungalows are proposed as part of the development. These are considered to be a benefit to the village and would allow older people to stay in the village if they wished to downsize from larger properties. The cycle paths would provide access to facilities either by bicycle or foot to the nearby villages that have more facilities to offer.

vii) Enhancement to biodiversity form part of this application with swift boxes built into dwellings and also landscaping providing more habitat for protected and priority species.

viii) High levels of insulation will be a requirement of Building Regulations. Electric car charging points are proposed for dwelling and cycle paths will encourage existing and future residents to use green means of travel.

ix) public open space forms part of this application.

x) Cycle paths form part of this application and are considered to provide opportunities for exercise. A RAMS contribution is required for this development to help protect the Orwell and Stour Rivers Estuary. Enhancements to biodiversity form part of this application.

xvi) The proposal includes four bungalows making the development accessible for people with mobility impairments. The additional car parking for the village also makes this facility more accessible for people who are unable to walk from their homes.

xviii) The application seeks to minimise the need to travel by car by introducing cycle paths to the village.

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

4.1 The proposed development spreads across two Parishes: Woolverstone and Freston. Although Site 1 is technically within the Parish of Freston, it is more associated with Woolverstone in terms of its connection.

4.2 All of the sites are outside of the defined Built Up Area Boundary. Woolverstone is classed as a Hinterland Village in Policy CS2. The village has limited facilities for local residents. However, the villages of Chelmondiston and Holbrook have a wide range of facilities to offer. The proposal includes cycle paths that link Woolverstone with Chelmondiston and Holbrook.

#### **5.0 Site Access, Parking and Highway Safety Considerations**

5.1 Objectors and the Parish Council have raised concerns about Harkstead Lane because it is a single lane road. Objections were also raised on additional traffic impacting road users at peak times. The SCC Highway Authority has raised no concerns about the development on congestion, safety or parking.

5.2 Concerns have been raised by SCC Public Rights of Ways. Some of the cycle paths are to run alongside public footpaths, which may result in conflict between pedestrians and cyclists. However, since the last consultation response was received, further clarification has been received that the two passages would be separate, and a hedgerow planted between the two.

#### **6.0 Design and Layout**

6.1 The layout, design and materials of the proposed dwellings are considered to reflect the existing pattern of development within the village. Each site is located on the road frontage, in a linear

pattern. All of the dwellings are semi-detached and reflect the strong rhythm of the village and the estate cottages. All dwellings have gardens and parking within their sites.

- 6.2 The design of the dwellings is traditional and fits nicely into the street-scene. Steep roof pitches, dormer windows, brick detailing above windows and chimneys are all traditional features that are widely seen within the village.
- 6.3 The materials that have been chosen to reflect the village setting and would further enhance the appearance of the proposed dwellings.

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

- 7.1 The 5 sites are located within the setting of the Suffolk Coast & Heaths AONB, within the Additional Project Area, to the nationally-designated landscape. The AONB boundary runs along the northern edge of Main Road through Woolverstone.
- 7.2 The development has been planned and designed to respect both the high-quality character of the receiving landscape and the high-quality built character of Woolverstone.
- 7.3 The AONB Team welcomes the proposed approach to split the 22 dwellings across 5 sites: 3 sites within Woolverstone and 2 sites along Harkstead Road (Plots 4 & 5).
- 7.4 While the proposal would increase the amount of development within Woolverstone, the arrangement of the new dwellings particularly those along Main Road is such that the dominant built character i.e., paired cottages close to the road frontage, would be repeated in the design of the new development. As well as maintaining the historical settlement pattern, it would retain important gaps in the village and also help reduce the visual dominance of the new development and enable the new dwellings to be integrated more sympathetically within the village and surrounding Project Area. It is considered that, with the landscape mitigation referenced in the LVIA, sites 1-3 can be delivered without harm to the AONB and Additional Project Area.
- 7.5 Sites 4 and 5 sit outside the settlement boundary of Woolverstone along Harkstead Lane. The scheme proposes the delivery of 2 pairs of houses on each of these sites as additions to existing small housing clusters. Given the careful consideration paid to the design, choice of materials and siting of the dwellings on sites 4 & 5, along with landscaping proposed, it is felt that these dwellings could also be delivered without harm to the Additional Project Area. This is supported by policy CS2, CS11 criteria i & ii and criteria i, ii, vii, viii, ix and x of policy CS 15 and by emerging policy LP01.
- 7.6 The AONB Team welcomes the biodiversity net gains proposed as part of this scheme including the new areas of open space/wildflower meadows and cycle lanes between Woolverstone, Holbrook and Chelmondiston.
- 7.7 The AONB team also fully support the mitigation measures proposed in Section 3 of the LVIA. The landscape proposals shown on drawings 1418-05,1418-07,1418-09,1418-11,1418-13,1418-13 and 1418-15 will be conditioned if the application is approved.
- 7.8 The proposed landscaping would deliver enhancements that would help conserve the special qualities identified in the Valued Landscape Report for the Suffolk Coast & Heaths Additional Project Area. These along with the ecological enhancements and proposed cycle paths will satisfy policy CR02 and help meet objectives L1, L3, CE3, LUW1 and EtA6 in the Suffolk Coast & Heaths AONB Management Plan.

- 7.9 The Landscape Officer is in agreement with these comments.
- 7.10 Our Ecologist has reviewed the Ecology Report (MHE Consulting, February 2020) relating to the likely impacts of development on designated sites, protected and Priority Species & Habitats.
- 7.11 The Ecologist is satisfied that there is sufficient ecological information available for determination. This provides certainty for the LPA of the likely impacts on designated sites, Protected and Priority Species & Habitats and, with appropriate mitigation measures secured, the development can be made acceptable.
- 7.12 The mitigation measures identified in the Ecology Report (MHE Consulting, February 2020) shall be secured and implemented in full in order to conserve Protected and Priority Species. This includes proposed enhancement measures to deliver four Skylark plots.
- 7.13 Our Ecologist also recommends that a Wildlife Friendly Lighting Strategy is implemented for this application.
- 7.14 Therefore, technical specification will be conditioned to be submitted prior to occupation, which demonstrates measures to avoid lighting impacts to foraging / commuting bats, which are likely present within the local area. This should summarise the following measures will be implemented:
- Light levels should be as low as possible as required to fulfil the lighting need and directed away from bat roost compensation sites.
  - Warm White lights should be used at <3000k. This is necessary as lighting which emit an ultraviolet component or that have a blue spectral content have a high attraction effects on insects. This may lead in a reduction in prey availability for some light sensitive bat species.
  - The provision of motion sensors or timers to avoid the amount of 'lit-time' of the proposed lighting.
  - Lights should be designed to prevent horizontal spill e.g., cowls, hoods, reflector skirts or shields.
- 7.15 In addition, our Ecologist is satisfied with the proposed compensation measures for the highlighted Priority Habitat on the sites (Hedgerows and Lowland-Mixed Deciduous Woodland), this will allow the LPA to demonstrate that it has met its biodiversity duty under s40 NERC Act 2006. Furthermore, he supports the biodiversity enhancements, which have been recommended to secure significant measurable net gains for biodiversity, as outlined under Paragraph 170[d] & 175[d] of the National Planning Policy Framework 2019. The proposed native species planting, and the bespoke biodiversity enhancement measures, should be finalised within a detailed Landscape and Ecological Management Plan, to be secured as a condition of any consent. This should include a works schedule for a minimum 10 years due to proposals to create a new informal copse and Skylarks Plots. This is because the informal copse may require a longer period time to ensure successful establishment and the Skylarks plots will be required to be implemented over a 10-year period, in line with Agri-environment schemes.
- 7.16 This application falls within the 13km Zone of Influence (ZOI) for the Stour and Orwell Estuaries SPA & Ramsar site. Consequently, a financial contribution shall be sought, in line within the Suffolk Recreational Avoidance and Mitigation Strategy (RAMS), from the residential development within the 13 km ZOI specified. This will need to be secured by a unilateral undertaking or a S.111 agreement with the local planning authority.

7.17 The LPA will also need to prepare a HRA Appropriate Assessment Record to determine any adverse effect on site integrity and secure the developer contribution for delivery of the visitor management measures at the Stour & Orwell Estuaries SPA & Ramsar site.

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

8.1 A land contamination assessment was received with the application. The Environmental Protection team is satisfied that there is no risk to future occupiers of the site from contaminated land.

8.2 East Suffolk Drainage Board has raised concerns over drainage on the site. The SCC Water and Floods Team has declined to comment on the application. This is because each site is less than 10 dwellings and does not trigger the need for SUDS.

## **9.0 Heritage Issues**

9.1 This application relates to the erection of a phased development of 22no. dwellings, the creation of cycle path links to Holbrook and Chelmondiston, improvements to Berners Hall car park, provision of public open space and landscape enhancements. The issues of Heritage Team concern focus on the impacts of the proposed development on the significance of the various designated assets within the village.

9.2 The pattern of development is fundamental to the character of a Conservation Area. In this instance the pattern of development combines with architectural coherence, sensitive scale and the relationship of built form to open space, which results in a long, low density settlement which is distinct and has been well preserved since its Victorian development.

9.3 The scheme proposed here is well considered and will ensure the rhythm of development is sustained.

9.4 The properties are well articulated and whilst on occasion rather large, will not upset the character of the Conservation Area. The relationship of Home Farm to the land will be changed – but because of its village location, and the history and evolution of the settlement, the change in its setting will not result in detriment to its significance. In terms of the impacts of the scheme on the settings of the various other listed buildings in the village, the development will be notable, but because of the use of attractive architecture, good detailing and the ‘pepper pot’ approach to siting, the development will sustain their significance.

9.5 The work will accord with Ss.66 and 72 of the Planning (Listed Building and Conservation Area) Act 1990. It will also accord with Local Plan policies CN01 and CN06. The Heritage Team have not raised any objection to the proposal.

## **10.0 Impact on Residential Amenity**

10.1 The proposed dwellings are linear in pattern and therefore back-to-back overlooking issues do not apply in this case. The dwellings are well spaced and not considered to cause a loss of privacy or light to each other or to existing dwellings. Each proposed dwelling has a good-sized garden.

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

11.1 CIL contributions will apply to all market housing. A s.106 agreement is required to secure the two affordable dwellings, the public open space and the RAMS financial contribution.

## **12.0 Parish Council Comments**

12.1 The matters raised by Woolverstone, Chelmondiston and Freston Parish Councils have been addressed in the above report.

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## **PART FOUR – CONCLUSION**

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

13.1 Central to the balancing exercise to be undertaken by decision makers is Section 38(6) of the Planning and Compulsory Purchase Act 2004; which requires that, if regard is to be had to the Local Plan for the purpose of any determination to be made under the Planning Acts, determination must be made in accordance with the plan unless material considerations indicate otherwise.

13.2 The tilted balance at paragraph 11d of the NPPF does not apply. This is because the Council can demonstrate a 5-year-plus Housing Land Supply, the Housing Delivery Target has been passed, and taken in the round the most important policies for the determination of this application are up to date.

13.3 Straightforwardly this application does not comply with the Development Plan as a whole. Sites 4 and 5 are considered to be outside of the immediate village of Woolverstone. However, the scheme, when taken as a whole, does score well against policy CS15. Each of the sites is either linked with a footpath that already exists or by a proposed cycle path. The public benefits are considered to outweigh any harm from the eight houses proposed on Harkstead Lane. The public benefits include cycle paths to link the village to Chelmondiston and Holbrook, two affordable dwellings, a car park extension to the village hall and public open space. The recommendation is therefore to grant permission for the proposal.

### **RECOMMENDATION**

That authority be delegated to the Chief Planning Officer to grant full planning permission.

**(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:**

- Two affordable housing units
- On site open space and includes management of the space to be agreed and requirement for public access at all times.
- Car park extension to the village hall
- RAMS Contribution

**(2) That the Chief Planning Officer be authorised to BLANK Planning Permission upon completion of the legal agreement subject to conditions as summarised below and those as may be deemed necessary by the Chief Planning Officer:**

- Standard time limit (3yrs for implementation of scheme/Outline/Reserved/Section73?)
- Approved Plans (Plans submitted that form this application)
- Phasing Condition (To allow phasing of the development and allows spreading of payments under CIL)
- Visibility splays
- Footways to be provided
- Details of accesses to be agreed
- Parking
- Bin Storage and Presentation to be agreed
- Cycle Path to be secured
- Construction Management Plan
- Cycle Path Details to be agreed (including surface material)
- Ecological Mitigation
- LEMP to be submitted and agreed
- External lighting to be agreed
- Sample of brickwork
- Details of external materials
- Details of rainwater goods
- Details of windows and doors
- Detailed sections of eaves and verges
- Details of boundary treatments and hard surfaces
- Landscape plan (hard and soft)
- Landscape time limit
- Landscape Management Plan
- No burning on site
- Construction hour limit

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

- Proactive working statement
- SCC Highways notes
- Support for sustainable development principles
- Land Contamination

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