

Committee Report

Item No: 6A

Reference: DC/22/01754

Case Officer: Alex Scott

Ward: South East Cosford.

Ward Member/s: Cllr Leigh Jamieson.

RECOMMENDATION – GRANT PLANNING PERMISSION WITH CONDITIONS

Description of Development

Full Planning Application - Erection of 44 No. residential dwellings (including 35% affordable housing and bungalows), landscaping and public open space.

Location

Land east of, Hadleigh Road, Elmsett, Suffolk

Expiry Date: 07/10/2022

Application Type: FUL - Full Planning Application

Development Type: Major Small Scale - Dwellings

Applicant: Denbury Homes

Agent: Mr James Bailey

Parish: Elmsett

Site Area: 2.5 Hectares (Ha)

Density of Development:

Gross Density (Total Site): 17.6 dwellings per hectare (dph)

Net Density (Developed Site, excluding open space and SuDs): 27.3 dph

Details of Previous Committee / Resolutions and any member site visit: Outline Planning Application ref: B/17/01009, for 41 dwellings on the same site, was previously considered by Committee on 25th October 2017. Members resolved to grant outline planning permission, subject to conditions and completion of a s.106.

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

Has the application been subject to Pre-Application Advice: Yes - ref: DC/21/05526 - Dated: 30th November 2021.

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
CS01 - Applying the presumption in Favour of Sustainable Development in Babergh
CS02 - Settlement Pattern Policy
CS03 - Strategy for Growth and Development
CS11 - Core and Hinterland Villages
CS13 - Renewable / Low Carbon Energy
CS14 - Green Infrastructure
CS15 - Implementing Sustainable Development
CS18 - Mix and Types of Dwellings
CS19 - Affordable Homes
CS21 - Infrastructure Provision
CN01 - Design Standards
CN04 - Design & Crime Prevention
CR07 - Landscaping Schemes
HS28 - Infilling/Groups of dwellings
HS31 - Public Open Space (1.5 ha and above)
TP15 - Parking Standards - New Development
EN22 - Light Pollution - Outdoor Lighting

Neighbourhood Plan Status

This application site is within an adopted Neighbourhood Plan Area.

Accordingly, the current adopted Neighbourhood Plan forms part of the current development plan:

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

EMST1 - Elmsett’s Spatial Strategy
EMST2 - Housing Development in Elmsett
EMST3 - Housing Allocation - Land at Hadleigh Road, Elmsett
EMST5 - Housing Space Standards – Elmsett

EMST6 - Housing Mix – Elmsett
EMST9 - Protection of Important Views and Landscape Character – Elmsett
EMST11 - Heritage Assets – Elmsett
EMST12 - Development Design Considerations - Elmsett

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

Parish Council

Elmsett Parish Council - 24th April 2022

Do not object to the principle of the application proposal - The proposal is considered in line with Policy EMST3 - Concerns still remain with regards: Parking on Hadleigh Road; The frontage drainage ditch; and Street Lighting.

National Consultee Responses

Anglian Water - 7th April 2022

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

East Suffolk Drainage Board - 25th April 2022

Note applicant intends to discharge surface water to a watercourse - Request discharge is facilitated in line with standards (as provided) - Recommend that discharge is attenuated to the Greenfield Run-off Rates wherever possible.

County Council Responses

SCC – Highway Authority - Initial Response - 25th April 2022

No objection - Subject to compliance with suggested conditions.

SCC – Highway Authority - Subsequent Response, following revisions - 13th September 2022

Amendments to the proposal do not change the position of the Highway Authority from their initial response - All of the recommended planning conditions still apply, however those that referenced drawing 003 should be updated to 003 A to reflect the latest submitted plans (parking and bins conditions) – Contribution towards Bus Stop Improvements still required by way of s.106.

SCC - Public Rights of Way - 25th April 2022

The proposed site contains a public right of way (PROW): Elmsett Public Footpath 9, with Elmsett Public Footpath 7 along the southern boundary of the site – The proposal is accepted subject to the following:

- Elmsett Public Footpath 9 is retained in its existing alignment within an open corridor;
- The public right of way must not be constrained by fencing or planting that creates any form of corridor effect;

- Any properties beside the public right of way should front the footpath with an open aspect;
- A footbridge at the western end is replaced;
- The surface of Elmsett Public Footpath 9 within the red line of the development is surfaced with an unsealed, compacted material to provide a robust surface for people to walk on.

SCC - Passenger Transport Team - 27th April 2022

The village has infrequent service through it however the nearest stop to the site would be on the corner of Whatfield Road, Elmsett. There is a pathway on the opposite side of the road from the site to the stop. The stop already has a bus shelter so a s.106 contribution of £6,000 for DDA kerbs on both sides of the road, plus a pole opposite the shelter, is required to make improvements.

SCC - Lead Local Flood Authority - Initial response - 25th April 2022

Holding Objection - Details of system adoption and maintenance; and long section and cross section of the swales required.

SCC - Lead Local Flood Authority - re-consultation responses, following revisions - 25th May 2022 and 6th September 2022

Recommend Approval on basis of further information received - Subject to conditions.

SCC - Archaeology - 8th April 2022

There are no grounds to consider refusal of permission in order to achieve preservation *in situ* of any important heritage assets. However, in accordance with the National Planning Policy Framework (Paragraph 205), 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 - 11th April 2022

Recommend that fire hydrants be installed within this development on a suitable route for laying hose - However, it is not possible, at this time, to determine the number of fire hydrants required for fire-fighting purposes - The requirement will be determined at the water planning stage when site plans have been submitted by the water companies - Recommend that proper consideration be given to the potential life safety, economic, environmental and social benefits derived from the provision of an automatic fire sprinkler system.

SCC - Travel Plan Officer - 5th April 2022

No comment to make - The development does not meet the threshold that requires a Travel Plan in accordance with the Suffolk Travel Plan Guidance.

SCC - Development Contributions Manager - 5th April 2022

Education and Libraries improvements contributions required by way of CIL - Secondary School transport costs required by way of S106.

Internal Consultee Responses

BDC - Heritage Consultants (Place Services) - 27th April 2022

The development would not result in harm to any of Elmsett's designated or non-designated heritage assets and the design and appearance of the dwellings would be appropriate in terms of local character and distinctiveness - There are no designated heritage assets within the site boundary or in close

proximity - The site lies within the wider setting of approximately 9no. designated heritage assets in the village, however there are no visual links between - The development would not be incompatible with the existing development character within this wider setting - Materials condition recommended, should the application be approved.

BDC - Ecology Consultants (Place Services) - 8th April 2022

No objection - Subject to securing a proportionate financial contribution towards visitor management measures for the Stour and Orwell Estuaries SPA/Ramsar; and Ecological mitigation and enhancement measures.

BDC - Landscape Consultants (Place Services) - Initial Response - 26th May 2022

Note there are a number of TPO trees around the site;

The submitted arboricultural impact assessment makes no reference to TPO trees on the site and it appears that the TPO tree to the western boundary will be removed as part of H005 removal and further clarification and details around this query are requested;

Active frontages to Hadleigh Road and public open spaces welcomed;

Some garden spaces too small and too close to existing planted boundaries, and the southern boundary in particular, raising concern over shading of properties and private gardens and long-term protection of trees;

Hedgerow to Hadleigh Road frontage should be retained where possible and removal should be kept to a minimum;

Principles of Landscaping welcomed, including in the landscape masterplan;

No reference made to improvements to existing boundary hedgerows as per the requirements of Elmsett Neighbourhood Plan;

Planting within attenuation area will provide for biodiversity as well as amenity, which is welcomed, subject to agreed plant species;

Planting or mounding is recommended in place of fence to proposed play area.

Conditions were proposed relating to the submission of, and agreement to, a soft and hard landscaping scheme and also a landscape management plan.

BDC - Landscape Consultants (Place Services) - Subsequent Response - 7th July 2022

Welcome new annotation to masterplan and supplementary planting to perimeter;

New tree planting should provide sufficient mitigation for tree loss;

Protection of existing landscape features is the preferred approach and should be explored during detailed design process;

Previous comments with regards number of dwellings and fences and gates to play area still apply;

Previous recommended conditions remain valid.

BDC - Environmental Protection - Land Contamination - 8th April 2022

No objection - Request the LPA are contacted in the event of unexpected ground conditions during construction and that the minimum precautions (as advised) are undertaken until the LPA responds to the notification - Advise the developer that responsibility for safe development of the site lies with them.

BDC - Environmental Protection - Air Quality - 8th April 2022

No objection - The scale of the development is not likely to compromise the existing good air quality at and around the development site.

BDC - Environmental Protection - Other Issues - Initial Response - 20th April 2022

No objections in principle - Concern with regards loss of amenity at existing properties due to proximity of LEAP (10 metres from the nearest residential boundary when protocol advises 20 metres) - Further acoustic information requested with respect of the pumping station - Flies should terminate at least one metre above roof ridge level - Construction management, prohibition of burning, and external lighting details required by way of condition.

BDC - Environmental Protection - Other Issues - Second Response - 22nd July 2022

Recommend proposed LEAP is moved so it is not within 20 metres of the boundary of dwellings - Or revise the proposed LEAP to a LAP.

BDC - Environmental Protection - Other Issues - Third Response - 19th August 2022

Revised proposals have moved proposed LEAP 20 metres from existing dwellings and this is compliant with the Council's Protocol - Noise attenuation barrier recommended between LEAP and proposed dwellings - Satisfied that pumping station noise will unlikely result in a loss of amenity to residents.

BDC - Environmental Protection - Other Issues - Fourth Response - 12th September 2022

No objections on basis of revised documents submitted - Subject to foul water drainage scheme condition.

BDC - Sustainability - 22nd April 2022

No Objection - Subject to a scheme for the provision and implementation of water, energy and resource efficiency measures, during the construction and operational phases of the development, being secured by way of condition.

BDC - Tree Officer - 5th April 2022

No Objection - Subject to implementation of proposed tree protection measures - two trees proposed for removal are of limited value.

BDC - Public Realm - 13th April 2022

No Objection - The quantity of Public Open Space (POS) is sufficient for the size of the development, as is the provision of the play area - This a relatively small development, and the areas of POS are largely internal to it - Public Realm would not wish to adopt these areas, and a local management solution is recommended.

BDC - Strategic Housing - 3rd May 2022

No objection to the: number, type, size and tenure of on-site affordable housing proposed (in accordance with list provided by Strategic Housing) - Should any of the detail (as set out) change, Strategic Housing would need to be re-consulted.

BDC - Waste Manager - 8th September 2022

No objection subject to conditions: Development should be suitable for a 32 tonne RCV; and Waste Strategy, including marked wheeled bin collection points.

B: Representations

At the time of writing this report, at least five letters/emails/online comments have been received. It is the officer opinion that this represents five objections and none in support. A verbal update shall be provided as necessary.

Views are summarised below:-

- The Development is too large for the Village;
- The scale of the development will affect the character of the Village;
- Smaller developments, such as “Church View” are much more suitable;
- Proposal would result in a very large increase in vehicles, probably 80 plus;
- Roads around Elmsett are very narrow and are unable to cope with extra traffic;
- The proposal will affect the ability for residents opposite to park their cars on the road;
- Proposed new road junction will result in a significant additional traffic hazard;
- Increased Traffic would result in Noise and disturbance and increased fumes/pollution for the village;
- Concerns that proposed dwellings would not be affordable to young people in the Village;
- The proposal will increase existing flood and drainage issues in the Village;
- The proposal will put significant pressure on existing Village services and facilities, which will be unable to cope, such as the Village School;
- Existing residents’ outlook would be severely impacted by the development - Fields replaced by a Housing Estate;
- Construction Traffic will be significantly dangerous to residents during construction, due to narrow roads;
- Concern with regards noise disruption during construction.

(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/21/03561	Submission of Details (Reserved Matters application) relating to Outline Planning Permission B/17/01009. Appearance & Scale for residential development of 41no dwellings to include market and affordable housing, new vehicular access, wildlife areas, amenity space and community woodland.	DECISION: Pending Decision
REF: B/17/01009	Outline (Means of access, layout and landscaping to be considered) - Residential development of 41 dwellings to include market and affordable housing, new vehicular access, wildlife areas, amenity space and community woodland.	DECISION: Granted 27.06.2018

PART THREE – ASSESSMENT OF APPLICATION

1.0 The Site and Surroundings

- 1.1. The site is an arable field to the east of Hadleigh Road, Elmsett. There is a ditch and a 15-metre stretch of hedgerow to the western boundary with the roadside. There is a footpath that crosses inside the site along the northern boundary. Passage for this footpath across the ditch is currently provided by a wooden bridge. There are existing hedgerows to the western and southern boundaries of the site. There is also a footpath along the southern boundary of the site which is outside the red line. Three trees are present along the southern and eastern boundaries outside the site, which are the subject of Tree Preservation Orders.
- 1.2. In the north lies estate development on Garrards Road. Properties along Hadleigh Road are predominantly semi-detached and detached dwellings. A pavement runs along the eastern side of Hadleigh Road to the centre of Elmsett and terminates opposite the site's north-western boundary.

2.0 The Proposal

- 2.1. The current proposal relates to the development of the existing site and the erection of 44 new houses, 35% (15 no.) of which are proposed to be affordable homes. Public open Space, recreational space, a new estate road access and footpath connections to Hadleigh Road are also proposed.
- 2.2. The proposed dwelling types are broken down as follows:

Market Dwellings

Two-bedroom bungalows	= 4 no.
Two-bedroom, two-storey houses	= 8 no.
Three-bedroom, two-storey houses	= 9 no.
Four-bedroom, two-storey houses	= 6 no.
Five-bedroom, two-storey houses	= 2 no.
TOTAL (Market Dwellings)	= 29 no.

Affordable Dwellings

Affordable Rent

Two-bedroom bungalow	= 1 no.
Two-bedroom, two-storey houses	= 6 no.
Three-bedroom, two-storey houses	= 4 no.
<u>Shared Ownership</u>	
Two-bedroom, two-storey houses	= 2 no.
Three-bedroom, two-storey houses	= 2 no.
TOTAL (Affordable Dwellings)	= 15 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, blend, buff and multi brick and painted render. Roofing materials would be a mix of red and black pantiles, and slates.

3.0 The Principle of Development

- 3.1. Development Plan Policy and Allocation ref: EMST3 provides the principle of development of the site for approximately 41 dwellings.
- 3.2. The following requirements of Policy EMST3 are also considered to be satisfied:
- On-site delivery of 15 affordable dwellings;
 - Public Open Space, including community woodland;
 - Improvements to existing footways;
 - Provision of an equipped play area;
 - Public right of way enhancements;
 - Enhanced Tree and Hedgerow planting;
 - New Wildlife Areas;
 - Highways improvements - as specified.
- 3.3. It is your officer's opinion that development plan policies CS2, CS3, CS11 and CS15 provide the relevant framework to consider the sustainability of this site, having regard to the three strands of sustainable development set out in the NPPF. The adopted 'Rural Development & Core Strategy Policy CS11 Supplementary Planning Document' ("the SPD") is also a material consideration.
- 3.4. Policy CS2 (Settlement Pattern Policy) identifies Elmsett as a Hinterland Village. Policy suggests that most Hinterland Villages should accommodate some development to help meet the needs within their functional cluster. Elmsett falls within the Hadleigh cluster, which also includes the villages of Aldham, Burstall, Chattisham, Hintlesham, Kersey, Layham, Lindsey, Semer and Whatfield.
- 3.5. Paragraph 80 of the NPPF sets out that planning policies and decisions should avoid isolated homes in the countryside. The site is not considered to be 'isolated' within the meaning of this term as it is allied to the Built Up Area Boundary of Elmsett and therefore does not lie isolated from services. Paragraph 79 of the NPPF also states that:
- "To promote sustainable development in rural areas, housing should be located where it will enhance or maintain the vitality of rural communities. Planning policies should identify opportunities for villages to grow and thrive, especially where this will support local services. Where there are groups of smaller settlements, development in one village may support services in a village nearby."*
- 3.6. Hadleigh lies only a short car journey from Elmsett and the town contains a wide range of services and facilities. Elmsett has a shop, village hall, churches, primary school and public house, therefore the location of the site is considered sustainable, within the Hadleigh cluster. As such, Elmsett is a settlement which is considered capable of taking a degree of growth and this

growth would help safeguard the provision of existing facilities within the settlement and the surrounding area.

- 3.7. Policy CS2 remains a consideration, as the site is formally located outside the village BUAB and is therefore designated 'countryside' in the current development plan. CS2 limits development in the countryside so that it will only be permitted in exceptional circumstances subject to a proven justifiable need; therefore this application represents a departure from this policy in this respect.
- 3.8. Policy CS11 seeks to provide greater flexibility in the location of appropriate housing development beyond the existing BUABs. Policy CS3 (Strategy for Development and Growth) is a consideration and sets out that the Council must provide a minimum of 1,050 dwellings in Core and Hinterland Villages for the period between 2011 and 2031. Considering these policies in combination, it is considered that this proposal is in accordance with the wider settlement principles shared by the NPPF and the adopted development plan. These policies, having regard to the requirement under paragraph 60 of the NPPF, to support the Government's objective of significantly boosting the supply of homes, are considered to represent material considerations to depart from Policy CS2.
- 3.9. Policy CS11 is the key Core Strategy policy relevant to guiding growth in Hinterland villages and offers useful criteria to assess the sustainability of this proposal:

3.9.1 CS11 Criteria for Core and Hinterland Villages:

The landscape, environmental and heritage characteristics of the village The site lies on the southern side of Elmsett and is currently an agricultural field. There are hedgerows to the southern and eastern boundaries of the site and to the roadside in the west. The site has an open character which would change if development were to occur, but this may not necessarily be to the detriment of the street-scene or the surrounding environment. The elevations provided are indicative, but suggest the height of dwellings would be modest and their character reflective of others in the locality. The density and pattern of development is not dissimilar to the Garrard's Road estate immediately to the north.

- 3.9.2 At present, the boundaries of existing estate development on Garrard's Road are not particularly sensitively screened in the existing landscape setting. Ribbon development also extends on the opposite side Hadleigh Road past the site, which has an urbanising effect upon the locality. Having regard for the existing characteristics of its surroundings, it is not considered that development of this site would be out of character with its surroundings or create an adverse environmental impact. Whilst development of the site along the site frontage only might be preferable, there is existing estate development in the locality and the proposal is acceptable within this context. Landscaping details are not reserved and therefore are "locked in" and secured under this outline consent. The site does not lie within a conservation area or within proximity of any listed buildings, therefore there is no harm to heritage assets. There is compliance with this element of CS11.

3.9.3 The locational context of the village and the proposed development (particularly AONBs, Conservation Areas and heritage assets):

The site lies on the southern side of Elmsett, in a landscape setting which is not particularly sensitive. The site is well related to the services and facilities in the centre of the village by a

paved footway on the western side of Hadleigh Road and a footway link to this would be provided along the site frontage. Whilst there are no streetlights, the journey to the village centre is short, in an area where there is a speed limit, and benefits from the surveillance of roadside properties; it is not uncommon for many of the villages identified in the Core Strategy not to have street lights and these villages have also been identified as capable of accommodating development.

- 3.9.4 Additional connections have also been provided within the development to the existing footpath along the northern boundary (to be retained) and potentially to existing footways within the Garrard's Road development.
- 3.9.5 The proposed scale, character and density are considered to be similar to the estate development to the north and, therefore, not out of keeping with the surroundings. An extension of the village in this location would read as logical within its surroundings and the site is naturally contained by the hedgerow in the south. The additional landscaping provided on the site would significantly soften the development from views in the wider landscape, perhaps screening it from view altogether.
- 3.9.6 It is therefore considered that the proposal is well located, having regard for its contextual relationship with the rest of the village and its wider surroundings. The proposal is compliant with this element of CS11 Policy.
- 3.9.7 Site location and sequential approach to site selection:
The acceptability of the principle of development does not turn on whether or not the site is within the BUAB. In this case the site is outside the BUAB and requires an assessment under Paragraph 14 of the NPPF in any regard. However, it is clear that there are no sequentially preferable sites in the BUAB which could enable development of a similar scale to this and there is no requirement to look at alternative sites adjoining the built up area boundary as sequentially they are within the same tier. This element of CS11 is satisfied.
- 3.9.8 Locally identified need - housing and employment, and specific local needs such as affordable housing:
"Locally identified need" or "local need" should be construed as the development to meet the needs of Elmsett and its wider functional cluster. The sequential approach requires new that development for "rural growth", first be directed into Core Villages. In this case, the Applicant has not submitted a housing needs assessment.
- 3.9.9 The layout plan indicates that the properties would be a mix of 2, 3, 4 and 5 bedroom properties, with 35% affordable housing, of a type, mix and tenure as agreed by your strategic housing officers. It is considered that the proposed housing mix would help with the need for the smaller affordable homes.
- 3.9.10 The development has not been subject to a housing needs survey. It is considered that in strict policy terms the development has not demonstrated that there is a locally identified need for development of this scale. As such, the proposal could be argued to not accord with this element of policy CS11.
- 3.9.11 However, it must be recalled that the site is allocated in the Elmsett Neighbourhood Plan (ENP) based on numbers arrived at by using the standard methodology. AECOM's independent

assessment of the site found it to be suitable for development and this found its way to a site allocation in the EMP. As such, the need has been indirectly assessed.

3.9.12 This level of needs assessment may normally be open to challenge; however, the fact that it has been used to inform allocated sites within the ENP gives it increased weight.

3.9.13 Locally Identified Community Needs:

The SPD identifies that proposals should be accompanied by a statement that analyses the community needs of the village and how they have been taken into account in the proposal. In this case the applicant has not submitted a community needs assessment.

3.9.12 In the absence of such a statement, the application submission has not adequately demonstrated how the proposal would meet this element of policy CS11. However, your officers would advise that the proposed development will generate contributions towards community infrastructure, to be spent on local services and infrastructure, therefore supporting rural communities, local services and facilities. In this regard, despite the absence of the needs assessment, the proposal delivers benefits through CIL that are considered to satisfy this element of policy CS11.

3.9.13 Cumulative impact of development in the area in respect of social, physical and environmental impacts:

Policy CS11 requires the cumulative impact of development, both within the Village and its the functional cluster, to be a material consideration. Given the responses from statutory consultees and the small scale of development proposed, there is no reason to believe there would be significant adverse cumulative impacts as a result of the development in combination with others completed/committed to in the Hadleigh cluster. CIL provides a mechanism for GP surgeries and schools to adequately mitigate development and this development would contribute to providing CIL funding on a district wide and parish level. There is also no evidence to suggest that utilities infrastructure cannot serve or would be significantly adversely impacted by the development. It is therefore considered that the evidence suggests this development will be easily accommodated within the existing infrastructure of the village and will not lead to a detrimental impact on the social, physical and environmental wellbeing of the village nor the wider cluster. The proposal therefore complies with this element of policy CS11. Additional CS11 Criteria for Hinterland Villages Is adjacent or well related to the existing pattern of development for that settlement

3.9.14 As outlined above, it is considered that the proposal has a close functional relationship and is well related to the existing pattern of development for the settlement. It is also considered that the layout, size and scale of development is in keeping with the surrounding street scene and, crucially, (in line with the presumption in favour of development) demonstrable evidence does not exist that there is an adverse impact resulting from the scale and size of development proposed. This element of CS11 is therefore satisfied and meets a proven local need, such as affordable housing or targeted market housing identified in the adopted neighbourhood plan

3.9.15 Consideration of the extent to which the development meets local needs, both in terms of housing and community facilities, is considered in detail earlier in this report. In conclusion, there is no direct evidence to suggest there is a proven local need, which does strain against that clause of CS11; however, the standard methodology, AECOM assessment and ENP allocation do give it sufficient weight.

3.9.16 Supports local services and/or creates or expands employment opportunities:

The proposal would provide new dwellings and would make a contribution to supporting the existing facilities in the wider area. As such, the proposal satisfies this element of policy CS11 and the wider objectives of the NPPF.

3.9.17 Does not compromise the delivery of permitted or identified schemes in adopted community/village local plans within the same functional cluster:

The proposal would not compromise delivery of permitted or identified schemes. As such, the proposal accords with this element of policy CS11.

3.9.18 Summary of Assessment Against Policy CS11:

For the reasons set out above, the proposal cannot be said to fully comply with policy CS11 in terms of whether it satisfies a local need (although the need has been assessed elsewhere); however, it satisfies the spatial and sustainability objectives of this policy.

3.10 Consideration against other development plan policies.

3.11. Policy CS2 can be afforded a limited weight as it forms part of a suite of policies which seek to ensure that development is sustainably located in line with the principles set out in the NPPF.

3.12. The proposed design and layout are acceptable and, therefore, comply with the requirements set out in Policy CS15. The biodiversity enhancement, amenity open space and ability to support local services also score in the applications favour against CS15. The proposal also accords with key policies such as CS21, CS19 and CS18.

3.13. Your officers are of the view that this site is not isolated and would be well related to existing services and facilities. There is a substantial social benefit from the provision of 44 dwellings, which would help meet the district need and a modest temporary economic benefit from the construction of the dwellings. There would not be any demonstrable adverse environmental impacts. As the benefits outweigh any significant adverse impacts there is a presumption in favour of its approval and this offers a material reason to depart from saved policies CS2 and CS11 given there is broader compliance with the other saved local plan policies and NPPF.

3.14. It is worth recalling, also that as the site is allocated in the Elmsett Neighbourhood Plan, this carries significant weight.

3.15. The principle of the proposed development is, therefore, considered acceptable, subject to agreed detail and consideration of other material planning considerations. Those considered most relevant to the development proposal are set out below:

4.0 Design and Layout

4.1. The detailed proposal submitted is considered to be well designed, to propose a high quality, beautiful and sustainable buildings and development, ensures that the development functions well and adds to the overall quality of the area. The proposal is considered visually attractive; is sympathetic to local character; and establishes and maintains a strong sense of place, in accordance with NPPF paragraphs 126, 130 and 134.

- 4.2 The detailed plans and elevations of buildings provided are considered by your officers to be acceptable on design grounds. Overall 19 different dwelling design variations are proposed in a mix of facing red brick, pale yellow brick, weatherboard, and off-white render, with a mix of red pantile, black pantile, and grey slate roof materials proposed.
- 4.3. The detailed plans and elevations of buildings provided are considered by your officers to be acceptable on design grounds.
- 4.4. In addition, the proposed development employs sustainable construction techniques, and utilises microgeneration technologies for power and heating purposes, in accordance with the requirements of plan policy CS13. Such provision will be ensured by way of condition, as advised by your sustainability officer.

5.0 Site Access, Parking and Highway Safety Considerations

- 5.1. In terms of assessment against development plan policies CS15, HS28, TP15 and EMST3, the development is not considered to result in an unacceptable impact on highway safety and should provide safe and suitable access to the site for all users. The development should also ensure that any significant effects on the transport network can be cost effectively mitigated to an acceptable degree. The development should also ensure that opportunities are taken to promote sustainable transport modes.
- 5.2. On-site turning and parking should also be provided in accordance with current advisory parking standards provided by the Local Highway Authority.
- 5.3. Development Plan Policy EMST3 also requires improvements are undertaken to the Hadleigh Road Frontage to include road widening, re-surfacing, kerbing, highway and land drainage, new frontage footway, improvements to existing footways on Hadleigh Road and improved link to the village centre; a new pedestrian footbridge; and passing bays on Ipswich Road and Flowton Road, to highways requirements. Such provision will be required as part of any planning application submitted and secured, as necessary by way of either condition or S106.
- 5.4. The proposal would provide opportunities for access via the proposed new estate road access to Hadleigh Road and pedestrian connections to Village Services and Facilities, to the north.
- 5.5. Overall, the proposal is considered to provide safe and suitable access to the site for all users and provides on-site turning any parking, in accordance with the requirements of current adopted advisory parking standards, provided by SCC-Highways.
- 5.6 Whilst concerns have been raised that the proposed new road junction will result in a significant additional traffic hazard and there have been objections concerning Increased traffic; the SCC-Highway has been consulted and has not raised any objection - subject to compliance with suggested conditions and off-site highways works and bus stop improvements being secured by way of a s.106

6.0 Flood Risk and Surface Water Drainage

- 6.1. The proposal site is located within flood zone 1, as identified by Suffolk County Council as Lead Local Flood Authority (LLFA), which is low risk for river and sea flooding. However, the site is also identified as being within an area at predicted risk of surface water flooding (pluvial), with the proposed dwellings shown as lying within areas subject to that flooding.

- 6.2. Paragraph 162 of the National Planning Policy Framework states that development should not be permitted if there are reasonably available sites appropriate for the proposed development in areas with a lower risk of flooding, and that the sequential approach should be used in areas known to be at risk now or in the future from any form of flooding.
- 6.3. Paragraph 166 of the National Planning Policy Framework provides that where planning applications come forward on sites allocated in the development plan through the sequential test, applicants need not apply the sequential test again. This is considered relevant to the current proposal.
- 6.4. The developable area of the site is considered to be at the lowest risk of flooding (as referred to in NPPF paragraphs 162 and 167) and, as such, the proposed development is considered to pass the sequential test.
- 6.5. The application is supported by a site-specific Flood Risk Assessment and Surface Water Drainage Strategy, prepared by a suitably qualified individual/company.
- 6.6. SCC - Lead Local Flood Authority (LLFA) has 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.
- 6.7. In assessing the proposal, your officers consider the surface water drainage scheme, as currently proposed, would suitably manage surface water run-off from the proposed development and would not demonstrably result in significant increased flood risk on the site or elsewhere.

7.0 Archaeology

- 7.1. The County Archaeological Unit has been consulted on the current proposal and has advised that the site is situated on the edge of the historic core of Elmsett, within an area of archaeological interest recorded in the County Historic Environment Record. A medieval moated site lies to the south, as does a historic windmill site. As such, SCC Archaeology advises that there is a high potential for the discovery of below-ground heritage assets of archaeological importance within the site area, and groundworks associated with the development have the potential to damage or destroy any archaeological remains which exist.
- 7.2. SCC-Archaeology advises that there are no grounds to consider *refusal* of permission in order to achieve preservation *in situ* of any important heritage assets. However, in accordance with NPPF Paragraph 205, any permission granted will likely 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.

8.0 Residential Amenity

- 8.1. The proposed dwellings have been designed and sited so as to provide future occupants with suitable garden curtilage space and dwellings have been sited with acceptable back-to-back distances so as to not overly-dominate neighbouring properties and are not considered to result in significant loss of natural light for neighbouring properties.

- 8.2. Proposed windows have also been designed and located so as to not result in significant overlooking of and loss of privacy for neighbouring properties.
- 8.3. The proposed LEAP Play area has been assessed by your Environmental Protection Officers to be an acceptable distance from existing residential properties so as to not result in significant amenity harm in terms of increased noise and disturbance.
- 8.4. Your Environmental Protection Officers are also satisfied that noise from the proposed pumping station will be unlikely to result in a loss of amenity to residents.
- 8.5. Overall, the proposal is considered to result in a good standard of amenity for future occupants, whilst not significantly impacting the amenities currently enjoyed by occupants of existing neighbouring properties. The proposal is, therefore, considered to be in accordance with the provisions of NPPF Paragraph 130 and with development plan policy HS28, in these regards.

9.0 Ecology

- 9.1. The site lies within the 13km Zone of Influence (ZOI) for the Stour & Orwell Estuaries SPA/Ramsar. As such, Natural England's advice to ensure new residential development and associated recreational disturbance mitigation for designated site impacts is compliant with the Habitats Regulations 2010 (as amended). A contribution is, therefore, sought as part of the proposal's requirements.
- 9.2. Sufficient information is considered to have been provided, in order to understand the impacts of development on protected and priority species and their habitats, most notably: skylarks; bats; reptiles, hedgehogs and other nesting birds.
- 9.3. The submitted ecological information includes proposed measures for securing protection of protected and priority species during the construction period, with any external lighting proposed being sensitive to bats. Provision of plots for skylarks, in proximity to the proposal site, is also proposed to be secured by way of S106 agreement.
- 9.4. The Council's ecology consultants have been consulted on the application proposal and have not raised an objection, subject to securing a proportionate financial contribution towards visitor management measures for the Stour and Orwell Estuaries SPA/Ramsar; and Ecological mitigation and enhancement measures, by way of condition.

10.0 Land Contamination

- 10.1. A phase I land contamination assessment has been submitted, as part of the application proposal.
- 10.2. Your Environmental Protection Officers have assessed the report provided and have raised no objection to the principle of the development proposed on the site, subject to the LPA being contacted in the event of unexpected ground conditions during construction and that the advised minimum precautions are undertaken until the LPA responds to the notification. Your officers also advise the developer that responsibility for safe development of the site lies with them.

11.0 Affordable Housing

11.1. Development Plan Policy CS19 provides that: In order to promote inclusive and mixed communities all residential development will be required to provide 35% affordable housing. CS19 provides further that Individual targets may be set for (inter alia) Site Allocations.

11.2. 15 no. affordable dwellings are proposed to be provided on the site, as required by the relevant site allocation at development plan policy EMST3. The detailed proposal is also supported by your Strategic Housing Officers.

12.0 Other Developer Contributions

12.1. Suffolk County Council has been consulted on the current proposal and has advised the following Developer Contributions will be required as a result of the proposed development:

- Contributions required by way of CIL
- Secondary school expansion contribution;
- Sixth form expansion contribution;
- Library improvement contribution.

- Contributions required by way of S106
- Secondary School Transport Costs and Monitoring Fee.

13.0 Parish Council Comments

13.1. It is considered that the matters raised by Elmsett Parish Council have been addressed in the above report.

13.2. Further elaboration can be provided at the committee meeting, as necessary.

PART FOUR – CONCLUSION

14.0 Planning Balance and Conclusion

14.1. The principle of development is considered to be in accordance with the provisions of plan allocations policy EMST3, subject to a Section 106 agreement to secure delivery of the 15 no. Affordable Homes; Public Open Space and Play Equipment; Biodiversity Enhancements; as well as improvements to the existing Highway network.

14.2. In your Officers' opinion, the resultant development provides an environment that is not considered to be excessively car dominated, has good supervision and details a variety of character areas, dwelling styles and materials that provides interest to a range of streetscapes and transition between village and countryside.

14.3. None of the statutory consultees offers a significant objection to the scheme that cannot be addressed by way of conditions.

14.4. The proposed development is well connected to the existing Village and its existing services and facilities, which it would help support.

- 14.5. The proposal would also be suitably landscaped for such an edge of settlement location, would provide significant areas of green open space within the development and safe, landscaped footpath connections clear of vehicular highways.
- 14.6. Overall, the development is considered to provide an attractive place with a range of house types to meet both affordable and housing needs at all levels.
- 14.7. The proposed development is, therefore, considered to offer Sustainable Development, having had regards to the provisions of the current adopted development plan and those of the NPPF, taken as a whole.

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:

- On-site delivery of 35% Affordable housing, of a type and tenure as advised by your Strategic Housing Officers;
- Provision of on-site Public Open Space and Play Equipment and management thereof;
- Skylark mitigation scheme
- Secondary School Transportation Costs
- Highways Improvements

(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 implementation)
- Approved Plans and Documents (Plans submitted that form this application)
- Archaeology scheme of investigation and recording
- Tree protection measures
- Arboricultural Method Statement, including auditable monitoring schedule and tree protection plan
- Detailed landscaping plan and aftercare
- Landscape management plan
- Construction management plan
- No burning
- Fire Hydrants
- Lighting scheme
- Sustainability measures
- Those required by the Lead Local Flood Authority: Surface Water Disposal Strategy; Surface Water Verification Report; Construction Surface Water Management Plan (CSWMP)

- Foul drainage scheme
- Those required by Place Services Ecology: RAMs; Ecology Appraisal Recommendations; Landscape and Ecological Management Plan; Biodiversity Enhancement Strategy; Wildlife Sensitive Lighting Scheme
- Those required by the Local Highway Authority: Access; Visibility Splays; Improvements to Hadleigh Road; Passing Bays (Ipswich Road and Flowton Road); Access Ditch Piping and Bridging; Estate Roads and Footpaths; Refuse and Recycle Bins; Turning and Parking; Cycle Parking; Construction Management
- Materials condition (Heritage recommendation)
- Those required by Waste Manager: RVC Swept Path Analysis; and Waste Strategy, including Wheelied bin collection points.

(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
- BLANK

(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.