

Committee Report

Item 8A

Reference: DC/21/00248

Case Officer: Daniel Cameron

Ward: Bacton.

Ward Member/s: Cllr Andrew Mellen.

RECOMMENDATION – GRANT PLANNING PERMISSION WITH CONDITIONS

Description of Development

Full Planning Application - Erection of 1no. dwelling and associated ancillary accommodation.
Change of use of agricultural land to residential use.

Location

Land on the South East Side of, The Street, Bacton, Suffolk

Expiry Date: 02/04/2021

Application Type: FUL - Full Planning Application

Development Type: Minor Dwellings

Applicant: Mr M MacAusland

Agent: MacAusland Design Ltd

Parish: Bacton

Site Area: 0.48ha

Density of Development: 2 dwellings per hectare

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): Yes.

Has the application been subject to Pre-Application Advice: Yes.

PART ONE – REASON FOR REFERENCE TO COMMITTEE

This item was called into Planning Committee by Councillor Mellen for the following reasons:

Previous applications for the same site (including DC/19/02745) have been rejected by officers and at appeal, and the current application reflects a version of the previous proposal, now moved closer to existing properties.

Delivery of homes (NPPF 59): Since this last appeal decision Bacton has had a number of large development sites which have received outline or full planning permission, including two “windfall” sites DC/17/05423 81 homes (allowed at appeal) and DC/18/05514 85 homes. The cumulative total of permissions in Bacton and not yet built now exceeds 400 homes. Given that the Joint Local Plan is now at Reg 19 submission stage it must have some weight in consideration of further sites outside the proposed settlement boundary such as this one.

PART TWO – POLICIES AND CONSULTATION SUMMARY

Summary of Policies

NPPF - National Planning Policy Framework
NPPG-National Planning Policy Guidance
FC01 - Presumption In Favour Of Sustainable Development
FC01_1 - Mid Suffolk Approach To Delivering Sustainable Development
CS01 - Settlement Hierarchy
CS02 - Development in the Countryside & Countryside Villages
CS05 - Mid Suffolk's Environment
GP01 - Design and layout of development
CL08 - Protecting wildlife habitats
H16 - Protecting existing residential amenity
T09 - Parking Standards
T10 - Highway Considerations in Development
HB01 - Protection of historic buildings
CL08 - Protecting wildlife habitats
CL12 - The effects of severance upon existing farms
H07 - Restricting housing development unrelated to needs of countryside

Neighbourhood Plan Status

This application site is not within a Neighbourhood Plan Area.

Consultations and Representations

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

A: Summary of Consultations

Town/Parish Council (Appendix 3)

Bacton Parish Clerk

Objection, raising concerns over:

- Highway safety;
- Concur with SCC Floods and Water, adding that the road adjacent to site is already affected by surface water flooding;
- Consider the design may be innovative, not exceptional, it's close proximity to existing dwellings is inappropriate.

National Consultee (Appendix 4)

Natural England

No comments.

County Council Responses (Appendix 5)

SCC - Archaeological Service

Site possesses high potential for the discovery of below-ground assets of archaeological importance. There are no grounds for refusal, however conditions to ensure that no heritage asset is destroyed are recommended.

SCC - Flood & Water Management

Holding objection as the site is located in an area predicted to be at risk of flooding, therefore a site-specific flood risk assessment is required.

SCC - Fire & Rescue

Access to buildings for fire appliances and firefighters must meet Building Regulations requirements. The nearest fire hydrant is over 340m from the proposed site, therefore consideration should be given to the provision of an automatic fire sprinkler system.

SCC - Highways

Visibility splays should be submitted to demonstrate safe and suitable access. This should be provided prior to the grant of any permission.

Internal Consultee Responses (Appendix 6)

Infrastructure Team

Site lies within the high value zone for MSDC CIL Charging.

Heritage Team

No objection, no conditions requested.

Environmental Health - Land Contamination

No objection. Request that the LPA are contacted in the event of unexpected ground conditions being encountered during construction.

Strategic Housing

No further comments. Site area of 0.49 hectare is not subject to affordable housing requirements.

B: Representations

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

Views are summarised below, raising concerns over:-

- Detrimental to the local character
- Landscaping impact
- Lack of engagement with paragraph 79 of the NPPF, whether the site is truly isolated and innovative.
- Loss of agricultural land
- Residential amenity
- Flooding risk
- Outside the village settlement boundary
- Design of proposed dwelling
- Description of the land as 'low ecological value' is misleading
- No significant gain in ecology and biodiversity
- Highway safety

- Harm to setting of listed buildings and character
- Sustainable development

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

PLANNING HISTORY

REF: DC/19/02745	Planning Application - Erection of 1no. dwelling and use of land as residential	DECISION: REF 11.09.2019
REF: 1606/16	Erection of 5 bedroom dwelling, change from agricultural to residential use	DECISION: REF 30.06.2016
REF: 0619/13	Construction of a seven bedroom family house, garaging and potting shed with associated grounds including garden and a working estate of livestock and agriculture activities, with alteration of vehicular access and retention of existing agricultural storage building	DECISION: REF 17/07.2013

PART THREE – ASSESSMENT OF APPLICATION

1. The Site and Surroundings

- 1.1 The application site is a roughly rectangular parcel of land that forms part of a wider landholding within the control of the applicant. Access is taken adjacent to 'Nutwood', the last property located on the south side of The Street. The wider site wraps around the rear gardens of several properties to the east and adjoins paddocks to the northeast and agricultural land to the southwest.
- 1.2 The application site is located outside of the defined settlement boundary of Bacton and would continue to be read outside of the settlement boundary of the purposes of the emergent Joint Local Plan, although it is adjacent to it. Attention is drawn to the outline planning permission given under reference DC/17/04991, located to the immediate west of the site access which granted planning permission for five self-build dwellings and has since achieved approval of reserved matters.
- 1.3 The site is relatively unconstrained. The site is not part of any special landscape designation and no Tree Preservation Orders are noted on the site. No listed buildings are within the site or close to it and the site is not within a conservation area. The site is noted as lying within Flood Zone 1.
- 1.4 The site has an extensive planning history. In 2013 application 0619/13 was refused. It sought planning permission for the erection of a large family home on the site. It was considered that the application lay outside the settlement boundary of Bacton and that design and appearance of the proposed dwelling would not satisfy the requirements of Paragraph 55 as the design was not considered to be architecturally outstanding or innovative.
- 1.5 Application 1606/16 was received in 2016 and was again refused planning permission. Harm was found to stem from conflict with Paragraph 55 of the NPPF in that the design was not considered to be architecturally outstanding or innovative. The location of the property was considered to be

dominant within the landscape and the application was not able to demonstrate that impacts on protected species had been clearly considered. An appeal was brought against the decision of the Council which was dismissed by the Planning Inspectorate. They found that the special circumstances to allow a dwelling in the countryside had not been met. The application was also found to be detrimental to the character and appearance of the area and would be potentially harmful to biodiversity.

- 1.6 Pre-application advice was provided in 2016, 2018 and 2019. They focussed on the design of the building and its footprint and were generally supportive of development on the site and led to a further application in 2019.
- 1.7 Application DC/19/02745 was refused on the grounds that the building was an unsustainable location for development within the countryside and given the likely dependence of future residents on private vehicle trips in order to meet their day-to-day needs. The subsequent appeal was dismissed with the Planning Inspectorate noting that the site would not amount to sustainable development under the requirements of the NPPF.

2. The Proposal

- 2.1 This application follows on from the 2019 appeal on the site and is submitted in tandem with application DC/21/01188. They deal with the same site and offer the same design solution in seeking to create a contemporary interpretation of a traditional country house set within a small estate which provides biodiversity enhancement.
- 2.2 It proposes a six bedroomed dwelling set around a courtyard garden. The façade of the building wraps around this feature and is made up of irregular shapes. The building is two-storey in height; however, the first-floor element is restricted to create a lower lying mass within the landscape.
- 2.3 The dwelling is proposed to be built to lifetime homes standards, with wider corridors and doors fitted with level access provided to all ground floor rooms with level or gently sloping ramped access to the building. Insulation on the building is proposed to be comparable to Passive-Haus standard, with the heating of the property to come from a ground source heat pump. An internal heat exchanger system would regulate the temperature of the building. Photovoltaic panels and solar thermal panels are proposed to the roofscape as is a system of rainwater harvesting to serve the proposed garden.
- 2.4 The rest of the site could be interpreted as a parkland setting; however, in contrast to the traditional parkland associated with a traditional country house, this area is heavily treed. This is proposed to act as screening for the proposed dwelling in views across the landscape.
- 2.5 The property is proposed to be served by an outbuilding which would provide three parking spaces as well as a carport and three separate parking spaces, giving a total of seven parking spaces for the proposed dwelling which would also benefit from a large driveway. The delivery of parking within the site meets with, and exceeds, the requirements of the Council's adopted parking standards, providing double the amount of parking spaces required.
- 2.6 Given the size of the site and the fact that only one dwelling would be provided on site, the density of the development provides two dwellings per hectare.
- 2.7 The surrounding land would provide a very generous garden area for the future occupiers of the site. While additional land around the site falls within their ownership, this is excluded from this application such that only the land within the red line site plan would change to a residential use. A

further planning application for change of use would be required should any of the other land within the applicant's ownership be required to serve as garden land.

- 2.8 The proposed dwelling is located a good distance away from the nearest neighbouring properties. A nature reserve consisting of a wildflower meadow with interspersed tree planting is proposed to lie between the proposed property and the neighbouring properties.
- 2.9 Materials are proposed to be black and dark grey with composite timber cladding and render with some brick slip cladding noted as well. The roof is proposed as a black or dark grey metal.
- 2.10 The total site area is noted as 0.48ha. The total gross internal area of the building is noted as 986.4m².

3. The Principle of Development

- 3.1 The starting point for any planning decision is the development plan, as identified in Section 38(6) of the Planning and Compulsory Purchase Act 2004. Determination of any application must be made in accordance with the plan unless material considerations indicate otherwise. A key material consideration regarding the principle of development is the National Planning Policy Framework (NPPF) 2019.
- 3.2 For the purposes of the application at hand, the following documents are considered to form the adopted Development Plan:
- Mid Suffolk Core Strategy Focussed Review (2012)
 - Mid Suffolk Core Strategy (2008)
 - Mid Suffolk Local Plan (1998)
- 3.3 The NPPF requires the approval of proposals that accord with an up to date development plan without delay, or where there are no policies, or the policies which are most important are out of date, granting permission unless the NPPF policies provide a clear reason for refusal, or adverse impacts of doing so would demonstrably outweigh the benefits. 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. It states that:
- "existing policies should not be considered out-of-date simply because they were adopted or made prior to the publication of this Framework. Due weight should be given to them, according to their degree of consistency with this Framework (the closer the policies in the plan to the policies in the Framework, the greater the weight that may be given)."*
- 3.4 Policy CS1 of the Core Strategy identifies a settlement hierarchy as to sequentially direct development, forming part of a strategy to provide for a sustainable level of growth. The Policy identifies categories of settlement within the district, with Towns representing the most preferable location for development, followed by the Key Service Centres, Primary then Secondary Villages. The countryside is identified as the areas outside of those categories of settlement referred to above.
- 3.5 Policy CS2 of the Core Strategy restricts development in the countryside to defined categories. This list of allowable development explicitly excludes the creation of market housing such that the proposed development does not fall within any of the listed categories. Saved policy H7 of the Local Plan repeats the strict control put onto development in the countryside set out in CS1 and CS2.

- 3.6 The site is located outside of the settlement boundary of Bacton. Therefore, it is considered to be contrary to the provisions of Core Strategy CS1 which would direct development towards Towns and Key Service Centres. In the immediate context of this application, this would mean Bacton which is a Key Service Centre. Policy CS2 flows from CS1 and restricts development to particular types of development within countryside locations, as does H7. This application would not accord with the criteria set out in CS1, CS2 or H7 and is contrary to these policies.
- 3.7 The exceptional circumstances test at Policy CS2 applies to all land outside the settlement boundary, as does saved Policy H7. This blanket approach is not 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. The definition of isolation with regards to this policy has been shown within court judgements to relate to the remoteness of a site from a settlement. Given the functional and physical proximity of the application site to the Key Service Centre of Bacton, with similar considerations noted the recent appeal, the development is not considered to be isolated and paragraph 79 of the NPPF is not engaged.
- 3.8 Having regard to the advanced age of the Mid Suffolk settlement boundaries and the absence of a balanced approach as favoured by the NPPF, the statutory weight attached to the above policies is reduced as required by paragraph 213. The fact that the site is outside the settlement boundary is therefore not a determinative factor upon which the application turns. It is noted that this is the same conclusion reached by the Planning Inspectorate within the latest appeal decision on the site which notes at paragraph 20 that policies CS1, CS2 and H7 are considered to be out of date and that the material weight attached to this consideration is lessened.
- 3.9 The presumption in favour of sustainable development and the need for a balanced approach to decision making are key threads to Policy FC01 and FC01_1 of the Core Strategy and are also the most recent elements of the Mid Suffolk development plan, adopted in 2012. Policy FC01_1 however is not considered up to date as it does not allow for the weighing of public benefits against heritage harm, a key tenet of the NPPF.
- 3.10 Given that the policies most important for the determination of this application are not in keeping with the NPPF, they must be considered to attract a lesser material weight in the considerations of planning applications. Therefore, the tilted balance is engaged. This mirrors the conclusion of the Planning Inspectorate in the most recent appeal on the site and is detailed in paragraph 21 of the appeal.
- 3.11 Therefore, it cannot be shown that the policies of the Council carry sufficient weight to be determinative to this application. Paragraph 11d) of the NPPF is relevant, it requires that where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:
- i. the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed;
 - ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.
- 3.12 *Economic Dimension* – The provision of one dwelling would give rise to some job creation within the construction sector during development while some additional support would be directed towards local businesses within the village of Bacton. The number of dwellings provided within scheme is nominal such that the scale of these benefits would also be limited.

- 3.13 *Social Dimension* – The development would contribute towards the Council's housing land supply position. While a five-year housing land supply can be demonstrated, this cannot be read as a cap on development, particularly where it can be shown to be located in a sustainable location. Considerations with regards to paragraphs 59 and 68 of the NPPF note the contribution that small sites can make to housing supply and could be built out relatively quickly. Again, the scale of the scheme is such that the benefits in this regard would also be limited.
- 3.14 *Environmental Dimension* – The previous appeal on the site noted that the length of the access to the proposed dwelling would oblige the future occupants to walk or cycle some distance towards the street frontage. It was also noted that The Street was without lighting or footways such that walking or cycling to the facilities within Bacton is not considered to be particularly likely to occur. This application reduces the length of the access such that this harm is reduced. The scheme also involves the creation of a significant area of nature reserve along with significant tree planting.
- 3.15 While the site would continue to be read outside of the settlement boundary for Bacton within the emergent Joint Local Plan. At the time of writing, the material weight that can be attached to the provisions of the emergent Plan is limited. While additional weight will accrue to the Plan as it continues to move towards adoption this is dependent on the findings of examination which has yet to begin.

4. Nearby Services and Connections Assessment of Proposal

- 4.1 Bacton is well served by a range of local services and facilities, as expected for a settlement designated as a Key Service Centre. The village facilities include a village hall and primary school as well as public house, shop and post office and a petrol station.
- 4.2 Bus services are available from the village shop along the 320 and 387 routes. Route 320 only operates on Wednesdays and only operates two daytime services between Eye and Bury St. Edmunds. Route 387 operates between Gislingham and Stowmarket and only operates multiple services on Thursdays although the service would allow a return workday connection to Stowmarket Railway Station.

5. Site Access, Parking and Highway Safety Considerations

- 5.1 Policy T10 of the Local Plan requires the Local Planning Authority to consider a number of highway matters when determining planning applications, including the provision of safe access, the safe and free flow of traffic and pedestrian safety, safe capacity of the road network and the provision of adequate parking and turning for vehicles. Policy T10 is a general transport policy which is generally consistent with Section 9 of the NPPF on promoting sustainable transport, and therefore is afforded considerable weight.
- 5.2 Paragraph 109 of the NPPF confirms that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.
- 5.3 The Highway Authority have objected to this application, as they did in 2019. This is not consistent with the planning history of the site as no previous objections from the Highway Authority to the application are noted and there are no apparent changes in underlying policy or guidance since the previous application came forward on the site.
- 5.4 Concerns with regards to the use of the existing track access to the site are noted, however, the application would secure the improvement of the access such that it would no longer be a simple

dirt track that would become boggy during wet weather. Measures to prevent discharge of water from the access to the highway would be implemented such that run-off water from this access would not contribute towards issues of standing water in the highway. Concern regarding visibility splays is also noted, however, the access is currently utilised for access to the land so is already in use and provision of visibility splays could be secured to highway standards prior to any development occurring on site.

6. Design and Layout

- 6.1 Chapter 12 of the NPPF seeks to achieve well-designed places which function well and add to the quality of places by responding to local character but without stifling innovation and change. In particular paragraph 127 of the NPPF requires planning decisions ensure that development:
- a) Will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;
 - b) Are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;
 - c) Are sympathetic to local character and history, including surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change;
 - d) Establish or maintain a strong sense of place, using the arrangement of street, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit;
 - e) Optimises the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks; and
 - f) Create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users; and where crime and disorder, and the fear or crime, do not undermine the quality of life or community cohesion and resilience.
- 6.2 With regard to the adopted Development Plan Local Plan policy GP1 states that proposals should maintain or enhance the character and appearance of their surroundings.
- 6.3 The design ethos of the application is to provide a modern and contemporary interpretation of the country house, utilising some of the traditional features of such a dwelling such as the tree lined approach and parkland setting, adapting and subverting these to reflect the overall modern design approach.
- 6.4 Comparison is made to the existing housing stock within Bacton, with much of it dating from the 1960's and 1970's exhibiting the simple form and material choices that are associated with those buildings – typically red brick and slate or pantiles. Read in that overall context, the design presented is clearly an alternative to the predominant existing built form within Bacton, however, the architectural approach is not considered to be harmful and would provide an interesting counterpoint to the rest of the area and in particular responds well to the need to consider the needs of the development and its occupiers over its lifetime.

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

- 7.1 Policy CS5 of the Core Strategy seeks to protect and conserve landscape qualities taking into account the natural environment and the historical dimension of the landscape as a whole rather than concentrating solely on selected areas, protecting the District's most important components and encouraging development that is consistent with conserving its overall character. However,

blanket protection for the natural or historic environment as espoused by Policy CS5 is not consistent with the Framework and is afforded limited weight.

- 7.2 Paragraph 170 of the NPPF states that the planning system should contribute to and enhance the natural and local environment by protecting and enhancing valued landscapes, geological conservation interests and soils.
- 7.3 As noted above, the site is not affected by any special landscape designations and the site is currently an open field which is experienced against a backdrop of the wider countryside. Landscape amenity comes from the openness of the area along with the natural hedge and tree planting within.
- 7.4 The application proposed the planting of the site to define its edges and is considered to create a large amount of potential habitat to improve the biodiversity offer of the site. A range of ecological reports, walkovers and survey information have been provided with the application and note a number of species having potential habitat within the site. It is not considered that the site would give rise to an unacceptable impact in this regard provided conditions were used to secure mitigation and enhancement measures within the site.

8. Land Contamination, Flood Risk, Drainage and Waste

- 8.1 Land contamination has been assessed within the application and considered to not pose a risk to the health of future occupiers of the site. Should unexpected contamination be discovered on the site Building Regulations requires this be dealt with and remediated prior to the occupation of any building. Normal practice would include the Council's Environmental Health team in this process.
- 8.2 The site is located within Flood Zone 1, at the lowest risk of flooding and is below the area threshold which would require the submission of a flood risk assessment. Comments from the Lead Local Flood Authority note that the area is predicted to be at risk of flooding, however, no further information is offered in this regard and the Environment Agency's flood mapping does not indicate this. No such objection from the Lead Local Flood Authority was noted on the 2019 application such that it is not considered to be reasonable to require it here.
- 8.3 The scope of the proposed development requires that surface water drainage be implemented within the scheme in accordance with the requirements of Building Regulations. Information submitted within the application documents note that a combination of SuDS, soakaways, ponds and drainage ditches would be utilised. None of these are noted as being contrary to the requirements of Building Regulations. Rainwater harvesting is also noted such that much of the surface water run off from the building would be stored and re-used within the site at appropriate times.
- 8.4 Treatment of foul water is noted as currently being unknown at the time of application. Connection to the public sewer may be possible, however, would be subject to agreement with Anglian Water and likely would involve the creation of a connection to the system, which may be cost prohibitive for the applicants. A more likely solution would be for a package treatment plant to be provided on site and would be acceptable under Building Regulations. It is not considered that the treatment of foul water needs to be fully known at this point, especially as Building Regulations would be in place to require the provision of an acceptable solution prior to the occupation of the proposed dwelling.

9. Heritage Issues

- 9.1 A number of Grade II listed buildings are noted within Bacton although none are particularly closely tied to the application site. While the site may form part of the surrounding countryside in which these buildings are experienced, however, the distances involved between the application site and the listed buildings as well as the fact that the application site does not predominate in views from these properties leads to a conclusion that the proposed development is not likely to lead to harm to the setting of heritage assets. This view is borne out within the comments submitted by the Council's Heritage Team.
- 9.2 The site lies within an area of high archaeological potential. Comments from Suffolk County Council's Archaeological Service note that conditions would be sufficient to secure the investigation and recording and conditions are suggested in this regard.

10. Impact on Residential Amenity

- 10.1 The positioning of the dwelling means that views of neighbouring properties would be over distance with intervening landscaping present to further soften the impacts of the proposed development. No windows in a position are noted in an elevated position facing towards neighbouring properties such that overlooking views may be taken. While the position of the proposed dwelling relative to its neighbours places it to the south, such that issues around loss of light or overshadowing may occur, it is considered that the intervening distances involved to either eliminate or reduce these impacts to minimal levels.

11. CIL

- 11.1 The application site would not trigger requirements for affordable housing and no other planning obligations are noted that would require the need for a Section 106 Agreement to accompany this application. The application would be subject to CIL and it is noted that it would fall within the higher CIL charge area which sets a rate of £115m².

12. Parish Council Comments

- 12.1 The comments provided by the Parish Council are noted and addressed within the relevant sections of this report.

PART FOUR – CONCLUSION

13. Planning Balance and Conclusion

- 13.1 The application site is located outside of the established settlement boundary of Bacton, falling within the countryside as per the direction of Core Strategy policy CS1. As such, CS2 is applicable. This policy restricts the development of market housing in countryside locations as does Saved Local Plan policy H7. The application is not held to comply with the adopted Development Plan.
- 13.2 However, the policies most important for determining the application; CS1, CS2, H7 and FC1.1, are out-of-date when compared to the provisions of the NPPF. The weight to be attributed to them is therefore reduced in accordance with the direction of paragraph 213 of the NPPF. Irrespective of Council's five-year housing supply position, the default 'tilted balance' position identified in paragraph 11(d) of the NPPF is engaged.

- 13.3 It is acknowledged that Bacton has been the subject of significant developer interest with many residential developments of scale approved in recent years. It is also acknowledged that the site is not part of the proposed site allocations of the emerging Joint Local Plan. This however should not preclude consideration of schemes that can deliver sustainable development and boost housing supply in the short term, particularly in locations such as Key Service Centres, or close to them, where the expectation is to deliver housing growth. While it is noted that the Council can demonstrate a five-year housing land supply, this cannot be read as a cap on sustainable development.
- 13.4 The scheme would bring benefits in terms of the economic and social stands of sustainability and would bring environmental benefits in terms of the sustainable technologies built into the scheme as well as the potential landscaping and planting proposed. The scheme would also position the proposed dwelling closer to The Street than the scheme that was previously considered in 2019. This reduces the distance that future occupiers would have to travel to reach the facilities within Bacton. This being said, future occupiers would still need to traverse a section of The Street without made footways or lighting in order to do so and may lead to a dependence on the use of private motor vehicles in order to meet their daily needs.
- 13.5 In terms of harm, the development site is contrary to the adopted Development Plan. While the material weight applied to these considerations is lessened following the requirements of paragraph 213 of the NPPF, a degree of harm through non-compliance with the provisions of the adopted Development Plan still exists.
- 13.6 It is considered that the planning balance of the scheme is finely tuned. Previous findings of harm associated with the location of the dwelling within the site has been reduced and the benefits of the scheme would remain. The conflict with the adopted policies of the Council is noted however, is not considered to be determinative in this case. The recommendation of Officers is therefore to approve the application subject to the imposition of conditions as set out below:

RECOMMENDATION

That the Chief Planning Officer be authorised to GRANT planning permission subject to the conditions below and those that may be deemed necessary by the Chief Planning Officer:

- Time limit to commence (three years from date of grant of planning permission).
- Development to accord with approved plans.
- Construction method statement to come forward to detail construction access to site, hours of work, timing of deliveries, contractor and delivery parking, and scheme to prevent mud tracking onto the highway.
- Archaeological investigation of site to be secured and undertaken.
- Report into archaeological discoveries to be submitted.
- Ecology mitigation works to be undertaken during development.
- Biodiversity enhancement plan to be supplied.
- Wildlife sensitive lighting scheme for the site.
- Details of access improvements to be agreed and to include visibility splay details and means to prevent surface water discharge to the highway.
- Details of foul water system to be agreed.
- Landscaping to be implemented as shown within submitted plans.
- Details of landscape maintenance to be submitted and agreed.

And the following informative notes as summarised below along with those deemed necessary:

- Proactive working statement as required by the NPPF.