

Committee Report

Item No: 7C

Reference: DC/21/02982

Case Officer: Alex Scott

Ward: Debenham.

Ward Member/s: Cllr Kathie Guthrie.

RECOMMENDATION – GRANT PLANNING PERMISSION WITH CONDITIONS

Description of Development

Full Planning Application - Erection of 54 No. dwellings (including 19 affordable), creation of vehicular and pedestrian access, public open space, infrastructure and landscaping.

Location

Land East of, Aspall Road, Debenham, Suffolk IP14 6QA

Expiry Date: 20/04/2022

Application Type: FUL - Full Planning Application

Development Type: Major Small Scale - Dwellings

Applicant: Hopkins & Moore (Developments) Limited

Agent:

Parish: Debenham

Site Area: 2.5 hectares (ha)

Density of Development:

Gross Density (Total Site): 21.6 dwellings per hectare (dph)

Net Density (Developed Site, excluding open space and SuDs):26.47 dph

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

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

Has the application been subject to Pre-Application Advice: Yes - Reference: DC/20/05197

PART ONE – REASON FOR REFERENCE TO COMMITTEE

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

It is a “Major” application for:

- a residential development for 15 or more dwellings.

PART TWO – POLICIES AND CONSULTATION SUMMARY

Summary of Policies

NPPF - National Planning Policy Framework
FC01 - Presumption In Favour Of Sustainable Development
FC01_1 - Mid Suffolk Approach To Delivering Sustainable Development
FC02 - Provision And Distribution Of Housing
CS01 - Settlement Hierarchy
CS02 - Development in the Countryside & Countryside Villages
CS03 - Reduce Contributions to Climate Change
CS04 - Adapting to Climate Change
CS05 - Mid Suffolk's Environment
CS06 - Services and Infrastructure
CS09 - Density and Mix
GP01 - Design and layout of development
HB01 - Protection of historic buildings
HB08 - Safeguarding the character of conservation areas
HB14 - Ensuring archaeological remains are not destroyed
H04- Proportion of Affordable Housing
H07 - 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
H16 - Protecting existing residential amenity
H17 - Keeping residential development away from pollution
CL08 - Protecting wildlife habitats
T09 - Parking Standards
T10 - Highway Considerations in Development

Neighbourhood Plan Status

This application site is within an adopted Neighbourhood Plan Area. Accordingly, the adopted Neighbourhood Plan forms part of the current development plan.

The following Neighbourhood Plan Policies are considered most relevant to the current proposal:

DEB 1 - Growth
DEB 2 - Appropriate Housing
DEB 5 - Allocation of site east of Aspsall Road opposite Primary School
DEB 6 - Housing Mix
DEB 7 - Residential Car Parking
DEB 8 - Traffic flows and non-residential car parking
DEB 9 - Non motorised networks
DEB 11 - Employment
DEB 12 - Broadband
DEB 14 - Landscaping
DEB 15 - Green Spaces
DEB 16 - Gardens
DEB 17 - Public Realm
DEB 18 - Historic Environment
DEB 19 - Views
DEB 20 - Nature Conservation
DEB 21 - Financial Contributions

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)

Debenham Parish Council - 14th June 2021:

Support principle of proposal.

Object to following details submitted:

- Lack of landscaping to site boundaries;
- Insufficient measures for safe pedestrian and cycle access to the village;
- Insufficient flood risk attenuation measures proposed;
- Insufficient construction management information provided - Safety concerns;
- Affordable housing provision has not been defined - Proposed provision should be genuine and should address current need in village;
- Suggest open space could be transferred to the Parish Council, subject to a commuted sum for maintenance being secured;
- Developer encouraged to engage with SCC with regards safe access and parking along Aspsall Road;
- Developer should consider green energy generation as part of proposal.

National Consultee (Appendix 4)

Anglian Water - 26th May and 26th October 2021:

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

Environment Agency - 3rd November 2021:

No comments to make - There are no constraints within EA's remit.

Natural England - 26th May and 25th October 2021:

Has no comments to make on this application.

Historic England - Initial Responses - 10th June and 20th October 2021:

Objects to the application on heritage grounds as development of this site would result in harm to the significance of the conservation area through development in its setting.

Historic England - Subsequent Response - 11th November 2021 and 24th March 2022:

Consider the proposal and the change in the setting would affect the significance of the Conservation Area and would result in less than substantial harm to its significance - Confirm HE did respond to Neighbourhood Plan Reg 16 consultation and did not give extensive comments, however HE did comment that this consultation did not reflect HE's obligation to provide further advice on or, potentially object to specific proposals which may subsequently arise as a result of the proposed NP, where HE consider these would have an adverse effect on the historic environment - Advise that the Council's own evidence base identifies the potential to setting change and considers it could have a negative impact - Advise that the Debenham Conservation Area Appraisal also discusses the significance of the agricultural based trade which has resulted in the fine historic buildings found in the village - Note the current heritage statement provided does not reference the Conservation Area or its setting - Advise that any harm to the significance of heritage asset(s) should be weighed against public benefits, as required by the NPPF.

NHS - CCG - 7th June and 4th November 2021:

No comments to make - The CCG previously commented on this proposal in December 2020 and see no reason to update previous response – The CCG is working closely with BMSDC Infrastructure Team with regards strategy in this area.

County Council Responses (Appendix 5)

SCC - Highways - Initial Response - 28th May 2021:

Holding Objection:

- Proposed 1.8 metres wide footway link acceptable in principle, however, unclear whether proposal feasible within current highway extent or land within control of the applicant - Further investigation and evidence required from the applicant to demonstrate that suitable pedestrian connection is deliverable;

- Proposed pedestrian crossing point at very end of the footway, next to an area of verge is not acceptable - Clearing of verge hedgerow is not an acceptable long-term solution - Alternative crossing point location required;
- Direct pedestrian route connection to PROW at Priory Lane required - Proposed layout does not appear to show this - Clarification required;
- Provision of Laybys on the inside bend is not acceptable – Alternative locations required.

Other comments (not reasons for formal objection):

- Location of proposed access acceptable and sufficient visibility splays achievable;
- Quadruple width dropped kerbs onto Minor Access Road, within the development, are not acceptable, should these be adopted;
- Proposed access across a speed restraint ramp would not be acceptable.

SCC - Highways - Second Response - 2nd November 2021:

Development Layout generally acceptable - Proposed planting will, however, need to be maintained on initial estate road bend, in order to maintain highway visibility - Service strip also required in this area for utilities - S106 contribution for a parking restriction bond required - Footpath link to priory lane welcomed and should be properly surfaced - Highway mitigation improvements and details will need to be subject to planning conditions.

SCC - Highways - Third Response - 23rd November 2021 and Fourth Response - 9th March 2022:

Following assessment of additional information: No objection – subject to compliance with suggested conditions: Access layout details; Access visibility splays to be provided and maintained; New footway and crossing point on Aspal Road to be provided prior to occupation; Storage and presentation details of refuse and recycle bins; Estate roads and footpaths details; Estate roads and footpaths to be constructed to at least Binder course level prior to occupation; Landscaping details; Parking layout to be provided; and Secure Cycle storage details.

SCC - Lead Local Flood Authority - Initial Responses - 1st June and 19th October 2021:

Holding objection - Whilst the applicant has assessed the flood risk, the surface water drainage strategy needs to be amended to ensure meet national and local policy's with regard to its proposed design elements have been met - Actions required in order to overcome current holding objection given.

SCC - Lead Local Flood Authority - Subsequent Response - 14th December 2021:

Recommend Approval - Subject to suggested conditions: Surface Water Disposal Strategy; SUDs Landscaping; Surface water drainage verification report; and Construction surface water management plan (CSWMP).

SCC - Archaeology - 27th May and 19th October 2021:

No grounds to consider refusal of permission in order to achieve preservation in situ of any important heritage assets. However, in accordance with the provisions of the NPPF, any permission granted should be the subject of a planning condition to record and advance understanding of the significance of any heritage asset before it is damaged or destroyed.

SCC - Fire and Rescue - 24th May and 18th October 2021:

Recommend that fire hydrants be installed within this development on a suitable route for laying hose - Not possible, at this time, to determine the number of fire hydrants required.

Recommend that consideration be given to the benefits derived from the provision of an automatic fire sprinkler system.

SCC - Travel Plan Officer - 24th May and 15th October 2021:

No comment to make - The size of the development does not meet the threshold of requiring a Travel Plan.

SCC - Development Contributions - 4th June and 5th November 2021:

Education, Early Years, Library Improvements, and Waste contributions to be secured by way of CIL - Highways S106 requirements subject to SCC-Highways' advice.

Internal Consultee Responses (Appendix 6)

MSDC - Heritage - 18th June 2021:

Acknowledge the comments made by both Historic England and Suffolk Preservation Society - Consider the proposal would result in 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 - Advise that the harm should be weighed against the public benefits of the proposal, as required by the NPPF - Consider further details with regards: Materials and colours; Boundary Treatments; Hard surfacing; Sectional Levels drawings through the site, required by way of conditions.

MSDC - Ecology Consultants (Place Services) - 9th June 2021:

Holding objection due to insufficient ecological information on Priority species (farmland birds) - Further information should be provided to identify the likelihood of breeding Skylarks present within the site, and a bespoke Farmland Bird Mitigation Strategy, should adverse impacts be identified - Agree with non-licencing approach and proposed mitigation with regards Great Crested Newts - Proposed biodiversity enhancements also supported.

MSDC - Ecology Consultants (Place Services) - 1st October 2021:

Having reviewed additional information provided - Raise no objection subject to securing ecological mitigation and enhancement measures by way of condition.

MSDC - Environmental Protection - Land Contamination Issues - 8th June and 2nd November 2021:

No objection to the proposed development from the perspective of land contamination - Request that the LPA are contacted in the event of unexpected ground conditions being encountered during construction and that the minimum precautions advised are undertaken until such time as the LPA responds to the notification - Advise that the developer is made aware that the responsibility for the safe development of the site lies with them.

MSDC - Environmental Protection - Air Quality Issues - 8th June and 21st October 2021:

Confirm that the scale of development, at 54 dwellings, is not likely to be of a scale of that would compromise the existing good air quality at, and around the development site.

MSDC - Environmental Protection - Noise/Odour/Light/Smoke Issues - 4th June and 29th October 2021:

No adverse comments and no objection to the proposed development – Subject to Construction Hours and Construction Management being agreed by way of condition.

MSDC - Arboricultural Officer - 27th May 2021:

No objection - Subject to development being undertaken in accordance with the measures outlined in the accompanying arboricultural report - Although a small number of trees are proposed for removal they are of limited amenity value and/or poor condition and are not of sufficient arboricultural or landscape importance to warrant being a constraint - Detailed Arboricultural Method Statement and Tree Protection Plan required by way of condition.

MSDC - Waste Manager - 1st June and 4th November 2021:

The development should be suitable for a 32 tonne Refuse Collection Vehicle (RCV) to manoeuvre around.

MSDC - Strategic Housing - 7th June and 25th October 2021 and 16th March 2022:

The applicant has proposed 19 no. affordable homes as part of the proposal, which is in excess of the 35% required, and as such is acceptable in principle - This scheme proposes an affordable housing mix of 1, 2 and 3 bed affordable rent and shared ownership homes which is broadly acceptable - Recommend the affordable homes are distributed across the development, note affordable units currently proposed on one cluster - Preferred Affordable rent mix acceptable.

MSDC - Public Realm - 22nd October and 22nd December 2021, and 8th March 2022:

No Objections – subject to following: Request details of species of tree being planted and detail as to the open space grassland; Some of the grassland should be sown as wildflower meadow; SUDs planting should be revised, as advised.

Mid Suffolk Disability Forum - 28th May and 19th October 2021:

All dwellings should meet Part M4 of the Building Regulations - Noted that some bungalows are proposed and these will assist people with mobility problems and people who wish to downsize from larger dwellings - Every effort should be made to ensure all footpaths are wide enough for wheelchair users, with a minimum width of 1500mm - Any dropped kerbs should be absolutely level with the road for ease of access - Surfaces should be firm, durable and level - Note that no car parking spaces of the 127 being provided are described as spaces suitable to assist people with mobility difficulties.

Other Consultee Responses

British Horse Society - 25th May 2021:

No objection to this application in principle - Safe access must be available for all vulnerable road users, including Equestrians - Proposed pedestrian routes throughout the site should be multi-user routes for all Non-Motorised Users including equestrians and accord with national and local policies - Equestrians

have not been included within any part of this application - Exclusion of equestrians from any safe access provision for cyclists is not only discriminatory and contrary to the ethos of the Equality Act 2010, but it also actually puts equestrians in increased danger - A number of Equestrian routes surrounding the site are unrecorded, these routes can be reasonably alleged to subsist at a minimum of bridleway status - These public rights should be asserted and not be allowed to be subsumed within this development or anything beyond it - Improvements would adequately include equestrian access through the site by correctly recording routes and creating routes within and around the development site to improve connectivity and upgrading route(s).

Suffolk Wildlife Trust - 11th June 2021:

Agree with Place Services comments - recommend further details with regards proposed landscape planting species and landscape management - Request external lighting is designed so as to not affect Bat foraging areas - Request Hedgehog permeable boundaries are included.

B: Representations

At the time of writing this report at least 18 letters/emails/online comments have been received. It is the officer opinion that this represents 18 objections, 0 support and 0 general comments. A verbal update shall be provided as necessary.

Views are summarised below:-

- Increased on-street parking and traffic hazards resulting;
- Additional vehicle movements the proposal would create and concerns with regards pedestrian and highway safety;
- Access for emergency service vehicles;
- Pedestrian safety getting to and from site, even with new pedestrian footpath proposed;
- Increased surface water runoff and increased instances of localised flooding that would result;
- Impact on character of the Conservation Area and settings of listed buildings;
- Proposal would pave over ever decreasing countryside;
- Proposal would result in the significant loss of Wildlife Habitat;
- Consider CIL money resulting from the development should be spent in Debenham and not elsewhere;
- Proposal would put additional pressure on village services, particularly GP practice and Schools;
- Consider more single-storey homes for older population required;
- Consider design and layout should be more responsive to the existing character of the village;
- Proposal would threaten existing tranquillity of Cemetery;
- General dislike of development, disagreement with Neighbourhood Plan and Neighbourhood Plan Allocation, and do not consider Debenham needs any more housing.

(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: 0347/89/OL **ERECTION OF ONE COTTAGE STYLE DWELLING WITH ALTERATION TO EXISTING VEHICULAR ACCESS.** **DECISION:** REF 31.10.1989

PART THREE – ASSESSMENT OF APPLICATION

1. The Site and Surroundings

- 1.1. The site extends to approximately 2.5 hectares of existing grade 3 agricultural land, adjacent to the existing north-east edge of the village of Debenham, and adjacent to the main B1077 highway which runs through the village from north to south. The site lies outside of the settlement boundary, as a Key Service Centre as defined in the current development plan and for planning purposes is, therefore, defined as being in the countryside.
- 1.2. To the south of the site lie the village recreation ground and cemetery, both allocated as local green spaces in the current development plan.
- 1.3. To the east of the site runs Priory Lane a narrow lane and public right of way which is partly surfaced to the south of the site. Beyond Priory Lane, to the east of the site lies Hoppit Wood and Lake, which is also allocated as a local green space in the current development plan.
- 1.4. To the north of the site, beyond an existing field boundary hedgerow lies open countryside and further undeveloped agricultural fields.
- 1.5. The main B1077 highway (known as Aspoll Road in the vicinity of the site location) lies adjacent to the site to the west, and which is speed limited to 30mph along the majority of the site frontage. Beyond the fronting highway to the west lies the river Deben, with the village Primary School and playing fields beyond this.
- 1.6. The site is stated to be located within an area of significant Archaeological potential in the current development plan and early archaeological investigation is required as part of any development proposal.
- 1.7. The site affects the setting of several grade II listed buildings, most significantly nos. 50 and 52 Aspoll road, to the south-west of the site and Gull Farmhouse and Barn, to the north-west of the site. The site also affects the setting of the village Conservation Area, the northern most extremity of which is located approximately 13 metres to the south-west of the site.
- 1.8. The existing vegetated site boundaries are considered to be of ecological significance, being located adjacent to open countryside, wooded areas and a lake.
- 1.9. Whilst the site itself is within Environment Agency Flood Zone 1, the area fronting Aspoll Road is shown to lie within EA Flood Zones 2 and 3.

1.10. Site levels are observed to slope down significantly through the site, towards the River Deben, from east to west.

2. The Proposal

2.1. The application seeks full planning permission for the erection of 54 no. new dwellings on the site, including 19 no. affordable dwellings. The application also includes for construction of a new estate road access to Aspoll Road, public open space, and highways improvements to Aspoll Road.

2.2. The proposed dwelling types are broken down as follows:

Market Dwellings

Two Bedroom Single-Storey Bungalow	= 1 no.
Two Bedroom Two-Storey Houses	= 12 no.
Three Bedroom Single-Storey Bungalows	= 2 no.
Three Bedroom two-storey Houses	= 11 no.
Four Bedroom two-storey Houses	= 9 no.
TOTAL (Market Dwellings)	= 35 no.

Affordable Dwellings

Rent

One Bedroom Apartments/Flats	= 6 no. (1 no. two-storey building)
Two Bedroom Two-Storey Houses	= 6 no.
Three Bedroom two-storey Houses	= 2 no.

Shared Ownership

Two Bedroom Two-Storey Houses	= 3 no.
Three Bedroom two-storey Houses	= 2 no.

TOTAL = 19 no.

2.3. The proposed dwellings would be provided in a range of types and styles. Proposed external facing material would be a mix of facing red and light yellow brick, and off-white render. One dwelling (Plot 49) is proposed to be externally finished in facing weatherboard. Roofing materials would be a mix of red and dark grey pantiles and slates).

3. The Principle of Development

3.1. The starting point for any planning decision is the development plan, as identified in Section 38(6) of the Planning and Compulsory Purchase Act 2004. Determination of any application must be made in accordance with the plan unless material considerations indicate otherwise. A key material consideration regarding the principle of development is the National Planning Policy Framework (NPPF).

3.2. For the purposes of the application at hand, the following documents are considered to form the adopted Development Plan, considering also the provisions of the latest iteration of the NPPF as a material planning consideration:

- Saved Policies of the Mid Suffolk Local Plan (1998)
- Saved Policies of the Mid Suffolk Core Strategy (2008)
- Policies of the Mid Suffolk Core Strategy Focussed Review (2012)
- Debenham Neighbourhood Development Plan (2019)

- 3.3. Mid Suffolk currently benefits from a housing land supply of 9.54 years, as evidenced in the Council's latest Annual Monitoring Report and Housing Land Supply Position Statement, published earlier this year. These documents provide that the Council is able to demonstrate a housing land supply far in excess of the minimum requirement of 5 years, as required by the NPPF at paragraphs 11d, 14c, 74 and 75. As such this element does not engage the tilted balance requirement of the NPPF in itself. . The Council is, therefore, able to give weight to its current development plan policies, subject to conformity with the provisions of the NPPF. Where adopted development plan policies do not conform with the NPPF they carry less statutory weight.
- 3.4. Development plan policies CS1, CS2, H7 and DEB5 are the planning policies most important for determining the principle of the current development proposal. Policy CS1 identifies a settlement hierarchy as to sequentially direct development, forming part of a strategy to provide for a sustainable level of growth. The policy identifies categories of settlement within the district, with towns representing the most preferable location for development, followed by the key service centres, primary then secondary villages. Policy CS2 restricts development in the countryside to defined categories. Local Plan Policy H7 seeks to restrict housing development in the countryside in the interests of protecting its existing character and appearance.
- 3.5 Policies CS1 and CS2 jointly set out the spatial strategy for the district in directing how and where new development should be distributed. They are not expressly prohibitive of new development in the countryside and allow for new development that is in accordance with them. Read together the policies provide a strategy for the distribution of development that is appropriate in recognising local circumstances and their overall strategy remains sound. This is because they take a responsible approach to spatial distribution, requiring the scale and location of new development to take into account local circumstances and infrastructure capacity. These elements are consistent with the NPPF.
- 3.6 As a matter of judgement the generally restrictive approach to housing in the countryside set out within those policies is not entirely consistent with the NPPF, where development that is otherwise sustainably located and acceptable in other respects might nevertheless be refused if those policies were applied with full force. This position has been recognised in previous appeals, and the Council in approving other housing development even where a five-year housing land supply can be demonstrated. There is a not too dissimilar '*special circumstances*' test at NPPF paragraph 80 but that only applies to sites that are physically separated or remote from a settlement. It is this policy approach (alongside paragraphs 78 and 79, among others) within the NPPF that is infringed by the proposal.
- 3.7 However, the parts of CS1 and CS2 which do not entirely comply with the NPPF with regards a blanket approach would be the parts which the proposal breaches. The parts of CS1 and CS2 which direct development to Towns and Key Service Centres are given due weight. These policies are consistent with the need to enhance and maintain villages and rural communities, and avoid new isolated homes, as set out within paragraphs 78, 79, and 80 of the NPPF. Further, CS1, CS2 and H7 also reflect NPPF paragraph 105 which provides that the planning system

should actively manage patterns of growth and focus significant development on locations which are or can be made sustainable.

- 3.8 Having established a housing land supply which demonstrably and significantly proves that the Council is boosting significantly the supply of homes it is considered that the management of new development to more rather than less sustainable locations is an important development plan purpose which is consistent with the thrust of the NPPF. It is therefore appropriate to afford a substantial weighting to policies CS1, CS2, and H7 . They are “up to date“ in so far as they apply to the circumstances of this application, where development in more sustainable locations as part of Towns and Key Service Centres would provide sustainable development following the direction of the spatial strategy of the Council.
- 3.9 It should be noted that Debenham is defined as a key service centre in Policy CS1, amongst the most preferable village locations for development in the current development plan settlement hierarchy. Whilst it is outside the settlement boundary due regard is subsequently had to the Neighbourhood Plan, which provides an allocation for this site.
- 3.10 Most significantly the proposal site is allocated for 37 to 87 new homes in the current development plan, at Policy DEB5 of the Debenham Neighbourhood Plan (2019).
- 3.11 Policy DEB 5 provides that: the actual number of homes built must be subject to a detailed site assessment based on relevant policies in the development plan; Any planning application must be supported by a flood risk assessment taking account of access on to Aspoll Road, within Flood Zones 2 and 3; and Any planning application must be supported by the results of a programme of archaeological evaluation, including field evaluations where necessary, and should demonstrate any impacts of development on archaeological remains, and proposals for managing such impacts.
- 3.12 In assessing the provisions of the allocation at Development Plan Policy DEB 5, your officers consider the number of dwellings proposed by the current application (54 no), although being a shortfall of the maximum number of dwellings permitted by the policy, is justified as the detailed site assessment provided has revealed that increased numbers and density would result significant harm in terms of the character of the site and its relationship to the village, the surrounding countryside and impact on heritage assets. It is considered that dwelling numbers in excess of that currently proposed would result in an overly urbanising form of development and as such the number of dwellings currently proposed is considered appropriate and justified, and within the number of units range provided for by plan allocation DEB5.
- 3.13 The principle of the current proposal is, therefore, considered to comply with the requirements of development plan allocation policies CS1, CS2, H7 and DEB5, having had regard to the NPPF as a material consideration. The broad principle of development is, therefore, considered acceptable, subject to acceptability when assessed against other material planning considerations. Those considered most relevant to the development proposal are set out below:

4. Site Access, Parking and Highway Safety Considerations

- 4.1. The applicant has provided a Transport Statement in support of the application, which has been assessed by Suffolk County Council Local Highway Authority.
- 4.2. The LHA have advised that the proposed vehicular access, onto Aspall Road lies within the village 30mph speed limit and therefore the proposed point of access is supported in principle. The LHA also support the design of the proposed access, subject to agreement of precise details, which can be secured by way of condition.
- 4.3. The applicant has proposed off-site highways works, in the form of a paved pedestrian footway adjacent to Aspall Road. Whilst this proposed footway, due to available space within the control of either the applicant or local authorities, is unable to be constructed to current LHA standards, the LHA have agreed that the additional pedestrian access proposed, to the village centre, via Priory Lane, is sufficient to address this issue.
- 4.4. The proposed site internal road layout has also been provided to adoptable Highways Standards. The LHA are satisfied with the proposal in this respect, subject to further construction details, to be secured by way of conditions.
- 4.5. The majority of onsite and visitor parking would be constructed in accordance with current parking guidance provided by the LHA, with instances of triple parking being limited to dwellings accessing shared surface estate roads and private driveways only. Having assessed the proposed parking layout, the LHA have not raised objection to the application proposal in such regards, subject to condition.
- 4.6. The proposal is, therefore, considered to propose safe and suitable access and an appropriate number and location of parking spaces, in accordance with the provision of development plan policies T9 and T10, having had regard to the provision of the NPPF, as a Material planning consideration.

5. Design and Layout [Impact on Street Scene]

- 5.1. The development is predominantly two-storey, however the developer has sought to provide 3 no. bungalows as part of the development.
- 5.2. The proposed layout has been designed so as to set the development back from Aspall Road and has introduced areas of public open space to the frontage of the development, either side of the proposed estate road access. The development is proposed with a central estate spine road running through the development, in a reverse C shape, with 7 no. shared surface branch roads and private driveways off this. Paved footpaths are also proposed adjacent to the principal estate roads providing safe pedestrian routes through the development, connecting to a new pedestrian access through to Priory Lane to the south of the site and to the new pedestrian connections adjacent to Aspall Road, proposed to the west of the site.
- 5.3. The proposed layout is considered to create a welcoming, quality, pedestrian-friendly residential environment. Back gardens meet back gardens or the landscaped boundaries of the site, and the design and orientation of dwellings avoids unsupervised spaces. The proposed open spaces and landscaped boundaries provide green corridors to accord with landscaping recommendations, as

well as creating a soft buffer to the adjoining countryside. Discussions with the developer since the application was originally submitted have led to a number of improvements to the connections across and around the site, and on-site public open space provision, that taken together have resulted in attractive spaces between dwellings to encourage activity and good sense of place, with direct links to the open countryside.

- 5.4. The proposed housing density of 26.47 dwellings per hectare (dph) would be lower than the average density of at least 30dph sought by plan policy CS9, however it is considered that a lower density would be appropriate here to take account of the character and appearance of the locality and local circumstances, as accepted by CS9. This lower density is considered to be acceptable in this location, at the countryside edge of the village, adjacent to less dense and historic edge of settlement properties. The proposed density, is therefore considered to be appropriate to the existing character and density of development to its immediate surrounds, and appropriate to the landscape character of the locality.
- 5.5. The layout proposes a wide range of house types, with 18 total design variations proposed. The resulting range of house types enjoy detailed features with a far greater range of character variances when compared to an average estate of a similar scale. It is considered that the proposals will provide a development of sufficient interest and individual character, suitable in the proposed location. The scheme delivers a range of housing types which would provide a suitable mix address and would deliver 19 no. affordable housing units.
- 5.6. Strategic Housing Officers have assessed the application proposal and are satisfied that the proposal would deliver affordable dwellings of a number, type and tenure that is acceptable, in accordance with what was previously agreed in principle at outline stage, with the proposed affordable housing also being compliant in relation to Nationally Described Space Standards.

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

- 6.1. The proposed scheme of landscaping, providing strong landscape and open space buffering, incorporating appropriate tree, hedge and plant species, to the north and east countryside boundaries, is considered appropriate to the type and scale of development proposed. The proposed scheme of landscaping is also considered to provide green corridors traversing the countryside edges of the site, to the benefit of ecological species.
- 6.2. Council ecology consultants have been consulted on the application proposal and, are satisfied with the level of detail and hard and soft landscaping proposed, subject to securing ecology mitigation and enhancement measures by way of condition.
- 6.3. Overall the proposed scheme of landscaping is considered to screen and soften the proposed development into the existing landscape, to create an appropriate soft edge to the village in this location, and to provide suitable opportunities for ecological species.

7. Heritage Issues [Including the Impact on the character and appearance of the Conservation Area and on the setting of Neighbouring Listed Buildings]

- 7.1. The proposed development site is adjacent to the north boundary of the Debenham Conservation Area, and in close proximity of several listed buildings including the Grade II listed 50, Aspall Road (1352455), the Grade II listed Debenham House (List Entry Number: 1032309), the Grade II listed Barn 30 Metres West of Gull Farmhouse (List Entry Number:

1352456), and the Grade II listed Gull Farmhouse (List Entry Number: 1032310), all of which have the potential to be impacted through change within their setting.

- 7.2. The proposed development site is an arable field with views of the wider agrarian landscape to the north, east, and west.
- 7.3. Historic maps show that Debenham House and the proposed development site have a historical functional relationship. The view of Debenham House, adjacent to the proposed development site, from the rural approach to the west facilitates the legibility and understanding of the historic use of the heritage asset. Therefore, the proposed development site, having associative value with Debenham House, contributes to the setting and special historic interest of the heritage asset.
- 7.4. The Debenham Conservation Area and historic core of Debenham village is characterised by its linear settlement running north to south, with a variety of medieval and post-medieval buildings presented along High Street, and a visual and experienced relationship with the countryside to the north-east and north-west. As such, the proposed development site contributes to the significance of the Debenham Conservation Area as an open arable field which preserves the historic linear plan of the village.
- 7.5. Historic England have been consulted on the current application and have provided the following advice:

The Heritage Statement produced alongside the live planning application does not reference the Conservation Area or its setting and therefore does not consider the impact of the proposal falling paragraph 194 of the NPPF. Historic England understand that the site has been allocated in the Neighbourhood Plan and is being considered for inclusion in the emerging JLP however they do have serious concerns regarding this site as this is where the historic core of the village ends and helps illustrate its historic and intrinsic relationship to the surrounding countryside.

Historic England advise that modern development has largely taken place to the east of the village, however, developing on this site would result in just the south western extent of the Conservation Area retaining its direct connection to the countryside.

In conclusion Historic England consider the proposal would result in less than substantial harm to the Debenham Conservation Area through development within its setting. However they also advise that the Council may consider the harm to be outweighed by the public benefit of providing housing for the area.

- 7.6. Council Heritage Consultants at Place Services have also been consulted on the latest proposals and have provided the following advice:

The proposal to erect 54 dwellings will have a detrimental visual impact on the view of Debenham House (Grade II Listed) and the proposed development site from the west, obscuring the legibility of the historic functional relationship of the heritage asset and the site and consequently the historic use of the heritage asset. For that reason, the proposals would constitute a scheme that would lead to less than substantial harm to the Grade II listed Debenham House, making Paragraph 202 of the National Planning Policy Framework (NPPF) relevant.

NPPF Paragraph 202 states the following: "Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed

against the public benefits of the proposal including, where appropriate, securing its optimum viable use”.

Furthermore, the proposals would sever the north-east link between Debenham Conservation Area and the open agrarian landscape beyond and obscure the historic relationship between the settlement and the surrounding countryside. Additionally, the proposals would significantly alter the historic linear development. The proposals, therefore, would amount to less than substantial harm to the significance of the Debenham Conservation Area, and fail to preserve its character and appearance contrary to Paragraph 206 of the NPPF.

NPPF Paragraph 206 states the following: “Local planning authorities should look for opportunities for new development within Conservation Areas and World Heritage Sites, and within the setting of heritage assets, to enhance or better reveal their significance. Proposals that preserve those elements of the setting that make a positive contribution to the asset (or which better reveal its significance) should be treated favourably”.

In conclusion Place Services Heritage consider it is not possible to support the proposals as they are in conflict with Paragraphs 202 and 206 of the NPPF and Sections 66, and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

- 7.7. In addressing the concerns raised by the Council’s Heritage consultants, your officers advise that although the concerns raised are noted, the site benefits from a housing land allocation for up to 87 new dwellings, in the current development plan, at policy DEB5. The heritage impacts of the proposal have, therefore, already been taken into account and assessed through the site allocations process and when the Neighbourhood Development Plan was adopted in March 2019.
- 7.8. It is considered potential heritage harm has been substantially reduced by the current application, with the addition of a significant amount of open space fronting the development and highway and the proposal for only 54 no. dwellings, being 33 no. less than the maximum permitted in principle by way of allocation policy DEB5.
- 7.9. It is also noted that the level of harm to the significance of heritage assets is given as less than substantial by both consultants, and NPPF paragraph 202 is, therefore, relevant and states the following:
- “Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.”*
- 7.10. It is the consideration of your officers that the public benefits associated with the delivery of this neighbourhood plan housing allocation: in support of the District’s current Housing Land Supply; the need for housing delivery on a national scale; the delivery of on-site Affordable Housing Units and public open space; as well as highway improvements, job creation in relation to construction and ongoing maintenance of land and properties, significantly outweigh the less than substantial harm to the significance of the heritage assets identified by your heritage advisors.
- 7.11. The proposal is, therefore, considered acceptable in heritage terms, on this basis.

8. Archaeology

- 8.1. Policy DEB5 requires a programme of archaeological evaluation as part of any development proposal.
- 8.2. The County Archaeology Unit have assessed the application proposal and have advised that the site lies in an area of archaeological potential recorded on the County Historic Environment Record and is in a topographically favourable for archaeological remains overlooking a tributary of the River Deben. County Archaeology advise that the proposed development area is located immediately north of the record historic settlement core of Debenham, that a scatter of 13th-14th century pottery is recorded from within the site, and that further scatters of medieval, late Saxon and prehistoric finds are recorded to the north.
- 8.3. The County Archaeological Unit advise that there are no grounds to consider refusal of permission in order to achieve preservation in situ of any important buried heritage assets. However, in accordance with the provisions of the NPPF, Country Archaeologists advise that any permission granted should be the subject of a planning condition to record and advance understanding of the significance of any heritage asset before it is damaged or destroyed. The current proposal is, therefore, considered to conform with this aspect of plan allocation policy DEB5.

9. Impact on Residential Amenity

- 9.1. Policy H13 of the development plan seeks to ensure new housing development protects the amenity of neighbouring residents. Policy H16 of the development plan seeks to protect the existing amenity of residential areas.
- 9.2. Paragraph 130 of the NPPF sets out a number of core planning principles as to underpin decision-taking, including, seeking to secure a high standard of amenity for existing and future users of developments and places.
- 9.3. The proposed layout provided is considered to sufficiently demonstrate that the site is readily capable of accommodating the proposed number and density of dwellings in a manner that will not unduly compromise the residential amenity of future occupiers of the development or occupiers of neighbouring dwellings. The proposed dwellings give no rise to unacceptable amenity impacts, owing largely to the separation distances between proposed dwellings and existing neighbouring dwellings and the orientation of buildings proposed.
- 9.5. The proposal, therefore, accords with the aspirations of development plan policies H13 and H16 and with paragraph 130 of the NPPF in this regard.

10. Surface Water Drainage and Flood Risk

- 10.1. Policy DEB5 requires a planning application to be supported by a flood risk assessment, taking into account of access on to Aspoll Road, within Flood Zones 2 and 3.
- 10.2. The current application is supported by a site specific flood risk assessment and surface water drainage strategy, carried out by a suitably qualified Company (GHBullard & Associates LLP),

which takes into account of access on to Aspoll Road, within Flood Zones 2 and 3, as required by policy DEB5.

- 10.3. The final report and recommendations are considered to satisfactorily demonstrate that the proposed development is at 'low' risk of flooding from all sources.
- 10.4. The proposed surface water drainage strategy submitted is based on directing surface water runoff to 2 no. attenuation storage basins located to the west site boundary, either side of the proposed access to Aspoll Road.
- 10.5. The NPPF requires that, for major applications such as this, sustainable drainage systems for the management of run-off are put in place, unless demonstrated to be inappropriate. Sustainable drainage is an approach to managing surface water run-off which seeks to mimic natural drainage systems and retain water on or near the site, as opposed to traditional drainage approaches, involving piping water off-site as quickly as possible. SuDS involve a range of techniques including soakaways, infiltration trenches, permeable surfaces, grassed swales, ponds and wetlands. SuDS offer significant advantages over conventional pipe drainage systems in reducing flood risk by attenuating the rate and quality of surface water run-off from a site, promoting groundwater recharge and improving water quality amenity.
- 10.6. National Planning Practice Guidance directs what sort of SuDS should be considered. Generally, the aim should be to discharge surface water run-off as high up the below hierarchy of options as reasonably practicable:
 - 1) Into the ground (infiltration);
 - 2) To a surface water body;
 - 3) To a surface water sewer, highway drain or another drainage system;
 - 4) To a combined sewer.
- 10.7. The NPPG provides that the particular types of SuDS may not be practicable in all locations.
- 10.8. In addition to the above, the NPPF also requires that developments do not increase flood risk elsewhere.
- 10.9. SCC-Local Lead Flood Authority (LLFA) have been consulted on the application proposal and, following negotiation and receipt of revised and further information from the applicant, resolved to recommend approval of this application on basis of the most recent proposals submitted, subject to conditions.
- 10.10. In assessing the proposal, your officers consider the surface water drainage scheme, as currently proposed would suitably manage surface water runoff from the proposed development and would not demonstrably result in significant increased flood risk on the site or elsewhere. The proposal is, therefore, considered to comply with the relevant part of allocation policy DEB5 in this regard, having also had regard to the requirements of the NPPF, as a material consideration.

11. Land Contamination

- 11.1. The applicant has provided a desk based contaminated land assessment with the application proposal, carried out by a suitably qualified individual, which concludes that it is not considered that the site would be designated "Contaminated Land" within the meaning of Part 2A of the

Environmental Protection Act 1990. The site is currently undeveloped field with no evidence of contaminating materials present.

- 11.2. Your contaminated land specialists have assessed the proposal and have not raised an objection in principle but have advised the developer to contact the Council should any unexpected ground conditions be encountered during construction, and that the advised minimum precautions are taken until such time as the Council responds to the notification. The developer is also advised that responsibility for safe development of the site lies with them.

12. Parish Council Comments

- 12.1 The matters raised by Debenham Parish Council in their latest formal consultation response of the 14th June 2021 are set out and addressed below. The Parish Council were re-consulted, following receipt of amended and additional information from the applicant, on 15th October 2021, and again on 4th March 2022, however no further formal comments have been received at the time of writing:
- 12.2. It is noted that the Parish Council (PC) have not objected to the principle of the proposed development and consider the principle of the development proposal to be in general compliance with development plan allocation Policy DEB5.
- 12.3. The PC consider the proposal to be contrary to Neighbourhood Development Plan Policies DEB2 c) and DEB14 a) and b) due to a lack of landscaping to site boundaries. In response to the concerns raised, the layout has been amended, moving dwellings away from site boundaries, allowing for provision of soft landscape screening and/or rear gardens to the perimeter of the site. The scheme has also been designed to fit into the edge of village character, with provision of on-site landscaping and open spaces. Your officers consider these points satisfy the requirements of DEB2 and DEB14 in these respects.
- 12.4. The PC have raised concern that insufficient measures for safe pedestrian and cycle access to the school and remainder of the village have been provided. Your officers advise that extensive consultation with SCC Highways has been undertaken both before the application was submitted and during the current application process. It is considered that SCC Highways are satisfied with the detailed layout and pedestrian and cycle linkages proposed and SCC Highways have raised no objection, subject to compliance with suggested conditions in their latest formal consultation responses of 23rd November 2021 and 9th March 2022. Your officers therefore advise that the development proposal meets the requirements of development plan policies with respect to highway and pedestrian safety.
- 12.5. The PC have requested a 2.4 metre wide paved and fenced footway/cycleway into the eastern side of Aspull Road and that narrowing/priority traffic calming is required on Aspull Road in front of the site. The applicant submitted an updated highway mitigation scheme in May 2021 (ref: 275/2020.DWG) - this set out a detailed proposal for new footpaths on either side of Aspull Road and a crossing point. This proposal was considered and approved by SCC Highways Engineers and proposed mitigation scheme is included in the list of suggested planning conditions, as suggested by SCC Highways in their latest consultation responses. Regarding the speed profile of Aspull Road, further information provided by the applicant and considered by SCC Highways is considered to demonstrate that the proposed junction visibility splays, as required to meet the actual measured speeds, can be accommodated within the site frontage / highway and are proposed. No additional requirement for traffic calming has, therefore, been requested/required by

SCC Highways engineers. Your officers therefore again advise that the development proposal meets the requirements of development plan policies with respect to highway and pedestrian safety, in such regards.

- 12.6. The PC have requested that direct pedestrian and cycle access to Priory Lane is provided as part of the proposal. Your officers have attempted to negotiate such provision and connectivity with the applicant. The applicant has, however, advised that a formal pedestrian and cycle link to Priory Lane cannot be delivered as the applicant does not own or have control over all the land necessary to deliver such a direct connection. In order to address this issue, the applicant has proposed an alternative route via the adjoining Cemetery which already has such connections which the applicant is happy to discuss the delivery of with the PC once they receive planning permission. The applicant notes that Planning Policy DEB2 does not require the delivery of such a link.
- 12.7. The PC have raised concern that the proposed pedestrian access across the adjacent Cemetery has not been discussed with or agreed by them. In response, the applicant has stated that this potential pedestrian access has been offered as an attempt to reach a way forward on this matter. The applicant is of the understanding that it is not within their gift to offer this as part of the current planning application but are happy to discuss its delivery with the PC.
- 12.8. The PC have raised concern that the location of the proposed site access is impassable during peak flood events and consider that insufficient flood mitigation measures have been proposed to address this issue. The applicant has provided a site specific flood risk assessment and surface water drainage strategy with the application proposal, which have been considered by the Lead Local Flood Authority at Suffolk County Council, who have raised no objection subject to compliance with suggested conditions, should planning permission be granted. On the basis of the information provided by the applicant, and the advice received from the LLFA, your officers are satisfied that the proposed development would not result in increased flood risk on the site or elsewhere and proposes a sustainable method of surface water attenuation and drainage. As such your officers advise no significant objection to the current proposal in relation to surface water drainage and flood risk issues.
- 12.9. The PC have raised concern that there is a lack of construction management proposed as part of the application proposal. The PC have raised concern that construction vehicles would cause further highway safety and convenience issues on Aspell Road and issues for pedestrians walking to the school. Should members be minded to approve the current proposal, your officers advise that a suitably worded condition, requiring a construction management plan to be submitted and agreed prior to commencement of development is appropriate in order to address these concerns raised.
- 12.10. The PC have requested that Affordable Housing should be based on housing needs assessment, should be genuinely affordable, and should not be withdrawn later. Should members be minded to approve the proposal, your officers will seek to secure on-site delivery of 35% affordable housing, as per the provisions of your development plan policy altered H4, to be secured by a legal agreement, prior to final planning approval. The mix and tenure proposed by the applicant has been considered and agreed by your strategic housing officers, as well as the proposed timetable for delivery. Your officers advise that it is not possible to amend a Section 106 agreement for a period of 5 years unless all parties are in a agreement. The LPA would, therefore, have control of the proposed affordable units in this respect.
- 12.11. The PC have requested that the proposed Public Open Space should be transferred to them, to be used solely for community use. The applicant has confirmed they would be happy to include

the PC as a possible owner of the open space, to be negotiated as part of the Section 106 process.

- 12.12. The PC has requested that a commuted sum should be secured from the developer to ensure long term maintenance of the public open space by the PC, and towards Debenham's Play Strategy. The applicant has confirmed they would be happy to negotiate this as part of the section 106 process.
- 12.13. The PC has requested that Green Issues should be addressed further, particularly the use of sustainable energy generation rather than reliance on fossil fuels. The applicant has since provided a fully detailed sustainability report which has, amongst other sustainability benefits, proposed the use of Air Source Heat Pumps throughout the proposed development.

PART FOUR – CONCLUSION

13. Planning Balance and Conclusion

- 13.1 The Council is able to demonstrate a housing land supply position in excess of that required by the NPPF and so is able to apply its current adopted development plan policies insofar as they conform with the provisions of the current NPPF.
- 13.2. In particular, the proposal is considered to meet the requirements of development plan allocation policy DEB 5 and, as such, the principle of the proposed development is considered acceptable, having had regard to the provisions of development plan policies CS1, CS2, and the provisions of the NPPF, as a material consideration.
- 13.3. Although heritage consultees have identified that the proposal would result in less than substantial harm to the significance of heritage assets, the public benefits associated with the proposal are considered to outweigh this harm.
- 13.4. It is considered that satisfactory measures can be taken to investigate and record or preserve archaeological remains which may exist on the site, consistent to the requirements of development plan policies DEB5 and HB14, having had regard to the requirements of the NPPF as a material consideration.
- 13.5. The proposal site is not considered to be at significant risk of flooding and the application is considered to propose suitable sustainable surface water drainage that would not significantly increase flood risk on the site or elsewhere, consistent with the requirements of development plan policy DEB5 and section 14 of the NPPF.
- 13.6. The proposal is considered to propose safe and suitable access to the site, and egress from the site, and to propose suitable parking and manoeuvring, consistent with the requirements of development plan policies T9 and T10 and section 9 of the NPPF.
- 13.7. The resultant development is considered to propose an environment that is not considered to be excessively car dominated, has good supervision and details a variety of dwelling styles and materials that provides interest to a range of streetscapes. The proposal is considered to be well connected to the existing village and its range of services and facilities, which it would help support; to create a new landscaped edge to the village and provide green public open space

assets for the community to benefit from; and to provide an attractive place with a range of house types to meet both affordable and housing needs at all levels.

RECOMMENDATION

That authority be delegated to the Chief Planning Officer to GRANT Planning Permission, subject to the following:

(1) Subject to the prior agreement of a Section 106 Planning Obligation on appropriate terms to the satisfaction of the Chief Planning Officer as summarised below and those as may be deemed necessary by the Chief Planning Officer to secure:

- Onsite delivery of 35% Affordable housing - with mix and tenure, to be negotiated to the satisfaction of the Chief Planning Officer;
- On-site provision of Public Open Space, and future maintenance thereof;
- Financial contribution towards traffic management measures on the site in the vicinity of the development site area, as required by Suffolk Country Council.

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

- Standard time limit (3yrs for commencement of scheme);
- Approved Plans and Documents (Plans submitted that form this application);
- Phasing Condition (To allow phasing of the development and allows spreading of payments under CIL);
- Landscaping - Time limit and Aftercare;
- Programme of Archaeological investigation and recording prior to commencement;
- Highways - Access Details;
- Highways - Access Visibility Splays;
- Highways - Footway and Crossing Point to be provided prior to occupation;
- Highways - Refuses and Recycle Bin details;
- Highways - Estate Roads and Footpaths details;
- Highways - Parking and Manoeuvring to be provided as proposed, prior to occupation;
- LLFA - Surface Water Disposal Strategy;
- LLFA - SUDs Landscaping;
- LLFA - Surface Water Verification Report;
- LLFA - Construction Surface Water Management Plan;
- Energy and renewable scheme to be agreed;
- Fire Hydrants details;
- Ecology - Mitigation and Enhancement Measures to be agreed;
- Construction Hours to be agreed prior to commencement;
- Construction Management Plan to be agreed prior to commencement.

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

- Pro active working statement
- SCC Highways notes
- Land Contamination Note
- Protected Species Note
- LLFA Note
- S106 Note

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