

Committee Report

Item 6A

Reference: DC/21/01460

Case Officer: Jasmine Whyard

Ward: Sudbury North West.

Ward Member/s: Cllr Jan Osborne. Cllr Trevor Cresswell.

RECOMMENDATION – BLANK PLANNING PERMISSION/LISTED BUILDING CONSENT WITH CONDITIONS

Description of Development

Discharge of Conditions Application for B/15/01718- Condition 8 (Design Code)

Location

Chilton Woods Mixed Development, Land North Of, Woodhall Business Park, Sudbury Suffolk

Expiry Date: 11/05/2021

Application Type: DOC - Discharge of Condition(s)

Development Type: Misc Not for PS2

Applicant: Taylor Wimpey London

Agent: Mr Matt Richards

Parish: Sudbury

Site Area: 117 hectares

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

Has a Committee Call In request been received from a Council Member: No

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

PART ONE – REASON FOR REFERENCE TO COMMITTEE

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

- The Chief Planning Officer considers this application for discharge of condition 8 of Outline planning permission B/15/01718 to be of a controversial nature having regard to the nature of this subject matter, namely the Design Code for this development, which is expected to guide and inform all subsequent reserved matters applications pursuant to the Outline permission of this key, strategic site allocation.
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PART TWO – POLICIES AND CONSULTATION SUMMARY

Summary of Policies

The Development Plan

The following policies are considered the most important to the determination of this proposal. The policies are all contained within the adopted development plan for Babergh District which is comprised of: Babergh Core Strategy (2014) and Babergh Local Plan Alteration No.2 (2006), specifically the ‘saved policies’ (2009 but deemed to still be ‘live’ in 2016). All policies are afforded full weight in the determination process as they are, *inter alia*, considered wholly consistent with the policies of the NPPF (having regard to paragraph 219 of that document).

- **Babergh Core Strategy (2014)**

CS1- Applying the Presumption in Favour of Sustainable Development in Babergh
CS4- Chilton Woods Strategic Land Allocation and Strategy for Sudbury/ Great Cornard
CS14- Green Infrastructure
CS15- Implementing Sustainable Development in Babergh
CS18- Mix and Type of Dwellings
CS19- Affordable Homes
CS21- Infrastructure Provision

- **‘Saved policies’ (2009) of Babergh Local Plan Alteration No.2 (2006)**

CN01- Design Standards
CN04- Design and Crime Prevention
CR07- Landscaping Schemes
CR08- Hedgerows
CP01- Chilton Mixed Use Development Package¹
TP04- New Cycle Links²
TP15- Parking Standards
HS31- Public Open Space

The National Planning Policy Framework

The National Planning Policy Framework (NPPF) 2021 contains the Government’s planning policies for England and sets out how these are expected to be applied. Planning law continues to require that applications for planning permission are determined in accordance with the development plan unless material considerations indicate otherwise. The policies contained within the NPPF are a material consideration and should be taken into account for decision-taking purposes.

¹ But this policy must in effect give way to policy CS4 bearing in mind its age and the requirements of s38(5) of the PCPA 2004.

² “ ”

Particularly relevant elements of the NPPF include:

- Chapter 2: Achieving Sustainable Development
- Chapter 4: Decision Making
- Chapter 5: Delivering a Sufficient Supply of Homes
- Chapter 9: Promoting Sustainable Transport
- Chapter 11: Making Effective Use of Land
- Chapter 12: Achieving Well-Designed Places
- Chapter 14: Meeting the Challenge of Climate Change, Flooding and Coastal Change
- Chapter 15: Conserving and Enhancing the Natural Environment

Members attention is drawn in particular to Chapter 12 and the emphasis within this latest update to national policy on matters of design, which stresses the importance of design coding for new developments.

Other Considerations

- National Model Design Code (2021)
- National Design Guide (2021)
- Building for a Healthy Life (2020)
- Suffolk County Council- Suffolk's Guidance for Parking (2014 most recently updated in 2019)
- Joint Babergh and Mid Suffolk Landscape Character Assessment (2015)
- Babergh District Council Affordable Housing Supplementary Planning Document (2014)
- Babergh District Council Open Space, Sport and Recreation Strategy (2010)

The National Planning Practice Guidance (NPPG) provides guidance and advice on procedure rather than explicit policy; however, it has been taken into account in reaching the recommendation made on this application. The National Model Design Code forms part of the NPPG.

Neighbourhood Plan Status

This application site is not within an area with a made Neighbourhood Development Plan.

Chilton is however designated (Regulation 5) as neighbourhood plan area, but as of yet no plan has been drafted.

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

- **Acton Parish Council**

Recommends refusal on the basis that: 1- the application should be heard by committee and that the construction management plan should be heard at the same time as they are interconnected, 2- too

vague and is not a blueprint for development, 3- ambiguous use of green spaces as it groups amenity and ecological spaces together, 4- does not understand that ponds should not be overhung by trees, 5- discusses county wildlife site which is not within Taylor Wimpey's control, 6- LUC appraisal ignored, 7- unclear village centre, 8- no discussion of street lighting, 9- concerned about flooding from Chilton Woods which SCC Floods and Water are investigating, 10- water run-off supplying established ponds and moats should be maintained, 11- no discussion on who will manage the development post construction, 12- no detailed discussion of landscaping during the working group meetings.

- **Chilton Parish Council**

At the time of writing this report no response had been received to either round of consultation on both the 16th March and again on the 18th May, both consultations were sent out giving 21 days for comments. For the sake of the record the Parish Council were reminded of the rounds of consultation on the 21st April and 21st June. Extensions of time were granted to the Parish Council on both occasions taking the response dates to the 27th April and the 24th June respectively.

- **Great Cornard**

No comment.

- **Great Waldingfield**

Object on the basis that: 1- vague on design, 2- no site-wide landscaping, 3- no community woodland, 4- no plan for planting border screening, 5- no discussion on future management, 6- no mention of street lighting, 7- no definite green strategy for construction.

- **Little Waldingfield Parish Council**

Object on the basis that: 1- not fit for purpose, 2- should cover the whole development not just each phase, 3- should be determined by committee.

- **Long Melford Parish Council**

No objection.

- **Newton Parish Council**

No comment.

- **Sudbury Town Council**

Recommend approval, however, note they are disappointed with the lack of solar panels across the development.

County Council Responses

- **SCC Highways**

No objection.

Internal Consultee Responses

- **Place Services Urban Design**

Whilst the code provides a good foundation it is considered that it can go further. A site-wide design code should be created which includes the school and commercial land. Landscape led approach is welcomed and the structure of the design code is clear. Makes recommendations to change the code's overall structure to make the code flow better. There are varying levels of discussion on context and site-specific constraints. Should include measurable aims. SuDS should be more integrated. Lack of specificity and discussion of traditional features and form seen in Suffolk and how this translates into housing. Unclear connecting cycling and walking routes. More commitment should be made to the climate emergency.

Officer response: *Whilst a site-wide approach is recommended, this is not required by the condition's wording, which solely requires a design code for residential, village centre and market square land. The Code as presented for discharge under condition 8, achieves the objective of the condition. Measurable aims mentioned included affordable housing provision and the number of trees, however some of these matters are secured via the Outline permission (including s106 agreement) and others are those that are considered in subsequent reserved matters applications. Additionally, based on the likely timescales for the development of the site, some of the key benchmarks may change (i.e. sustainability) and unforeseen issues may arise (i.e. the acceptability of the location of trees) and as such the code must respond to those, to this end leaving the code more open enables proper assessment within future reserved matters applications. The location of the SuDS is limited by the considerations of the LLFA and the EA as well as the Land Use Parameter Plan, moreover, SuDS have already been considered and approved within the earlier reserved matters infrastructure application.*

- **Place Services- Landscaping**

Recommend approval.

- **Place Services- Ecology**

No objection and support the landscape-led approach.

- **Waste Management**

No comment.

B: Representations

At the time of writing this report no comments have been received. A verbal update will be provided as necessary.

PLANNING HISTORY

REF: DC/20/05183

Reserved matters application for Phase 1 (Infrastructure) (matters relating to layout, scale, appearance and landscaping) for the installation of site wide infrastructure, including spine road, sustainable drainage scheme and associated services, infrastructure, landscaping and ecological enhancements details pursuant to Outline Planning Permission ref. B/15/01718, dated 29th March 2018 (Outline application (with all matters reserved except for access) - Erection of up to 1,150 dwellings (Use Class C3); 15ha of employment development (to include B1, B2 and B8 uses, a hotel (C1), a household waste recycling centre (sui generis) and a district heating network energy centre); village centre (comprising up to 1,000m² Gross Floor Area (GFA) of retail floor space (A1, A2, A3, A4 and A5), village hall (D2), workspace (B1a), residential

DECISION: GTD
29.04.2021

dwellings (C3), primary school (D1), pre-school (D1) and car parking); creation of new vehicular access points and associated works; sustainable transport links; community woodland; open space (including children's play areas); sustainable drainage (SuDS); sports pavilion (D2) and playing fields; allotments; and associated ancillary works.)

REF: DC/20/05724	Discharge of Conditions Application for B/15/01718- Condition 38 (Hard and Soft Landscaping Scheme) Part discharge for western boundary.	DECISION: GTD 15.01.2021
REF: DC/21/00696	Non-Material Amendment sought following Outline Planning Permission B/15/01718 dated 29/03/2018 - Revision of Land Use Parameter Plan to rectify inconsistencies on plan	DECISION: GTD 11.03.2021
REF: DC/21/02883	Discharge of Conditions Application for B/15/01718- Condition 4 (Phasing Scheme)	DECISION: PCO
REF: DC/21/03735	Discharge of Conditions Application for B/15/01718- Condition 12 (Construction Surface Water Management Plan), Condition 32 (Phase 2 Geo-environmental risk assessment), Condition 33 (Programme of archaeological work), Condition 36 (Landscape Management Plan), Condition 39 (Ecological Management Plan), Condition 41 (Light appliances) and Condition 43 (On-site open space scheme)	DECISION: PCO
REF: B/15/01718	Outline application (with all matters reserved except for access) - Erection of up to 1,150 dwellings (Use Class C3); 15ha of employment development (to include B1, B2 and B8 uses, a hotel (C1), a household waste recycling centre (sui generis) and a district heating network energy centre); village centre (comprising up to 1,000m2 Gross Floor Area (GFA) of retail floor space (A1, A2, A3, A4 and A5), village hall (D2), workspace (B1a), residential dwellings (C3), primary school (D1), pre-school (D1) and car parking); creation of new vehicular access points and associated works; sustainable transport links; community woodland; open space (including children's play areas); sustainable drainage (SuDS); sports pavilion (D2) and playing fields; allotments; and associated ancillary	DECISION: GTD 29.03.2018

works.

REF: DC/20/05269	Discharge of Conditions Application for B/15/01718- Condition 29 (Levels) and Condition 38 (Hard and Soft Landscaping Scheme- Part Discharge)	DECISION: GTD 05.05.2021
REF: DC/20/05270	Discharge of Conditions Application for B/15/01718- Condition 9 (Surface Water Drainage Scheme), Condition 10 (Implementation, Maintenance and Management) and Condition 28 (Foul Water Drainage Strategy)	DECISION: GTD 18.06.2021
REF: DC/21/01166	Discharge of Conditions Application for B/15/01718- Condition 38 (Hard and Soft Landscaping Scheme) (Part discharge for western boundary)	DECISION: GTD 21.04.2021
REF: DC/21/04056	Discharge of Conditions Application for B/15/01718- Condition 30 (Construction Environmental Management Plan)	DECISION: PCO
REF: DC/20/04763	Application for Non-Material Amendment following approval of B/15/01718 - Revisions to the land parameter plans.	DECISION: GTD 09.11.2020

PART THREE – ASSESSMENT OF APPLICATION

1. The Site and Surroundings

- 1.1. The site is located to the north of the A134 and adjoins Tesco, Woodhall Business Park and adjacent residential estates within Sudbury and Chilton. To the north, east and west of the site are agricultural fields with sporadic development before reaching more defined settlements within Newman's Green, Acton, Great Waldingfield, Chilton and Long Melford. The site straddles the parishes of Acton, Chilton, Long Melford and Sudbury, with the largest proportion of land falling within Chilton. The site is currently comprised of Grade 3 agricultural land (land with moderate limitations).
- 1.2. There is a Public Right of Way (footpath) running through the site starting adjacent to Mountbatten Road and running northwards through the site. There is another Public Right of Way (footpath) located to the north east of the site running eastwards and south east into surrounding fields.
- 1.3. The site is neither within nor adjacent to an Area of Outstanding Natural Beauty, Site of Special Scientific Interest (SSSI), Air Quality Management Area, Special Landscape Area, Local Green Space, or Area of Visual/Recreational Amenity. There are several protected trees within the development site. The site does fall within a SSSI Risk Impact Zone; however, the proposal is not for development categorised as being a risk to the SSSI.

- 1.4. The eastern 'limb' of the Site, comprising part of the airfield is, however, recognised for its high ecological value and as such is designated as a County Wildlife Site (Waldingfield Airfield Arable Margins CWS).
- 1.5. The site is located wholly within Flood Zone 1 and is the least vulnerable to fluvial (river) flooding the site is also not at a high risk from pluvial (surface water) flooding.
- 1.6. There is a Scheduled Monument (Wood Hall Moat) to the south west of the site. The site sits outside of any Conservation Area, with the nearest Conservation Area being within the centre of Sudbury to the south. There are a range of listed buildings near to, but outside of, the site. The nearest of these include Grade II* listed Barn at St Bartholomew's Priory Farm, Chapel at St Bartholomew's Priory Farm and Chilton Hall and Grade II listed St Bartholomew's Priory Farmhouse, Walled Garden east of Chilton Hall and Chilton Hall Historic Park and Garden.

2. The Proposal

- 2.1. This application seeks to discharge condition 8 (Design Code) of the Outline permission B/15/01718. Condition 8 reads:

"No development in any phase, other than works to complete the approved site access points, shall take place on the residential land, village centre land, or market square land (as identified on the approved Land Use Parameter Plan, drawing no. 35223-Lea121j) until a Design Code for the whole of that land has been submitted to and approved in writing by the local planning authority.

The Design Code shall demonstrate how it has been informed by a programme of public consultation and engagement and responds to the character areas and principles identified on pages 48-54 of the Design and Access Statement (Amec Foster Wheeler, December 2015).

Thereafter, any reserved matters application for any phase of development on the residential land, village centre land, or market square land shall comply with the principles established within the approved Design Code or any amended scheme submitted to and approved in writing by the local planning authority.

Reason - A Design Code is needed to ensure adequate consideration of the interrelationships between the phases of development, to expound upon the principles in the submitted Design and Access Statement, and; to ensure appropriate community engagement in accordance with Policy CS4".

- 2.2. The provision of and accordance with the Design Code is only applicable to the residential, village centre and market square land and following consultation has sought to cover the intervening landscaping amongst these parcels. The condition does not require the provisions of the design code to extend beyond those areas, nonetheless in forming a cohesive design code, the code pays regard to other land uses within the site as identified on the Land Use Parameter Plan.
- 2.3. Some overlap exists between aspects of the design code and other conditions attached to the Outline permission B/15/01718 (phasing, surface water drainage, construction surface water management plan, highways requirements, construction environmental management plan, landscape and ecological management plan and soft and hard landscaping). The Design Code is not intended to discharge these conditions but makes reference to them in a holistic manner and provide context and guidance in relation thereto. As these conditions are not required to be discharged within or alongside the Design Code, it is appropriate that the Design Code guides

these conditions but does not provide specific details to such a level as required to discharge them. These other conditions will be considered under future separate discharge of conditions and subsequent phased reserved matters applications.

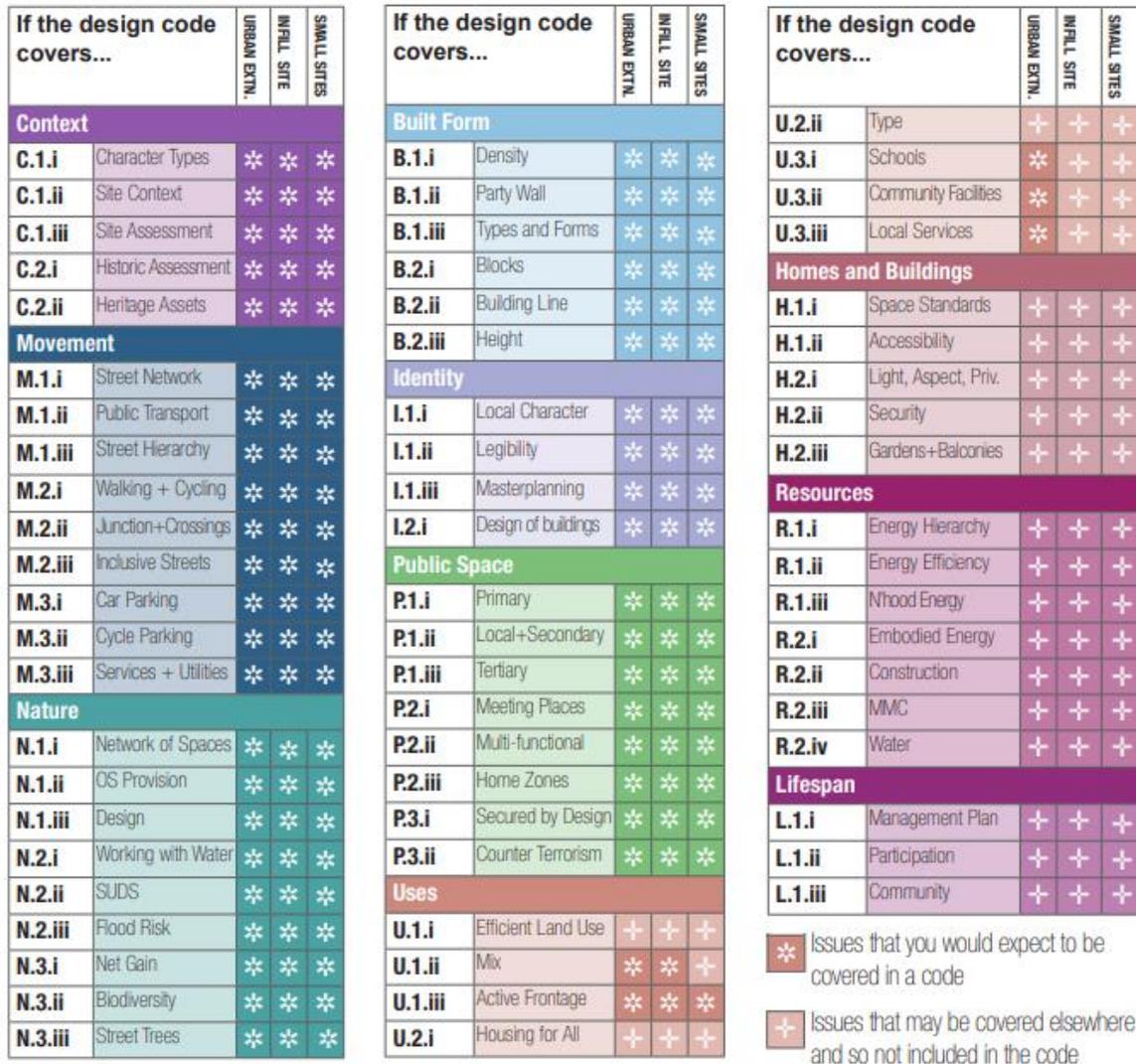
- 2.4. The Design Code is split into seven chapters which include background, masterplan context, consultation, landscape led approach, site wide coding, character areas and delivery.

3. The Principle of Development

- 3.1. Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that if regard is to be had to the development plan for the purpose of any determination to be made under the Planning Acts, then that determination must be made in accordance with the plan unless material considerations indicate otherwise.
- 3.2. The principle of development has been previously established under Outline permission B/15/01718. Under B/15/01718 the access points were approved and indicative layouts of site-wide infrastructure, spine road and drainage systems were provided. A subsequent reserved matters application DC/20/05183 secured approval for site-wide infrastructure. The Design Code is consistent with the Outline permission and reserved matters infrastructure permission. Moreover, the delivery of this site is considered of strategic importance and the aims for the development are guided by Core Strategy policy CS4.
- 3.3. Paragraph 129 of the NPPF provides specific guidance on deciding applications relating to design codes, stating, *“Design guides and codes can be prepared at an area-wide, neighbourhood or site-specific scale, and to carry weight in decision-making should be produced either as part of a plan or as supplementary planning documents. Landowners and developers may contribute to these exercises but may also choose to prepare design codes in support of a planning application for sites they wish to develop. Whoever prepares them, all guides and codes should be based on effective community engagement and reflect local aspirations for the development of their area, taking into account the guidance contained in the National Design Guide and the National Model Design Code. These national documents should be used to guide decisions on applications in the absence of locally produced design guides or design codes.”*
- 3.4. Whilst the Development Plan provides the starting point for determination, the NPPF (2021) is an important material consideration which makes specific reference to three key documents which provide key guidance that is used to assess design codes. These documents include the National Model Design Code (2021), National Design Guide (2021) and Building for a Healthy Life (2020).
- 3.5. The National Design Guide (2021) sets out ten key characteristics of good design that must be considered in order to create well-designed places, these include:
- Context
 - Identity
 - Built form
 - Movement
 - Nature
 - Public spaces
 - Uses
 - Homes and buildings
 - Resources
 - Lifespan

3.6. The National Model Design Code (2021) defines a design code as “a set of illustrated design requirements that provide specific, detailed parameters for the physical development of a site or area”. The coverage of a design code will vary with site and development, however figure 2 on page 7 of the National Model Design Code (shown below) indicates the typical matters a code should cover across such a development.

Figure 2. Design Code Coverage



Reference to these aspects will be linked below topic by topic, though clearly there will be some overlap between topic areas.

3.7. The Building for a Healthy Life (2020) published by Urban Design Group, produced in partnership with Homes England, NHS England and NHS Improvement integrates the findings of the three-year Healthy New Towns Programme led by NHS England and NHS Improvement and is well-established as a design toolkit for local authorities. This document provides a toolkit for design in neighbourhoods, homes, streets and public places. Within the document 12 principles are set out (natural connections, walking, cycling and public transport, facilities and services, homes for everyone, making the most of what’s there, memorable character, well defined streets and spaces, easy to find your way round, healthy streets, cycle and car parking, green and blue

infrastructure, back of pavement and front of home). These principles are underpinned and fall within the three themes of integrated neighbourhoods, distinctive places and streets for all.

- 3.8. It is important to note that this Design Code is not intended, nor is it required, to provide every detail covering the entire development (for example the specific location and use of street lighting), it is instead intended to provide a framework which the whole development adheres to in each of the phases brought forward, regardless of ownership. Such specific details and further design consideration will be brought forward and determined via future reserved matters and discharge of conditions applications, which will in turn be expected to adhere to the principles outlined within the Design Code.
- 3.9. It is important that Members note that this is not a planning application but rather a discharge of conditions application and must be considered in the context of the Outline permission under which it sits. A determination under a discharge of conditions application must therefore have regard to the Outline permission and the wording of the condition in question. It affords no opportunity to revisit matters of principle which benefit from planning permission. The following sections provide detail on the Design Code's approach to design for the development, referring to the relevant development plan policies and paragraphs of the NPPF.

4. Key Objectives

- 4.1. Several key principles are established within the presented Design Code to guide subsequent development on site. These include: character and place-making, community and homes, accessibility and connectivity, economy and employment, climate and environmental sustainability.
- 4.2. Each reserved matters application that is submitted following approval of the design code will be accompanied by a summary of how the phase meets the principles laid out under the Building for a Healthy Life (2020).

5. Consultation and Engagement with the Community

- 5.1. Paragraph 132 of the NPPF encourages early consideration of design quality, specifically through engagement with local planning authorities and communities. Emphasis is placed on clarity and evolution throughout the design process taking account of community views. Paragraph 132 specifically states, "*applications that can demonstrate early proactive and effective engagement with the community should be looked on more favourably than those that cannot*".
- 5.2. Extensive consultation and engagement has been carried out by Taylor Wimpey and their professional consultants on this design code with parish councils, local residents, local stakeholders, members, officers and consultees, specifically via fortnightly working group meetings, online consultation, social media and letters. Feedback has been invited at all stages and is understood to have been acted on so far as appropriate, feasible and viable to '*reconcile local and commercial interests*' as advocated for within paragraph 132. It is considered that there has been proactive engagement and that it has been effective to identify issues between participants and exchange views thereon.
- 5.3. The Council has undertaken consultation with a number of Parish Councils as reported above.
- 5.4. An independent review of the Design Code was conducted by LUC prior to its formal submission. The points of criticism raised via that review have been taken into account and have helped form the basis of the final submission version of the code as discussed throughout this report.

6. Landscape

6.1. The amount of open space was secured under the Outline permission B/15/01718, and is detailed on the approved Land Use Parameter Plan, this equates to over 50% of the site's area, this is broken down into the following areas:

- 29 hectares of community woodland
- 13.4 hectares of amenity green space and landscaping including SuDS and village green
- Central village green
- Children's play areas
- Walking and cycling routes- including extension to the Gainsborough trail
- 4.8 hectares of area for sports provision- football pitches, cricket oval, sports pavilion and associated parking- these will be on the flattest areas of the site to reduce earthworks
- 0.9 hectares of allotments
- 12 hectares retained as the existing County Wildlife Site

The key formalised areas of open space on site are set out within the Land Use Parameter Plan, whilst green corridors are also included to interweave between land parcels, these are less formal open spaces. Therefore, they can be more flexibly created to reflect different character areas and create a more distinctive sense of place within the overall development as proposed within this Design Code.

6.2. As per the Land Use Parameter Plan, the development becomes progressively softer and more rural in character towards the north and east of the site reflective of the site's movement into more rural parishes and adjoining County Wildlife Site. However, each residential parcel is intertwined with associated landscaping, including the SuDS and landscaping previously approved under the infrastructure reserved matters application (DC/20/05183) and associated discharge of conditions applications. Future reserved matters applications will provide further details on matters such as SuDS, which shall include a mixture of wet ponds, detention basins and swales.

6.3. Landscaping and building orientation will also be used to provide natural surveillance to create safe environments for future occupants and users in accordance with Local Plan policy CN04 and paragraphs 92 and 130 of the NPPF.

6.4. The use of landscaping (including pocket parks and green corridors) alongside walking and cycling links will ensure the development provides an inviting environment to encourage future residents to choose active transport over sole use of private motor vehicles to access services, facilities and amenities, but would also provide appropriate informal health and recreational opportunities, including dog walking, walking, cycling and formal and informal play areas, in accordance with Core Strategy policies CS14 and CS15, Local Plan policy HS31 and paragraphs 92, 98 and 105 of the NPPF. These walking and cycling links will also be publicly accessible from adjacent areas and provide the opportunity for recreational and active travel from those adjacent areas to extend through the site. This will be of wider benefit to the residents and visitors from within the local community and beyond.

6.5. Community allotments would also be provided on land totalling 0.9 hectares to the eastern area of the site south of the County Wildlife Site and would exceed the 20 allotments per 1000 dwellings rate as recommended by the National Society for Allotments and Leisure Gardeners and noted within the Council's supplementary planning document 'Open Space, Sport and Recreation Strategy'.

- 6.6. All sports provision will be created in accordance with Sports England's standards, providing a range of well-equipped recreational spaces and opportunities for future residents and the wider community. The s106 agreement on the Outline permission further secures recreational opportunities for younger generations through the provision of one Neighbourhood Equipped Area for Play, five Local Equipped Areas of Play, one Multi-Use Games Area and seven Local Areas of Play. These will be scattered throughout the development to ensure all residents are within walking distance to play areas. The Design Code indicates that a Neighbourhood Park would be located to the north of the site abutting the northern community woodland and would form the main focal open space including multi-functional space combining the primary play space, drainage, woodland and recreation. There would be three areas of community woodland, to the north, west and east, all adopting different characteristics and features with varying levels of tree cover, community orchard and fruiting trees, ecological benefits, woodland themed play areas, social meeting spaces, wildlife pond and key walking and cycling connections, including to the Gainsborough Trail. The provision of accessible recreational areas would encourage activity, supporting social sustainability and the mental and physical well-being of future residents, in accordance with Core Strategy policies CS14 and CS15, Local Plan policy HS31 and paragraphs 8, 92, 98, 100, 105 and 130 of the NPPF.
- 6.7. Street furniture within the outer edges of the site would adopt a more natural finish, specifically through the use of timber and will be muted in tone to accord with a countryside edge character. Amongst the street furniture there would be the inclusion of benches, picnic tables, litter bins and cycle stands. Signage will be located along key walking and cycling routes and connections ensuring the whole site is legible for users and can be traversed conveniently.
- 6.8. The majority of existing landscaping on site, including linear field hedgerows, mature trees and wetlands, will be retained on site. The use of native, nectar-rich and locally sourced species, including those that support biodiversity and wildlife, will also be incorporated into the landscaping schemes for all phases. Key species (amongst others) being considered in the development of appropriate landscaping includes bats, badgers, dormice, great crested newts, corn bunting and skylarks. Planting and establishment of the community woodland is anticipated to be done as early as possible to allow adequate time for maturity. The proposed measures would be in accordance with Core Strategy policies CS14 and CS15, Local Plan policies CR07 and CR08 and paragraphs 131, 174 and 179 of the NPPF.
- 6.9. Key and comprehensive ecological protection and enhancement measures are proposed to be built into all key areas of the development, however, to ensure these are contextually appropriate for species and their habitats, specific measures will be detailed and secured through the Landscape and Ecological Management Plan, which is covered by separate conditions (37 and 39) and will be subject to conducting further ecological surveys and engagement with the Council's professional ecological advisers as they come forward. In each residential phase wildlife niches will be included, there would be 25 bat boxes, 25 bird boxes, hedgehog highways at the base of timber fencing, 10 bee bricks and log piles. These measures will ensure that biodiversity and protected species are safeguarded and are supported on site in accordance Core Strategy policies CS14 and CS15, Local Plan policies CR07 and CR08 and paragraphs 174 and 179 of the NPPF.
- 6.10. Objections were raised by Acton Parish Council on the ambiguous use of the term 'amenity land' which does not distinguish between public open space and biodiversity enhancement areas. This term is commonly used to embrace a wide range of informal amenity spaces, such spaces can concurrently support biodiversity enhancement measures. Officers do not consider that such multiplicity of use is detrimental to good design and that there do not necessarily need to be demarcated areas for each use. The approach described ensures that the development will be

effectively utilising spaces in a multitude of ways including for physical activity, social and community interactivity as well as biodiversity. Further parish concerns point out that the future management of the site has not been considered. The s106 agreement as secured under the the outline permission B/15/01718 ensures that a community woodland management company/commuted sum provided for the Council to conduct such management will be set up to manage the woodland area. It is considered that this will ensure that the objectives within the Design Code will be achieved and managed for the longer-term benefit of the community. The delivery section of the Design Code provides further assurance on the long-term management of the site.

7. Site Wide Coding

- 7.1. The site wide coding builds upon the Outline permission, specifically the Land Use Parameter Plan and Maximum Building Storey Heights Plan, to ensure a holistic and integrated approach to the development is adopted across the entire site.
- 7.2. The residential land will only feature development up to a ridge height of 10.8 metres, with the village centre and market square featuring development up to 12 metres in ridge height. It is noted that that commercial land will likely be up to 14 metres in ridge height as per the Building Storey Heights Plan, however this commercial land is not required to be covered by the Design Code.
- 7.3. Density across the site will vary between under 30 dwellings per hectare to the northern peripheral areas, between 31 and 40 dwellings per hectare across the majority of the site and more than 41 dwellings per hectare within the central village square. Alongside the building heights, the proposed densities will make an effective use of land, responsive to the different areas across the site, whilst retaining a high-level of open space overall, in accordance with paragraphs 119, 120, 124 and 125 of the NPPF.
- 7.4. Key focal points and important frontages have been identified within the Design Code for the development. Features on key buildings which will act as focal points are likely to include feature windows, chimneys, brick detailing, coloured render or a change in material, decorated gables, taller buildings. It is intended that features such as these will be incorporated on buildings in gateway positions, facing public open space and within key views. The townscape would reflect the character of the Suffolk, drawing upon popular architectural features found in Suffolk. A range of building typologies are identified across other towns within the Babergh District which could be appropriately applied within the residential phases, specifically to distinguish between peripheral, central and more residential areas in accordance with Core Strategy policy CS15, Local Plan policy CN01 and paragraph 130 of the NPPF.
- 7.5. The street layout is consistent with the Outline permission and the reserved matters infrastructure application and provides a street hierarchy comprising primary street (distributor road), secondary/ tertiary street (major/ minor accesses) and lanes (shared surfaces). The primary street features a 6-metre-wide road and 3-metre-wide segregated cycle and footpath. Secondary streets feature a 5.5-metre-wide road and 2-metre-wide footpath. Tertiary streets feature a 4.8-metre-wide road and 2-metre-wide footpath. Finally, the private drives will feature between a 4.1-metre and 5.5-metre-wide road (shared surface). All reserved matters applications will demonstrate sufficient space for emergency vehicle access.
- 7.6. Streetlights and street trees cannot be considered in any specific detail at this stage, as the Design Code provides a level of flexibility. SCC as the Local Lead Highway Authority prefer trees to be located away from the highway for safety and maintenance reasons, therefore opportunities for street trees will likely be limited by this. It is however noted that the latest NPPF makes

reference to the importance of street tree considerations and opportunities to maximise street trees will be explored where possible. Street lighting will be designed to adoptable standards and is expected to be wildlife sensitive as required by condition 39 of the Outline permission.

- 7.7. A new bus route is proposed to run through Chilton Woods and will connect future residents to services, facilities and amenities in a sustainable way in accordance with Core Strategy CS15 and paragraph 105 of the NPPF. All bus stops are proposed to be located within 400 metres of all dwellings to reduce walking distances to further encourage active and sustainable transport.
- 7.8. Parking provision will feature a mixture of on-street unallocated parking, located near to more communal areas and allocated parking will be concentrated on or near to dwellings. Parking strategies for dwellings shall comprise of courtyards for apartments and some houses, with on-plot hardstanding areas, car port/ drive through and garages for the majority of houses. Parking squares will likely be used in the village centre. Parking provision will be provided in accordance with Local Plan policy TP15 and SCC Parking Guidance (updated 2019).
- 7.9. The waste strategy shall be undertaken in accordance with the SCC requirements and will be located for both ease of future residents and waste collectors, as well as being designed into the scheme to manage and control the visual impact of collection points.

8. Resources and Energy

- 8.1. Each reserved matters application will be accompanied by an Energy and Sustainability Statement; and each phase will be expected to accord with the most recent building regulations relating to the conservation of fuel and power (currently approved document L1A). A range of measures will be incorporated across the site including: a fabric first approach, low energy lighting, energy efficient fabric, A and A+ Rated appliances, selection and procurement of materials to reduce their life cycle impacts, PV and Solar thermal panels, air source heat pumps, electric vehicle charging points, SuDS, dark corridors, secure and covered cycle storage, Environmental Management Plan to reduce construction waste and impacts, active transport connections, convenient access to public transport and robust townscape design. Utility provision will also be considered from the outset to ensure all needs will be met. These measures are in accordance with Core Strategy policy CS15 and paragraphs 105, 130, 152, 174 of the NPPF.

9. Character Areas

- 9.1. Villages within each of the four Parishes that the site falls within have been studied to provide design cues and help create six distinct character areas creating a sense of place. Gentle transitional spaces shall be created between different character areas.
- 9.2. The six-character areas comprise:
 - Woodland Edge
 - Village Centre
 - Village Green
 - Residential Neighbourhood
 - Acton Lane
 - Parkside and Linear Green linkages.
- 9.3. Two colourways (lighter and darker tones) are identified and will be applied in a consistent way with a limited palette of materials being applied according to location. A mixture of primary

(predominant materials on main elevations etc) and secondary materials (accent materials) are proposed.

- 9.4. The Woodland Edge to the north of the site creates a rural fringe and will use landscaping to create a soft edge of development setting. This area will feature detached and semi-detached houses with more generous plots, varying between 2 and 2.5 storeys in height and include dormer and bay windows. Canopies to all home, alongside brickwork details and chimneys in key locations are also proposed. Houses will face onto woodland areas and will be arranged on informal drives/ lanes in an organic and informal building line, reflective of many rural village locations. Materials likely to comprise of brickwork with render, weatherboarding, composite slate and tiles/ pantiles. On-plot parking is proposed with lay-by visitor parking incorporated. Landscaping will be predominantly soft, with native woody shrubs for structure, muted evergreen plants to the frontages and larger parkland trees in transitional spaces towards the community woodland. Hard landscaping will be minimal comprising black estate railings, tumbled block paving, timber fencing in hidden locations to the side and rear and brickwork walls facing onto the public realm.
- 9.5. The Village Centre should provide a flexible hub of services, facilities, and amenities (community hall, mixed use buildings with residential above, pub and market place) and is therefore at the heart of the site. It is also noted that public art would be appropriate in this location. The community hall is proposed as detached with a pitched roof, the pub as detached with a pitched roof and feature gable. Nearby dwellings would comprise of apartments, houses and coach houses. Building heights would range from 2 to 3.5 storeys. Features would include canopies and juliette balconies to all dwellings and brick details in key locations. Shared parking areas will mostly feature, with some allocated parking for dwellings in courtyards and squares. Materials would comprise brickwork with accent weatherboarding, timber and render and composite slate, tiles, solar panels, standing seam metal or single ply membrane roofs. The soft landscaping in this area would comprise ornamental trees, shrub beds/ hard landscaped pits and mostly evergreen shrub planting in blocks. Hard landscaping would comprise of textured block paving in varying colours, laying patterns and sizes to create legible spaces and bollards would also be used, reinforcing space hierarchy.
- 9.6. The Village Green would be located south of the Village Centre and is an appropriate location for a contemporary take on the traditional Suffolk character. It is anticipated dwellings would comprise of houses, coach houses and apartments, varying between heights of 2 to 3.5 storeys. Canopies would be included on all dwellings with brick details in key locations. Balconies and dormer and bay windows could also be appropriate in this location. Materials could include brickwork with weatherboarding and render accents and composite slate, tiles/ pantiles and PV/ solar water panels. Dwellings should face onto the Village Green, increasing natural surveillance. Soft landscaping is likely to comprise ornamental trees and short mown grassland to the green. Hard landscaping would primarily feature recreational footways linking spaces and be finished in macadam and chippings, chunky timber bollards and decorative steel railings would also be utilised. Parking provision shall comprise on-plot and courtyard parking with on-street lay-bys.
- 9.7. Residential Neighbourhoods would have varied buildings comprising of houses, bungalows and apartments and use dormer and bay windows. The dwellings shall be predominantly semi-detached and terraced, varying between 1 and 3 storeys in height. Similarly, to the Woodland Edge, canopies will be included on all houses with brick details and chimneys in key locations. The materials would comprise brickwork and accents in weatherboarding and render in lighter tones and composite slate, tiles/ pantiles on houses and PV/ solar panels and standing seam metal or single ply membrane roof on the apartments. A variety of parking shall be provided through on-plot, courtyards and on-street lay-bys. A suburban settlement edge character shall be

adopted, with varied mix of streetscapes, shared surfaces, mews, lanes and focal squares. Unlike the other character areas, the Residential Neighbourhoods shall feature predominantly hard landscaping comprising macadam roads, limited block paving and metal railings, timber bollards and timber fencing but brick walls to public realm areas. Soft landscaping shall take the form of ornamental shrubs, hedges and trees with green plot frontages with minimal hedges.

- 9.8. Acton Lane will adopt a semi-rural character, taking the majority of design cues from Sudbury. Dwellings will set back to enable retention of the existing hedgerows. Dwellings shall be detached, semi-detached and terraced, ranging between 2 and 2.5 storeys. Dormer and bay windows are appropriate and canopies will be included on all dwellings, with brick details and chimneys in key locations. Materials to comprise brickwork with weatherboarding and render accents, composite slate, tiles/ pantiles on houses and PV/solar water panels to roof and standing seam metal or single ply membrane on apartments. Soft landscaping would comprise ornamental shrubs species, limited tree planting with native hedge frontages used on larger plots. Hard landscaping will be minimal but will feature block paved shared surfaces and rustic post and rail fencing. There will be predominantly on-plot parking with some on street lay-bys.
- 9.9. Graduating between residential parcels, the parkside and linear green areas will interweave between the residential parcels and feature houses (detached, semi-detached and terraced) and apartments varying between 2 and 3 storeys, incorporating dormer and bay windows and canopies, with brick details and chimneys in key locations. A range of parking strategies are proposed including, rear courtyards, on-plot and frontage with lay-bys. Materials to comprise brickwork with weatherboarding and render accents, composite slate, tiles/ pantiles on houses and PV/solar water panels to roof and standing seam metal or single ply membrane on apartments. Transitional soft landscaping shall characterise the area, featuring natural and less flowering species and ornamental hedge planting.
- 9.10. Whilst there are many similarities between the character areas, the subtlety in the use of hard and soft landscaping, colours, architectural details, patterns of development and height, create distinctions between different areas, ensuring there is a clear sense of place for future residents and wider members of the community. Making subtle distinctions between the character areas ensures the development is fluid and cohesive, mitigating against a disjointed development.

10. Delivery

- 10.1. A phasing scheme for delivery of the development is the subject of condition 4 on the Outline permission.
- 10.2. A management plan has been prepared which will demonstrate who is responsible for managing different parts of the development, ensuring it is maintained for its lifetime. Taylor Wimpey will also take long-term stewardship meaning all proposals for Chilton Woods will pass through them and include a compliance check against this proposed Design Code. Any variation required in the Code relating to matters of detail for a phase will be required to pass formally through the Local Planning Authority.

PART FOUR – CONCLUSION

11. Planning Balance and Conclusion

- 11.1. The proposed design code accords with the wording and requirements of condition 8 of Outline permission B/15/1718. The Design Code has been developed following a long period of

consultation, engagement with the community and revisions to address key concerns. The Design Code as presented provides a comprehensive and holistic approach to the Chilton Woods development to ensure residential, village centre and market square development is brought forward and delivers upon key design principles in a contextually specific manner to develop a scheme that is sustainable in accordance with Core Strategy policies CS4, CS14, CS15, CS18, CS19, and CS21, Local Plan policies CN01, CN04, CR07, CR08, CP01, TP04, TP15 and HS31 and paragraphs 8, 92, 98, 100 105, 119, 120, 124, 125, 130, 131, 132, 152, 174 and 179 of the NPPF.

- 11.2. The proposed Design Code has been conceived having regard to the National Design Guide (2021) and the National Model Design Code (2021) and covers in appropriate detail those issues which it would be expected should be covered notwithstanding the fact that these documents only became formalised in July 2021 after consultation earlier in the year. The proposed Design Code also has regard to the principles of Building for a Healthy Life (2020) and draws upon the key approaches contained within that document. The Design Code will pave the way to creating high-quality, well-designed place which comprises sustainable development, embodying the spirit and aspiration of paragraph 8 and chapters 8, 9, 12 and 15 of the NPPF (2021).
- 11.3. As to the use of the Design Code, Members attention is drawn to paragraph 134 of the NPPF states that *“development that is not well designed should be refused, especially where it fails to reflect local design policies and government guidance on design, taking into account any local design guidance and supplementary planning documents such as design guides and codes. Conversely, significant weight should be given to: a) development which reflects local design policies and government guidance on design, taking into account any local design guidance and supplementary planning documents such as design guides and codes; and/or b) outstanding or innovative designs which promote high levels of sustainability, or help raise the standard of design more generally in an area, so long as they fit in with the overall form and layout of their surroundings.”*
- 11.4. Key aspects of the Design Code that will be incorporated into the future development here include a landscape led approach, ecological benefits, social recreational spaces, interconnected network of walking and cycling connections and distinctive places. These will secure an inviting, safe, sustainable and high-quality environment for future residents and the wider community within neighbouring areas.
- 11.5. The proposed Design Code covering the residential, village centre and market square land is a crucial step in delivering this strategically important site and the contribution that it makes to the districts housing stock. This application lays the foundations for a well-conceived and cohesive development that can be achieved through subsequent reserved matters applications.
- 11.6. It is considered that there are no material considerations which indicate that the proposed Design Code is unacceptable or inappropriate to achieve its purpose in guiding good design in the delivery of this strategic site and achieving a well-designed place.
- 11.7. The positive determination of this discharge of conditions application will moreover be an important step forward in the delivery of this strategic site which forms a notable element in the provision of future homes in the district and contributes meaningfully to the housing land supply position of the District.

RECOMMENDATION

That authority be delegated to the Chief Planning Officer to determine and discharge application condition 8 of the Outline planning permission B/15/01718.