

Committee Report

Item No: 7A

Reference: DC/21/01132
Case Officer: Bradly Heffer

Ward: Elmswell & Woolpit.

Ward Member/s: Cllr Helen Geake. Cllr Sarah Mansel.

RECOMMENDATION – APPROVAL OF RESERVED MATTERS WITH CONDITIONS

Description of Development

Submission of details under Reserved Matters following Outline Approval DC/18/04247 dated 21/08/2020 Appearance, Landscaping, Layout and Scale for - Erection of up to 300 dwellings, construction of a new spine road, land for a new primary school, burial ground extension, village car park and associated infrastructure.

Location

Land Off Bury Road, Woolpit, Suffolk,

Expiry Date: 01/06/2021

Application Type: RES - Reserved Matters

Development Type: Major Large Scale - Dwellings

Applicant: Hopkins Homes Limited

Agent: James Alflatt

Parish: Woolpit

Site Area: 23.4 hectares

Density of Development:

Gross Density (Total Site): approximately 13 dwellings per hectare

Net Density (Developed Site, excluding open space and SuDs): The areas of highest density (25-45 dph) are proposed in two clusters to the centre of the site. A looser grain of development is proposed to the edges of the site, to reflect the Country Edge Character Area (20-30 dph). The remainder of the site comprises a density of between 25-35 dph) (*source: Planning and Design Statement - pg 16*)

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: No

PART ONE – REASON FOR REFERENCE TO COMMITTEE

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

It is a 'Major' reserved matters proposal 15 or more dwellings, therefore requiring consideration by the Council's Development Control Committee.

PART TWO – POLICIES AND CONSULTATION SUMMARY

Summary of Policies

NPPF - National Planning Policy Framework

Core Strategy 2008

CS1 - Settlement Hierarchy
CS2 - Development in the Countryside & Countryside Villages
CS3 - Reduce Contributions to Climate Change
CS4 - Adapting to Climate Change
CS5 - Mid Suffolk's Environment
CS6 - Services and Infrastructure
CS7 - Brown Field Target
CS9 - Density and Mix

Core Strategy Focused Review 2012

FC1 - Presumption In Favour Of Sustainable Development
FC1.1 - Mid Suffolk Approach To Delivering Sustainable Development
FC2 - Provision And Distribution Of Housing

Mid Suffolk Local Plan 1998

CL2 - Development within special landscape areas
CL5 - Protecting existing woodland
CL8 - Protecting wildlife habitats
CL11 - Retaining high quality agricultural land
T1 - Environmental impact of major road schemes
T4 - Planning Obligations and highway infrastructure
T9 - Parking Standards
T10 - Highway Considerations in Development
T13 - Bus Service
RT4 - Amenity open space and play areas within residential development
RT12 - Footpaths and Bridleways
GP1 - Design and layout of development
HB1 - Protection of historic buildings
HB8 - Safeguarding the character of conservation areas
H3 - Housing development in villages
H4 - Proportion of Affordable Housing
H7 - Restricting housing development unrelated to needs of countryside
H13 - Design and layout of housing development
H14 - A range of house types to meet different accommodation needs
H15 - Development to reflect local characteristics
H17 - Keeping residential development away from pollution
SB2 - Development appropriate to its setting
SB3 - Retaining visually important open spaces

Neighbourhood Plan Status

This application site is within a Neighbourhood Plan Area. Members are advised that on 5th October 2020, Mid Suffolk's Cabinet committee agreed that the Woolpit Neighbourhood Development Plan should continue to a local referendum. This is subject to the implementation of all modifications set out in the Independent Examiner's Report.

The COVID-19 emergency has delayed the referendum. In accordance with s70(2)(aza) of the principal Act, Members must have regard to the post-examination draft neighbourhood development plan, so far as material to the application.

Officers afford the policies within the draft neighbourhood plan, so far as material to this reserved matters application, significant weight.

Those policies considered to apply are as follows:

- WPT1 – Spatial Strategy
- WPT2 – Location and scale of new housing developments
- WPT6 – Housing Type
- WPT7 – Affordable Housing on Rural Exception Sites
- WPT8 – Housing for the elderly
- WPT13 – Sports and Recreational Areas
- WPT15 – Settlement Gaps and key views
- WPT16 – Footpaths and Cycleways
- WPT17 – Public charging points for electric vehicles
- WPT18 – Design
- WPT19 – Design and Character

Babergh and Mid Suffolk Joint Local Plan

The draft JLP is currently subject to examination and following the Matter 4 sessions, the Councils have proposed to undertake further work regarding the Joint Local Plan's spatial distribution and the housing site selection process. The JLP is a consideration of limited weight and is not considered to be determinative in the assessment of this reserved matters application.

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)

Woolpit Parish Council has commented as follows:

'Whilst the Woolpit Parish Council is still very much opposed to the building of such a huge mass of housing in this village, we must come terms with the idea and we have been pleased that the developer has begun to engage with us and has made some small changes to the plans.'

We welcome the path which will link from White Elm Road enabling pedestrians to walk away from the narrow footpath along Bury Road and at the same time preserving the existing hedge.

We also welcome the link from the footpath/cycle way in the south east corner of the site on to the existing car park adjacent to the tennis club.

We very much hope that it will be possible for the burial ground, the open space to the east of the school and the green space between, to pass into our ownership. There is also a green space proposed for land between the new A14 roundabout and the north boundary of the cricket field which we are told is vital for bio diversity requirements for the site. this land is almost separate from the development and we are told it is likely to pass into the ownership of the housing management company. Would it not be better in the ownership of the of the parish council?

We have concerns about the proposed surface treatment of the car park on the burial ground and the access to it from Hay Barn Meadow. We would seek approval for a grassy, permeable surface such as Grass Crete matting.

We continue to doubt the usefulness of the proposed public car park off Bury Road. It is in the nature of mankind to walk less and drive more. A visitor to the village centre would be unlikely to use the car park. Would a green space not be better in this position? The car park in front of the tennis club will need improvement but would, if appropriately sign posted, make a better public car park.

In response to concerns about safety issues on the drainage basins we have been told that they will be fenced. You will be aware of the flooding history of White Elm Road and trust this has been addressed.

Turning now to the bigger question of climate change and government announcements about the phasing out of gas boilers and the like. We hope that this development will be future proofed and built to the highest standards.'

Elmswell Parish Council has objected to the proposal as follows:

'Demographics suggest that a sizeable proportion of the proposed new school intake will have to travel from Elmswell over A14. The site plan makes no recognition of this in terms of parking close to or on the site. There is, furthermore, the overriding lack of practical planning in that the spine road requires traffic to wind through the residential development in order to reach the school. This is an additional deterrent when non-vehicular travel is considered and counts against the essential consideration of sustainable travel. The layout should take account of the imperative that vehicular, pedestrian and cycle access should be provided directly into the school site at the earliest opportunity after leaving the proposed new roundabout.

An overriding concern is the proximity of the school site to the increasingly busy A14 which represents a major pollutant source, a factor very recently reinforced when a Coroner's published finding was that air pollution from traffic made a material contribution to the death of a child. The emerging BMSDC Joint Local Plan, at LP16 recognises this. The layout should take account of the very real and increasing hazard represented in this proposal and the school site moved to the southern extremity of the site to mitigate the clear and unacceptable risk to our children's health.'

National Consultee (Appendix 4)

Highways England has no objection to the proposals.

Historic England does not wish to offer any comments. It is suggested that the views of the Council's specialist advisers are sought.

Natural England has advised it has no objection to the proposals.

NHS West Suffolk Clinical Commissioning Group identifies that the impacts arising from the development on primary healthcare provision in the area can be mitigated via developer contribution secured through CIL (Community Infrastructure Levy). It is further advised that ‘...Work is currently underway looking at developments proposed along the A14 corridor between local health providers and the local LPAs. Developments in Woolpit will form part of this work and strategies will be forthcoming that will aim to mitigate the impact of developments on health providers in the area...’

Anglian Water advises that if it is to adopt all or part of the proposed SuDS scheme, it would need to accord with Design and Construction Guidance. It is also recommended that the Lead Local Flood Authority should be consulted as early as possible.

The **Environmental Agency** has advised it has no objections to the proposal as long as the development is carried out in accordance with the conditions requested in its consultation response on the outline application approval.

The **Mid Suffolk Disability Forum** would want dwellings to meet Part M4 of the Building Regulations. It is also noted that the submission includes 16no. bungalows that would assist people with mobility problems as well as assisting downsizing opportunities. All footpaths should be suitable for wheelchair users and all surfaces should be firm, durable and level. Lastly it is noted that disabled parking facilities should be included in the village car park.

County Council Responses (Appendix 5)

SCC Highway Authority had originally identified some required amendments to the proposals, and amended plans to address these were received. The further comments of the Highway Authority will be provided at the Committee meeting.

SCC Development Contributions has identified that ‘...It is essential that this reserved matters application includes access and services for the new primary school and Early Years setting. Location of services must be agreed by SCC...’

Officer comment: Members are advised that the s106 agreement secured at the outline application stage included a requirements that the primary school land was served ‘...via a road which is constructed...to the highway adoption standard...’ In addition the identified land has to be fully serviced.

SCC Archaeological Service has recommended the inclusion of two conditions on an approval of reserved matters.

Officer comment: Members are advised that conditions were imposed on the outline application approval and therefore inclusion on a reserved matters approval is not necessary.

SCC Travel Plan Officer advises that ‘...I have no comment to make, as the Travel Plan has been secured through the supporting Section 106 Agreement and the school is yet to be constructed.’

SCC Fire and Rescue Service has requested the inclusion of a condition to secure the installation of fire hydrants.

SCC LLFA originally lodged a holding objection to the proposals. However, following the submission of additional information the LLFA has confirmed no objection to the proposals.

Internal Consultee Responses (Appendix 6)

The **Heritage Team's** officer has advised that '...I consider the reserved matters application would cause a *low level of less than substantial harm* to the significance of the listed buildings, as well as the character and appearance of the conservation area. As such it does not accord with National or Local Planning Policies. However, in line with para. 196 of the NPPF, the harm should be weighed against the public benefits of the proposal...' Conditions are also recommended in the event that Reserved Matters approval is granted.

Place Services (Landscape) had identified plots 77, 128, 162, 191 and 210, where rear garden orientation could be improved. Lack of outdoor amenity space for the apartments was also identified. Lastly the requirement for a landscape management plan was identified.

Officer comment: the plans have since been revised to amend the garden areas on the identified plots and these are considered by your officers to now be acceptable. The plots themselves would be occupied by a flatted unit above a garage. While the comment about amenity space about the apartments is noted, it is considered that the location of these within proximity to open space within the site would address this issue satisfactorily. The outline planning permission granted by the Council includes a conditional requirement for the submission of a Landscape and Ecological Management Plan (condition no.11). Any further comment made by the consultee will be reported at the Committee meeting.

Place Services Ecology originally lodged a holding objection to the proposals. However, following the submission of further information that demonstrates that a biodiversity net gain would be achieved, the holding objection has been removed. Confirmation will be provided at the Committee meeting.

The **Environmental Health Air Quality Officer** has no objections to the proposals.

The **Environmental Health Land Contamination Officer** has no comments, identifying that '...all issues relating to land contamination were dealt with at the outline permission stage.'

The **Environmental Health Sustainability Officer** has no comment to make on the reserved matters submission.

The **Environmental Health Noise/Odour/Light/Smoke Officer** notes that a CEMP will be submitted as a discharge of condition requirement, and has no objection to the proposals. It is further noted that glazing, ventilation and plant noise level recommendations in the noise assessment submitted at the outline application stage should be adhered to.

Officer comment: this is a conditional requirement of the outline planning permission – condition 31 refers.

The **Waste Services** Officer has advised of the technical requirements necessary for a refuse Collection Vehicle to be able to access the development. In addition a condition is requested that requires the submission of a plan showing bin collection points.

Officer comment: the collection points are shown on material submitted with the application.

Public Realm Officers recommend that the proposed design of post and rail fencing is amended due to difficulty in repairing damage. It is also recommended that play equipment should have steel supports to reduce the likelihood of replacement if damaged. The range of equipment is identified as good, though a cradle swing would be welcomed. Lastly there are no objections to the general treatment of the open space areas.

B: Representations

At the time of writing this report at least 14 letters/emails/online comments have been received. It is the officer opinion that this represents 14 objections to the proposals. A verbal update shall be provided as necessary.

Views are summarised below:

- The development is out all proportion with the village and is overdevelopment. It is conflict with the Neighbourhood Plan and will place a strain on local services.
- Adverse traffic impacts will result as will impacts on light and air pollution.
- The design is not appropriate in a rural village location.
- The impacts on the landscape will be unacceptable
- The provision of a primary school will split the community.
- The spine road should be constructed first and CCTV should be provided in the car park.
- Southern boundary landscaping should be provided at the start of development to enable it to establish.
- Dwellings at plots 174 to 179 should be single storey to serve elderly residents and address overlooking issues.
- The dwelling at plot 112 should be single storey
- The proposed area for the graveyard is subject to drainage issues and doesn't have sufficient landscaping detail.
- The car park is too far from the village centre.
- No on site shopping facilities are provided.
- Cycle routes are not shown on the plans and will a bus route be available?
- There is a lack of facilities and amenities in the area.
- There is no footpath between the spine road and White Elm Road.
- The proposed dwellings and landscaping could cause loss of light to adjacent dwellings.

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

PLANNING HISTORY

REF: DC/18/02287	Screening Opinion for proposed development - Outline Planning Application (with means of access to be considered) for the residential development of the site for up to 300 dwellings, new access road and off site highway improvements, primary school, sport pitches, extensions to cemetery, public car park and associated infrastructure.	DECISION: EAN 08.06.2018
REF: DC/18/04247	Outline Planning Application (Access to be considered) Erection of up to 300 dwellings, construction of a new spine road, land for a new primary school, burial ground extension, village car park and associated infrastructure.	DECISION: GTD 21.08.2020

REF: DC/21/01132	Submission of details under Reserved Matters following Outline Approval DC/18/04247 dated 21/08/2020 Appearance, Landscaping, Layout and Scale for - Erection of up to 300 dwellings, construction of a new spine road, land for a new primary school, burial ground extension, village car park and associated infrastructure.	DECISION: PCO
REF: DC/21/01157	Discharge of Conditions Application for DC/18/04247- Condition 8 (EPS Licence for Great Crested Newts)	DECISION: PCO
REF: DC/21/01158	Discharge of Conditions Application for DC/18/04247- Condition 9 (Construction Environmental Management Plan)	DECISION: GTD 30.07.2021
REF: DC/21/01159	Discharge of Conditions Application for DC/18/04247- Condition 10 (Skylark Mitigation Strategy)	DECISION: GTD 15.04.2021
REF: DC/21/01160	Discharge of Conditions Application for DC/18/04247- Condition 13 (Surface Water Drainage Scheme)	DECISION: PCO
REF: DC/21/01161	Discharge of Conditions Application for DC/18/04247 - Condition 15 (Agreement of Market Housing Mix)	DECISION: GTD 15.10.2021
REF: DC/21/01162	Discharge of Conditions Application for DC/18/04247- Condition 16 (Energy and Renewable Integration)	DECISION: GTD 23.07.2021
REF: DC/21/02583	Discharge of Conditions Application for DC/18/04247- Condition 10 (Skylark Mitigation Strategy)	DECISION: GTD 24.06.2021

PART THREE – ASSESSMENT OF APPLICATION

1. The Site and Surroundings

- 1.1. The application site is located immediately north of the village of Woolpit. It has an overall area of 23.4 hectares. It is bounded to the west by White Elm Road; the fronts of dwellings on the western side of this road face across the application site. To the south the boundary abuts Bury Road and the curtilages of dwellings comprising the residential enclaves of Hay Barn Meadow and Mason's Lane. The eastern boundary of the site abuts Woolpit Cricket Club and a tennis court area, accessed via Rectory Lane. Lastly, the northern boundary abuts rural land and, for

approximately half its length, is defined by an established hedgerow, containing some trees. The north-eastern corner of the site extends to, and includes part of the A1088 junction with the A14 trunk road.

- 1.2. The site topographically, slopes gently away to the north. There is no built form on the site at present.

2. The Proposal

- 2.1 This reserved matters proposal, submitted following the grant of outline planning permission, seeks the Council's approval of details in relation to appearance, landscaping, layout and scale. Members will note that the means of access to the site is not a reserved matter – full planning permission having been granted at the outline planning application stage.
- 2.2 The outline planning application was inter alia described as 'Construction of up to 300 residential dwellings...' Therefore it is established as a principle that a maximum of 300 no. units can be erected on the identified site. Members are advised that this reserved matters submission includes details for this number of units i.e. 300 to be provided.
- 2.3 The outline planning permission included a condition (06) that states:

*'The Reserved Matters submission(s) shall be in general conformity with the Indicative/Illustrative Master Plan (drawing no W004/002), Open Space and Landscape Plan (drawing no. W004/100) and Character Areas Plan (drawing no. W004/105) submitted as part of the outline application hereby approved.
Reason: In order to ensure a satisfactory form of development and in the interests of proper planning.'*

The aim of the above condition was to ensure that a reserved matters submission should be guided by the identified plans. This was in order to establish, at the outline application stage, a 'framework' that could be used to inform the creation of a detailed proposal for the site. Officers consider that the submitted details conform with those plans.

- 2.4 In regard to the above, this reserved matters submission proposes the creation of character areas within the 23.4 hectare site; the 'Main Street' central area that follows the spine road through the site, 'Village Green' areas and 'Country Edge' areas. Within the central area, dwellings would comprise a mix of semi-detached and terraced units, with building heights varying between 2 and 3 storeys. The 'Village Green' would comprise a mix of detached and terraced houses, with some smaller units, having a formal arrangement around open spaces or greens. Storey heights would include 2 ½ and 3 storey units at key points. Lastly, the 'Country Edge' character area is designed as a predominantly lower density scheme comprising larger units and some detached bungalows – the dwellings being located nearest to the proposed linear green edge of the overall development.
- 2.5 Members are advised that the general organisation of the proposed development is in the form of a series of perimeter blocks across the site, with variations in density and built form arrangement, to create the identified character areas. The westernmost part of the site, where it abuts White Elm Road incorporates a linear open space that would provide a landscaped edge to this side of the overall development. This linear feature would contain two of the main attenuation basins serving the proposed SuDS for the site. In addition, the space would incorporate a pedestrian route and associated link to White Elm Road, as part of routes provided within the site. A series of mainly detached units would face across the linear space, served by private drive accesses leading from the main road network within the site. The central portion of the overall site, also

containing the spine road, would consist of a mix of denser development, with a particular formality of arrangement proposed around the internal open space areas, one of which would contain a local equipped area of play (LEAP). The proposed flatted development would also be located within proximity to this facility. The easternmost element of the development would be located immediately adjacent to the eastern area of open space, as well as the previously established location of the burial ground.

- 2.6 As part of the outline application approval, a site was secured for a new primary school/early years setting as required by draft policy requirements contained in the emerging Joint Local Plan, and the location of this facility is shown on the submitted plans. However, Members are advised that this current submission does not include details of the school – this aspect of the overall development would have to be pursued via a subsequent reserved matters application.

3. **The Principle Of Development**

- 3.1. Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that '*...If regard is to be had to the development plan for the purpose of any determination to be made under the planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise*'. In this case the development plan consists of the Core Strategy (adopted 2008) the Core Strategy Focused Review (adopted 2012) and the Local Plan (adopted 1998). Within the development plan the identified site is not allocated for development, and is considered on that basis to be greenfield land located within the countryside, where permission would not ordinarily find favour in principle.
- 3.3 Notwithstanding the above brief summary of the policy position, in the case of the determination of this reserved matters proposal, it is considered that the outline planning permission granted by the Council under application reference DC/18/04247 clearly establishes the acceptability of the proposed development taking place on the identified site and is the starting point for the decision now to be taken. Members are not tasked with re-considering the planning permission from scratch; rather it is necessary to consider those details reserved under the planning permission for determination at this later stage. The principle of development is therefore effectively fixed, subject to the conditions attached to the outline planning permission.
- 3.4 As part of the outline planning permission, Members are advised that, concurrent with the submission of a reserved matters application, specific conditions imposed required the submission of the following:
- Condition 08 – EPS Licence in relation to Great Crested Newts
 - Condition 09 – Construction Environmental Management Plan (Biodiversity)
 - Condition 10 – Skylark Mitigation Strategy
 - Condition 16 – Energy and Renewable Integration

In addition, details to satisfy condition 07 – Approval of Phasing Works and 15 – Agreement of Market Housing Mix are required to be submitted prior to, or concurrent with the submission of the first reserved matters application.

- 3.5 Members are advised that, at the time this report was produced, conditions 09, 10, 15, 16 had been formally discharged. The details of the proposed market housing mix (condition no.15) were referred to the Strategic Housing Team and its agreement was confirmed.

4. **Nearby Services and Connections Assessment Of Proposal**

- 4.1. Within the adopted development plan the village of Woolpit is identified as a Key Service Centre. The application site is located adjacent to the established settlement boundary for the village. Woolpit contains a number of facilities that would be available to the residents of the development including shops, a primary school, village hall, employment opportunities etc. In addition the village is served by a bus service.
- 4.2 As part of the development proposal, the scheme would include improved connections via the provision of the spine route through the site (incorporating a cycleway) as well as pedestrian and cycle links. In addition, as part of the outline approval the scheme would contribute towards the creation of improved cycle/pedestrian links between Woolpit and Elmswell (which is on the rail network).

5. **Site Access, Parking And Highway Safety Considerations**

- 5.1. As mentioned elsewhere in this report, the means of vehicular access to the site has been granted full planning permission – as part of the previously approved outline planning application. Therefore these elements of the proposed development are fixed. A specific condition (04) relates to this aspect of the development as follows:

‘ The hereby approved works necessary to provide means of vehicular access to the site as shown on drawing no.s IHD015/004/HG/100, IHD015/004/HG/101, IHD015/004/HG/102, IHD015/004/HG/103, IHD015/004/HG/104, IHD015/004/HG/105, IHD015/004/HG/106, IHD015/004/HG/107 and as detailed within the Transport Assessment Version 3 - 0 (July 2018) produced by Integrated Transport Planning Ltd. shall be begun before the expiration of three years from the date of this permission. Reason: To comply with the requirements of Section 91 of the Town and Country Planning Act 1990, as amended by the Planning and Compulsory Purchase Act 2004.’

Members are advised that as well as the approved access points i.e. via the existing A14/A1088 roundabout junction located to the north east and the new roundabout junction off Bury Road adjacent to the southern boundary, the approved plans identified in the condition included the provision of a spine road linking these junctions. Therefore the spine road and it's position is also a fixed element insofar as consideration of reserved matters is concerned.

- 5.2 Following initial submission of the proposals liaison with the applicant has taken place, including discussions with representatives of the Parish Council. A theme that emerged from the liaison was the need for the development to link in with the wider network through direct pedestrian and cycle links. As a result, the scheme put forward for Members' consideration proposes pedestrian links to White Elm Road, as well as a segregated footway that would connect White Elm Road with the Bury Road junction. In addition, the submitted plans show the provision of a cycle route which would bound the northern edge of the burial ground, and link into the car park area immediately south of the tennis courts. Following receipt of the initial reserved matters proposals, the Highway Authority requested various revisions and alterations to the proposed layout; this to improve the development's permeability via cycle and pedestrian routes. These inter alia included the provision of a controlled crossing point where the east/west shared footway crosses the link road, and the relocation of visitor parking spaces in order that they were more evenly distributed across the site. The Highway Authority's final comments were not available at the time this report was produced and Members will be updated accordingly at the Committee meeting.
- 5.3 In relation to the provision of parking, the reserved matters submission includes a plan showing the provision of spaces to serve the site. In this regard, Members are advised that the dwellings have provision of parking in either individual or shared driveways with associated garaging or car port facilities where shown. In other instances provision is through parking bays adjacent to

properties or some use of parking courts. The proposals avoid the use of triple parking arrangements to serve additional dwellings. The provision of parking space numbers accords with the Council's adopted standards. This includes the number of visitor spaces provided. The submitted plans show the provision of 86no. spaces across the site, exceeding the requirement of the standards which is calculated at 75no. spaces. Lastly, in relation to parking provision a condition (no. 27) requires that details of parking (including EV charging points) are submitted for approval before the development is commenced.

- 5.4 The impact of the traffic arising from the scheme was a key issue considered at the outline application stage, and the proposals at that time included a Traffic Impact Assessment. Further information was provided as requested during the consideration of the outline application. At this detailed level, the layout (as amended) is deemed an acceptable and appropriate proposal in relation to highway impacts: the final comments of the Highway Authority in this regard will be available at the meeting.

6. **Layout and Design**

- 6.1. The NPPF identifies that good design is a key aspect of sustainable development. A collaborative approach to the creation of good places is also encouraged. At the local level, several Core Strategy and Local Plan policies identify the Council's aim to secure high quality developments within the District.
- 6.2 As identified elsewhere in this report, the outline planning permission granted by the Council included a condition (06) identifying specific plans that were submitted at that time, which would inform reserved matters. These included an Indicative/Illustrative Master Plan, Open Space and Landscape Plan and a Character Areas Plan. The reason for the imposition of the condition was that the principles of layout demonstrated at that time were considered to be a satisfactory response to the constraints and opportunities that were presented by development on this site. The fact that the plans are specifically identified in a condition attached to the grant of outline planning permission means that they have significant weight as a material consideration in the determination of this reserved matters proposal. Detailed proposals for the site would be expected to follow the parameters that are established by the plans.
- 6.3 In this regard Members are advised that the reserved matters proposal put forward for consideration does incorporate the principles established at the outline stage. In relation to the Character Areas Plan this showed an arrangement of development whereby, within the overall development, character areas were to be created – comprising the area around the spine road, village green spaces and country edge spaces on the periphery of the site. This approach has been carried through to the reserved matters submission. The following comments are taken from the applicant's Design and Planning Statement (Reserved Matters) submitted with this application:

'...Three distinct character areas are proposed within the site . Two Village Green/Open Space Enclosure Character Areas are proposed to the east and west of the site, comprising dwellings overlooking open spaces. The Central Spine Road Character Area follows the length of the Spine Road, with dwellings fronting on to the Spine Road, set back from the road by shared surfacing. The eastern and western boundaries of the site within the Country Edge Character Area, defined by a looser grain of development and larger plots...'

- 6.4 The arrangement of development is such that the less dense areas of development are located towards the edges of the site, in response to the character of the surrounding area which is

comprised of village housing and areas of undeveloped rural land. In addition the use of open space on the periphery of the site, particularly along the eastern and western edges, provides undeveloped space, which makes a positive contribution to the overall setting of the new development in the context of its surroundings. Within the development itself, open spaces would have a more formalised arrangement – providing a spatial focal point for the surrounding dwellings. One of these spaces would contain the proposed play facility (LEAP) which would be overlooked by residential development. These spaces reflect the village green approach. Lastly, the central spine road would contain frontages of built form along its route.

- 6.5 It is noted that a number of individual dwelling types are proposed for the site which would enable a variety in the various street scenes and hence visual interest in the overall development. In terms of the units themselves, these range in height from 1 to 3 storeys and are in a detached, semi-detached and terraced arrangement, as well as some apartments. The proposals also includes instances of apartments above garages. The three storey buildings, containing the proposed apartments, would be located adjacent to the LEAP open space area, and hence in a more central location within the site, which would assist in mitigating their prominence within the overall development.
- 6.6 Although this current reserved matters proposal does not include details of the development on the school site, the spatial relationship with this site that would be created by the proposed residential development can be considered. In this regard, the school site would be bounded by part of the proposed estate road network which would also contain cyclist and pedestrian routes. The site would also be overlooked by dwellings, which would assist with its perception as an integral part of the overall development. The proposed LEAP facility would also be located close-by which is considered to be a spatially-responsive approach. In addition the boundaries of the residential areas with the school site would be landscaped, including the provision of tree planting, which would assist with the future setting of the school development within the overall scheme.
- 6.7 In terms of the design of the buildings themselves, these follow a traditional architectural form which would be an appropriate visual response in this village location. They would be constructed utilising brick, render, weatherboarding with tiled or slate roofs. This range of materials is considered to be in keeping with the surroundings, as well as indeed the wider village setting. It is noted that new developments underway elsewhere, for example to the south of Old Stowmarket Road, also incorporate a similar palette of external materials. The Heritage Team did comment on the range of external finishes proposed, and the final details can be controlled through condition, as suggested by that Team.
- 6.8 In terms of construction and sustainability issues, Members will note that a condition (16) was attached to the grant of outline planning permission that required the following:

Prior to or concurrent with the submission of the first reserved matters application for that phase (or part thereof), details shall be submitted to and approved in writing by the Local Planning Authority for the provision and implementation of water (including, but not exclusively, rainwater harvesting), energy and resource efficiency measures during the operational phases of the development. The submitted information shall demonstrate that energy generation and use of renewables shall be in excess of 10% above the Building Regulation standard applicable at the time that the submission is made. The submitted details shall include a clear timetable for the implementation of the measures in relation to the construction and occupancy of the development. The detailed scheme shall be constructed and the measures provided and made available for use in accordance with the agreed timetable.

Reason: To enhance the sustainability of the development through better use of water, energy and resources. This condition is required to be agreed prior to the commencement of any development as any construction process, including site preparation, has the potential to include energy and resource efficiency measures that may improve or reduce harm to the environment and result in wider public benefit in accordance with the NPPF.

The key requirement of the imposed condition is that energy generation and renewables shall be in excess of 10% above the Building Regulation standard applicable at the time of the submission of the details.

6.9 Members are advised that the applicant had submitted a scheme in accordance with the requirements of the condition (application ref. DC/21/01162), and this has been considered by the Council's Environmental Health Sustainability Officer who commented as follows:

'...The Applicant has provided a comprehensive Energy Strategy which identifies how the proposed development will meet a target of 10% on energy being provided by renewables and therefore Condition 16 has been met.'

The condition has subsequently been approved. The terms of the approved scheme may be summarised as follows:

- Fabric First construction approach – applied to 300no. units
- Water Waste Heat Recovery – applied to 250no. units
- Solar Voltaic panels applied to 9no. units

As part of the summary of the Energy Strategy Statement submitted to discharge the condition, the following comment is made:

'...The proposed strategy will provide a 13.96% carbon reduction over a development built to comply with the CO2 targets under the latest revision of the Building Regulations, Part L1A 2013. This also represents a 10.07% reduction in the energy requirements of the site, provided by renewables.'

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

- 7.1. At the outline planning application stage, the issue of landscape impacts likely to arise from the development were considered. The application submission included a Landscape Visual Impact Assessment (LVIA) that was considered by the Council's Landscape consultants. At that time it was determined that '...The LVIA accurately presents the likely effects of the proposed development on the landscape...the site is generally visually contained by the surrounding hedgerows, trees and topography of the landscape and therefore the proposed development will not have a detrimental impact on landscape character and visual amenity...The Landscape Strategy Plan within the LVIA identifies how a development proposal can be sensitively designed and should be applied to any future masterplan development...'
- 7.2 In this regard, condition 06 of the outline planning permission inter alia identifies the drawing titled 'Open Space and Landscape Plan (drawing no. W004/100) as one of three drawings that a reserved matters submission shall be in general conformity with. In this regard the submitted plans are considered to have proper regard to this drawing, and the detailed organisation of landscaping across the site follows the principles established therein, in your officers' opinion.

Importantly, the identified drawing also included indicative views across the site towards the parish Church, which is also a consideration in terms of impacts on heritage assets.

- 7.3 In relation to this reserved matters submission, the initial plans did elicit comments from the Council's Landscape consultants. This led to the submission of amended plans which are now judged to be acceptable by your officers. At the time this report was drafted, further comments from the consultants had not been received. Members will be updated at the meeting accordingly.
- 7.4 In relation to tree impacts, it was identified at the outline stage that the development of the site would require the removal of a number of trees and some lengths of hedgerow. However, the scheme includes compensatory planting and in overall terms the number of trees that would be planted on the site would exceed those to be lost. In addition, appropriate compensatory hedgerow planting would also be provided.
- 7.5 At the time of the outline planning application the supporting material included an assessment of the ecology and biodiversity value of the site. On this basis, the permission granted at that time included conditions that required the submission of a skylark mitigation strategy, concurrent with the submission of reserved matters. Members are advised that the strategy has been submitted in accordance with the requirements of the condition, and this condition has now been formally discharged. In addition, the site is within the vicinity of a site that could contain a suitable habitat for Great Crested Newts and, therefore, as a precautionary measure a condition was imposed that required an appropriate licence from Natural England authorising the commencement of the development or a statement from the licensing body confirming that licencing is not necessary. Again, a submission to discharge this condition has been made and this is still under consideration at the present time.
- 7.6 In addition to the above conditional requirements in relation to ecology, other conditions require the submission of a Construction Environmental Management Plan that deals specifically with ecology (condition 09) and, prior to occupation, a Landscape and Ecological Management Plan and Biodiversity Enhancement Strategy (condition 11), together with a Wildlife Sensitive Lighting Design Scheme (condition 12). These conditions, individually and in combination, are considered to ensure that potential impacts on ecology are properly mitigated and opportunities for ecological enhancement are realised.
- 7.7 In relation to the current submission, again following comments that were received from the Council's Ecological consultants, the submitted plans have been amended to address the points raised. The consultants have indicated that their holding objection has been lifted and any further comments received will be reported at the Committee meeting.

8. **Land Contamination, Flood Risk, Drainage and Waste**

- 8.1. In relation to land contamination issues, these were considered at the outline application stage; the application submission at that time included a report that examined this particular issue, concluding that the site could be used for residential purposes. The findings of the report were considered and accepted by the Environmental Health officer. Furthermore, the outline planning permission included a condition that relates to unexpected land contamination on the site as well as an informative reminding the applicant of their responsibilities in the event that unexpected contamination was found. This reserved matters submission has not elicited any further comments from the Environmental Health officer in this regard.
- 8.2 The application site, in its entirety is located within flood zone 1 and therefore is in an area that has less than 0.1% chance of fluvial (river flooding) i.e. 1 in 1000 year possibility. This type of

location is preferred for residential development generally, being classified as a vulnerable use. Again, at the outline application stage, the application submission included a Flood Risk Assessment and neither the Environment Agency nor the Lead Local Flood Authority had an objection to the proposals.

- 8.3 Since the submission of the reserved matters ongoing liaison has taken place between the applicant and the LLFA regarding the SuDS for the site – bearing in mind also that a condition attached to the outline planning permission (no.13) requires the approval of a surface water drainage scheme to serve each phase of the development, prior its commencement. The LLFA has now advised that the details submitted have addressed its previous comments and a recommendation of approval is made.
- 8.4 In terms of waste disposal, the details submitted have not given rise to an objection from the Council's Waste Services Team.

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

- 9.1. The protection of heritage assets from inappropriate forms of development is an established tenet of planning control. Section 66 (1) of the Planning (LCBA) Act 1990 requires local authorities to give special attention to the desirability of preserving or enhancing the character or appearance of listed buildings, including setting. In addition, relation to conservation areas, section 72 of the Act identifies that '...special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area...' The NPPF at paragraphs 194 – 198 describes how development proposals affecting heritage assets should be considered. In addition paragraph 199 makes clear that '...When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation...' The NPPF also identifies at paragraph 202 '...Where a development proposal will lead to less than substantial harm to the significance of a heritage asset, this harm should be weighed against the public benefits of the proposal...'
- 9.2 Leading on from this, Core Strategy policy CS5, inter alia, identifies the Council's aim '...to protect, conserve and where possible enhance the natural and built environment...' In addition, policy HB1 deals with the protection of listed buildings, and specifically states that '...particular attention will be paid to protecting historic buildings.' Also, policy HB8 specifically relates to the aim to safeguard the characters of the District's designated conservation areas.
- 9.3 The outline application submission included an assessment of heritage impacts arising from the development proposals. This was considered by the Council's Heritage Team and also Historic England, and it was concluded that the proposal would result in less than substantial harm to the setting of identified heritage assets, including the village churches of Woolpit and Elmswell as well as Woolpit conservation area. This finding requires that likely impacts on heritage assets has to be balanced against public benefits resulting from the proposed development. In the case of the outline application it was determined that the public benefits did outweigh the likely impacts – and this was a material consideration in the Council granting outline planning permission. At that time the following comments were included in the officer's report to Committee:

'In line with statutory duties, considerable importance has been applied to the harm that has been identified and the desirability for keeping heritage assets from harm. In such circumstance where 'less than substantial' harm has been identified, the NPPF requires

that harm, to which great importance must be attached (para 193), to be weighed against the benefits of the proposal (para 196). Officers have undertaken that balance. The benefits that would flow from allowing development to proceed are of significance and principally relate to the provision of up to 300 dwellings and infrastructural provision that would provide wider utility and meet IDP requirements key to the successful delivery of the emerging Plan. Even where considerable importance is attached to the heritage harms within that balance, the benefits outweigh them. In light of the satisfactory outcome of that balance the development is considered to be acceptable in heritage terms noting the policies of the development plan and the NPPF’.

9.4 Clearly, with the submission of a reserved matters proposal, more details are available to consider the impacts arising from the development. The subsequent reserved matters submission also includes a Heritage Statement (plus subsequent addendum), the contents of which have been considered. In this regard, it is noted that Historic England does not wish to comment on the proposals, suggesting that the views of the Council’s own advisers is sought.

9.5 Members will note the Heritage Team’s comments and particularly those made in the concluding paragraph:

‘...The additional Heritage Statement acknowledges that the proposals will cause less than substantial harm to the assets. This is also my view. Nevertheless, given the justification for the detail within the scheme which is described and explained within the Heritage Statement, I consider the reserved matters application would cause a low level of less than substantial harm to the significance of the listed buildings, as well as the character and appearance of the conservation area. As such, it does not accord with National or Local Planning Policies. However, in line with para. 196 of the NPPF, the harm should be weighed against the public benefits of the proposal...’

9.6 It is the case that the balance to be struck between the likely heritage impacts arising from the proposed development and the public benefits arising from the development was first undertaken at the outline application stage, as summarised above. Furthermore the submission of details has not given rise to objection from relevant consultees in this regard. In judging the proposals the Heritage Team has identified a *low level* (officer emphasis) of less than substantial harm, which is a reduction from that adduced at the outline application stage. It remains the case that even where considerable importance and great weight is attached to that harm and the principle of conservation, the public benefits to flow from the development decisively outweighs that harm.

10. **Impact On Residential Amenity**

10.1. Notwithstanding the fact that the site for this proposal is outside of the established settlement boundary for the village, there are a number of dwellings in the vicinity of the application site as well as the wider locality, and the impacts arising from the proposals on residential amenity are a fundamental concern. In relation to the dwellings facing the site across White Elm Lane, the main impact arising from the development would be the change in outlook when the site is viewed from these properties. Members will be aware that planning does not protect views across third party land as such. That said, the arrangement of the proposed development means that it is located to the east of a substantial area of landscaped land. This spatial intervention would ensure that the development did not appear overly prominent, or physically overbearing, nor create an overshadowing issue. The proposals would introduce additional pedestrian movements into White Elm Lane, via the proposed pedestrian network serving the development but this, in itself, is not considered to be an unacceptable amenity impact per se. Similarly, the position of dwellings along the south western boundary of the site (adjacent to Bury Road) is such that they are set back from the highway, with amenity space, access routes in between. It is fully acknowledged that one of

the two points of vehicular access to the site is located in this vicinity, and it is the case that traffic movements at this point will undoubtedly increase – with the subsequent noise etc. that would arise. That said, the point of access has full planning permission and is established. In addition, the use of the access has not given rise to concerns from the Environmental Health team in terms of amenity impact, either at the outline application stage or via consultation response at this reserved matters stage.

- 10.2 Members will note from the summarised list of comments from some neighbouring residents that concerns have been raised in relation to the dwellings located on specific plots – namely, plot 112 as well as plots 174 to 179. In the case of the dwelling on plot 112 this is proposed to be a detached house. Its position would be immediately north of the burial ground area, and in this location it is judged that the dwelling would not give rise to unacceptable amenity impacts for the nearest existing dwellings, located to the south of the burial ground land, in Mason's Lane . In regard to the dwellings on plots 172 – 179, these are proposed to be a mix of terraced, semi-detached and detached units. The dwellings proposed for plots 172 – 175 are two storey terraced or semi-detached units. These face at an angle towards the rear of existing dwellings located in Hay Barn Meadow. Members will be aware that the Council does not have adopted spatial standards for space between existing and proposed dwellings. However, in this case, the distance is approximately 30 metres at its closest point, when scaled from the submitted drawings (measured as a corner to corner distance). On this basis it is considered that this new development would be sufficiently distant from that existing in order that an unacceptable degree of overlooking was avoided, in your officers' view. The dwellings proposed for plots 176 – 179 are proposed to be bungalows and therefore the potential for overlooking from 1st floor windows is avoided.
- 10.3 The eastern and northern boundaries of the site abut land that is not utilised for residential purposes and the location of dwellings in proximity to these boundaries does not give rise to amenity impact concerns as such.
- 10.4 Another key consideration in terms of the impacts on residential amenity arising from the development is those arising through the construction stage of the development. In relation to this aspect, the outline planning permission included conditions that require the submission of a Construction Management Plan (CMP) to be agreed, prior to the commencement of development (or phase thereof). This is in addition to a CMP that relates specifically to highway and traffic impacts. Individually, and in combination, it is considered that the requirements of the approved CMPs would ensure that the amenity of residents was protected during the construction phase.

11. **Planning Obligations / CIL**

- 11.1. As identified elsewhere in this report, the granting of the outline planning application (ref. DC/18/04247) was following the securing of a s106 agreement between the applicant, the District Council and the County Council. The terms of the completed agreement as summarised below for Members information:
- 20% affordable housing provision on site (this figure agreed following assessment of development viability).
 - £522 625 primary school contribution
 - £529 497 early years contribution
 - Primary School land - 2.2 hectares of land reserved and offered to SCC or its nominee for the provision of a new 420-place primary school together with a 90-place pre-school centre. The land would be fully serviced by road access, drainage and utilities.
 - Open space provision including: green buffer area between the proposed development and existing dwellings on White Elm Road; smaller pockets of green space (including

formal areas of play - LEAPs) suitable for play areas; and open space to the east of the site to allow for future expansion of the Woolpit Cricket Club in association with the Playing Fields Trustees. The maintenance and management would be transferred to either the District Council, Parish Council or Management Company.

- Village Car Park - to provide a village car park (specification to be agreed) and, once constructed, transfer the land/car park to MSDC, Parish or its nominee.
- Burial Ground Extension to provide land for a burial ground extension
- A contribution of approximately £15,000 per site required to construct or improve bus stops nearby.
- A contribution of £220 000 to provide the footway/cycleway link between the site and the A1088/Church Road junction if not achieved through s 278 agreement.

11.2 In addition to the above Members will note the consultation response from the NHS CCG in which it is noted that the mitigation of impacts on health service provision will be sought via CIL.

12. Parish Council Comments

12.1 The comments received from Woolpit Parish Council and Elmswell Parish Council are fully acknowledged and appreciated. In response to the range of points raised by Woolpit Parish Council the following comments are made:

- The future ownership of the burial ground, open space etc as identified is a matter to be resolved as part of the attendance s106 agreement signed as part of the outline planning application process. The agreement allows that identified land is transferred to a 'nominated body' – defined as Woolpit Parish Council, District Council or other management company.
- The final details of the treatment of the burial ground are to be agreed through the burial ground specification required as part of the s106 agreement, and also as part of the recommended landscaping condition that would be imposed as part of a reserved matters approval.
- The provision of a public car park to serve the village was identified as a requirement for the development at the outline stage, as part of the site allocation in the emerging Joint Local Plan. Furthermore its provision is included within the s106 agreement, together with a requirement that its specification is also agreed. The issue of the suggested alternative provision of the village car park has been raised with the applicant, in discussion with representatives of the Parish Council. Members are advised that the applicant has indicated they do not wish to relocate this facility bearing in mind that the outline planning permission and the attendant completed legal agreement relate to its position on site as currently shown. Nevertheless, the possible relocation of the car park in the future could be subject to further discussion between the relevant parties outside of the arena of this reserved matters submission.
- The final details of the drainage basins is to be agreed as part of the approval for the surface water scheme as required under condition 13 of the outline planning permission.
- As part of the outline planning permission condition 16 required the submission and approval of energy and renewable integration measures. This condition has since been approved and Members are referred to the relevant section of the report in this regard.

12.2 In regard to the comments made by Elmswell Parish Council, the provision of a school on the overall site is secured via the approval of the outline planning application, and the position of this site is fixed insofar as it is shown on plans identified as part of condition 06 attached to the outline planning permission. However, this current reserved matters application does not include details of this element of the development. Notwithstanding this, it is noted that the submitted plans do

show the provision of a vehicular access off the spine road, which would serve the school site, without drivers having to travel through a significant area of the estate. In addition, the spine road would include a crossing point near the school site as part of a cycle link that extends to the roundabout junction to the northeast of the site. On a wider point, while the comments regarding the location of the school site in relation to the A14 are noted, the position accords with the parameters established at the outline application stage. The school building is indicated as being at the southern end of the defined site. Also, the Environmental Health team has not identified a concern in relation to the locational issue identified by the Parish Council.

PART FOUR – CONCLUSION

13. Planning Balance and Conclusion

- 13.1. Notwithstanding the tension with the adopted Local Plan, the grant of outline planning permission under application ref. DC/18/04247 establishes the acceptability in principle of 300no. dwellings being provided on the identified site. Therefore the principle and nature of the development is fixed; Members are not required to re-consider the proposal from scratch and your officers are satisfied that the development will continue to deliver the anticipated benefits and within the envelope of impacts already considered.
- 13.2. As a planning judgement, given that the outline planning permission established the acceptability of the development taking place on the identified site, it now falls for the details of the proposed development to be considered under this reserved matters submission.
- 13.3. The proposal as presented to Committee is not the first iteration of the plans; ongoing liaison has taken place with the applicant's agent to address issues, including those arising from consultee responses. In addition, following the submission of the application liaison also took place with representatives of Woolpit Parish Council where various points were discussed. Members will note that the Parish Council acknowledges that some changes have been made which is viewed positively. The overall aim is to ensure that a significantly sized residential development can be provided on the site that is respectful of its setting and the context of the surroundings.
- 13.4. In this regard it is considered that the scheme presented to Members is of merit in townscape terms, creating a legible development with properly defined public and private areas. In addition, the form of buildings reflects a traditional approach which is considered to be an appropriate design response. The use of design and landscape in order to create differing character areas would mean that the development had its own visual identity.
- 13.5. In consideration of the proposals, the objections and concerns expressed are fully acknowledged and appreciated. The development of the land will clearly be a fundamental alteration and additional significant traffic movements will result. That said, the principle is properly established through the outline application approval and, importantly, the submission is considered to follow the development parameters established at that time. The application for reserved matters approval put forward for consideration by Members is judged by your officers to be an appropriate scheme, that is worthy of a positive recommendation where it accords with the development plan in so far as the policies that are relevant to its determination.

RECOMMENDATION

That the reserved matters are APPROVED subject to the following summarised conditions and those as may be deemed necessary by the Chief Planning Officer :

- Reserved matters permission given in accordance with the terms of the outline planning permission relating to this site and the conditions attached thereto remain in force, except where discharged or superseded by the reserved matters approval.
- Approved Plans (plans submitted and as subsequently amended that form this application).
- Final details of external materials, boundary treatments and hard surfacing to be approved.
- Provision of fire hydrants
- Swift nest bricks
- Hedgehog permeable boundaries
- Conditions as may be recommended by the Highway Authority, Landscape and Ecology consultants

(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