Committee Report

Item No: 6B Reference: DC/21/03561
Case Officer: Alex Scott

Ward: South East Cosford.

Ward Member/s: Cllr Leigh Jamieson.

RECOMMENDATION – REFUSE RESERVED MATTERS

Description of Development

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.

Location

Land to the East of Hadleigh Road, Elmsett, Suffolk IP7 6ND

Expiry Date: 21/01/2022

Application Type: RES - Reserved Matters

Development Type: Major Small Scale - Dwellings

Applicant: Propertize Ltd **Agent:** Mr Mathew Blacoe

Parish: Flmsett

Site Area: 2.5 Hectares (Ha)

Density of Development:

Gross Density (Total Site): 16.4 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 was previously considered by Committee on 25th October 2017. Members resolved to grant outline planning permission, subject to conditions and completion of S106.

*The current reserved matters application (DC/21/03561) was previously considered by Committee Members on 19th January 2022. The outcome of the meeting was that Members resolved to recommend that the Chief Planning Officer grant Reserved Matters, subject to the following being resolved prior to formal approval being issued:

1. Consideration and approval of additional information pursuant to Conditions 18 and 19 of the Outline Planning Permission, with regards to a Surface Water Drainage Scheme, required to be

considered concurrently with reserved matters – such matters to include details of Ditch management and maintenance.

- 2. Exploration into the possibility of providing additional local parking for those existing dwellings affected by the development, immediately on the opposite side of Hadleigh Road, which do not currently benefit from off-street parking and are currently required to park vehicles on Hadleigh Road.
- 3. The applicant's agreement to providing Electric Vehicle charging infrastructure to all new dwellings proposed.
- 4. Review of applicant's intentions regarding Street Lighting of the site Having considered the Parish Council and Committee Member's preference for no streetlighting to be provided;
- 5. Further details and early discussion with regards proposed passing bays to be provided, pursuant to condition 15 of the Outline Planning Permission;
- 6. Consideration of provision of a defibrillator on site, as requested by members at the meeting.

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

Has the application been subject to Pre-Application Advice: No.

PART ONE – REASON FOR REFERENCE TO COMMITTEE

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

It is a "Major" application for:

- a residential development for 15 or more dwellings.
- *Following the prior meeting of the 19th January 2022, your officers have been unable secure additional information from the applicant in order to satisfy members' resolutions 1 to 6, listed above. The application is, therefore, returned to committee for further consideration by members, on this basis.

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
- 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:

No Objection in Principle, as it is in line with Neighbourhood Plan – However concerns raised with regards: Parking on Hadleigh Road; The Frontage Drainage Ditch; and Street Lighting.

National Consultees

Natural England:

No Objection - Natural England has previously commented on this outline proposal, our ref. 226182, and made comments to the authority in our letter dated 21 September 2017. The advice provided in our previous response applies equally to this proposal although we made no objection to the original proposal. The proposed amendments to the original application are unlikely to have significantly different impacts on the natural environment than the original proposal.

Anglian Water:

No relevant details to assess - unable to comment.

County Council Responses

SCC - Highways:

Raise no objections - Subject to conditions in relation to refuse/recycling bin points, details of the relocated ditch, details of estate roads and footpaths, provision of carriageways/footways, provision of visibility splay, retention of parking, details of provision of passing bays on Ipswich Road and Flowton Road to be provided, provision of road widening outside the site.

SCC - Local Lead Flood Authority:

Holding Objection - Following points require addressing:

- 1. Submit a revised proposed site plan depicting above ground open SUDS for the collection, conveyance, storage and discharge of surface water meeting the four pillars of SUDS (quality, quantity, biodiversity and amenity), unless there is clear evidence that this is not appropriate.
- Submit cross sections of SUDS features.
- 3. Submit a designers risk assessment for all open SUDS features.
- 4. Submit landscape and establishment (first five years) details for all SUDS features.
- 5. Demonstrate that the re-alignment of the watercourses (ditches) with the development have been agreed with the consenting authority.

SCC - Archaeology:

This site requires an archaeological evaluation to assess the archaeological potential of the development site, followed by mitigation as appropriate.

Archaeology is secured by conditions 4 and 5 of the Outline permission DC/17/01009. Therefore, there isn't a requirement for conditions for archaeology on the reserved matters application, but archaeological work is still required.

SCC - Public Rights of Way:

Do not object to this proposal and are pleased to see that the Applicant intends to accommodate FP9 in a wide green space, and to replace the footbridge at the western end - Advice given to the developer, which must be taken into account during construction and operation of the development.

SCC - Fire and Rescue:

Please ensure that Condition 3 (of the Outline Planning Permission), under Section B of the original decision notice, follows this development to its conclusion.

SCC - Developer Contributions:

Have no additional comments to make with regard to planning contributions in addition to those made at the outline planning stage. SCC shall seek appropriate contributions through CIL bids.

Internal Consultee Responses

BDC - Heritage Team:

Do not wish to make comment - No formal comments submitted.

BDC - Ecology Consultants - Place Services:

Holding objection due to insufficient ecological information - out of date ecological report.

BDC - Environmental Protection - Noise/Odour/Light/Smoke:

No objection subject to Chimneys used for fires and wood burners terminating at least 1 metre above roof ridge level - Construction management and lighting conditions advised by way of condition.

BDC - Public Realm:

The Public Realm team consider that the level of public open space and the provision of the LEAP are of a scale that is appropriate for this development.

BDC - Strategic Housing Response:

35% affordable housing is required on this site, equating to 14.35 dwellings – The Section 106 cites 10 dwellings for affordable rent and 4 for shared ownership - The strategic housing team are pleased with the layout of the site with regard to the 'pepper potting' of affordable housing and wholly support this scheme in its current form - Details of approved affordable housing mix provided.

Other Consultee Responses

East Suffolk Drainage Board - 2nd July and 8th November 2021:

Recommend that a drainage strategy is supplied which has been considered in line with the Planning Practice Guidance SuDS discharge location hierarchy.

Suffolk Wildlife Trust - 13th July 2021:

Recommend further changes to the Proposed Site Layout accompanying the application, in the interest of Biodiversity.

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. 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 resident's 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: B/17/01009 Outline (Means of access, layout and **DECISION:** GTD landscaping to be considered) - Residential 27.06.2018

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.

PART THREE - ASSESSMENT OF APPLICATION

The Site and Surroundings 1.0

- 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. To 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 application is submitted further to outline planning permission ref: B/17/01009, granted in June 2018, and seeks approval of reserved matters relating to the Appearance and Scale of 41 no. dwellings (including 14 no. affordable homes, as secured by way of Section 106).
- 2.2. The application includes the provision of approximately 1 hectare (Ha) of on-site Public Open Space, split into four areas across the site; a centrally-located Locally Equipped Area for Play (LEAP); Woodland Planting and Wildlife Areas; Structural Landscape Boundary Planting; as well as a significant amount of new tree planting within the site.
- 2.3. A completed Section 106 Agreement, attached to the Outline Planning Permission (ref: B/17/01009), secures the following:
 - Onsite delivery of 14 no. affordable homes;
 - Provision and maintenance of Public Open Space;
 - Provision of a LEAP;
 - A Skylark Mitigation Scheme:
 - A Habitat regulation assessment financial contribution.
- 2.4. The site would be accessed via a new estate road access, from Hadleigh Road, to the west. Hadleigh Road would be widened to a minimum width of 5.5 metres, along the full length of the site frontage, as part of the proposal. A new 1.5 metre-wide public footpath would also be provided, running parallel with the western site boundary fronting Hadleigh Road, along the full length of the site frontage, linking into existing public footpath infrastructure to the north of the site, as part of the proposal.
- 2.5. The proposed net density of housing development would be 27.3 dwellings per hectare, with back-to-back distances of no less than 18 metres.
- 2.6. The proposed dwelling types are broken down as follows:

Market Dwellings

Two Bedroom - Single-storey - Detached - Bungalows = 5 no.

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Two Bedroom - Two-storey - Semi-detached - Houses = 2 no.
Three Bedroom - Two-storey - Semi-detached - Houses = 6 no.
Three Bedroom - Two-storey - Terraced - Houses = 6 no.
Four Bedroom - Two-storey - Detached - Houses = 8 no.

TOTAL (Market Dwellings) = 27 no.
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Affordable Dwellings

Affordable Rent

Two Bedroom - Single-storey - Detached - Bungalow
Two Bedroom - Two-storey - Semi-detached - Houses = 6 no.
Three Bedroom - Two-storey - Terraced - Houses = 3 no.

Shared Ownership
Two Bedroom - Two-storey - Semi-detached - Houses = 2 no.
Three Bedroom - Two-storey - Semi-detached - Houses = 2 no.

2.7. The proposed dwellings would be provided in a range of types and styles. Proposed external facing material would be a mix of facing soft red brick, lime wash render, and horizontal stained timber weatherboard. Roofing materials would be a mix of red clay pantiles, red clay plain tiles and natural slates).

= 14 no.

3.0 The Principle of Development

TOTAL (Affordable Dwellings)

- 3.1. The principle of the proposed development has already been established by way of Outline Planning Permission Ref: B/17/01009. Matters relating to: access; layout and landscaping have also been previously addressed as part of the outline planning permission. Whilst it is noted that there are objections and comments, received from consultees, relating to in principle issues, and matters relating to access, layout and landscaping, all such matters have previously been addressed by way of the outline permission granted. There is not, therefore, the opportunity to reassess such matters by way of this current reserved matters application.
- 3.2. The current reserved matters application relates specifically to the Appearance and Scale of the proposed buildings only.

4.0 Site Access, Parking and Highway Safety Considerations

- 4.1. The point of access, and planning conditions requiring further details and provision of: Estate Roads and Footpaths; improvements to the Hadleigh Road Highway, along the site frontage; and provision of passing bays on Ipswich Road and Flowton Road, have previously been dealt with under the outline planning permission. The outline permission also approved the proposed layout, which includes the proposed parking layout as follows: 79 no. allocated parking spaces and 30 garage parking spaces (Equates to 2.7 parking spaces per dwelling); 13 no. Visitor/Informal off road parking bays (Equates to 0.32 spaces per dwelling).
- 4.2. The proposed parking provision is considered to meet the minimum requirement for parking places as set out in the latest SCC advisory Parking Standards.
- 4.3. The proposed access point, estate road layout and turning and parking layout, in relation to the proposed 41 dwellings, are considered acceptable in planning policy terms. Furthermore, village services and facilities are considered to be accessible via safe proposed pedestrian routes, and

the scheme would also secure beneficial improvements to Hadleigh Road, Ipswich Road and Flowton Road, previously secured by way of condition of the outline planning permission.

- 4.4. Comments raised at the previous committee meeting by members, raising concern with regards the conflict between additional vehicle movements, and turning into and out of the proposed estate road junction, in association with the proposed development and existing on-street parking on Hadleigh road, associated with existing neighbouring properties, are acknowledged and your officers have attempted to negotiate with the applicant with regards the possibility of providing additional local parking within the development, as requested. Such mitigation has, however, not been forthcoming from the applicant.
- 4.5. The application, therefore, remains to be determined, as submitted, without the additional local parking requested at the prior committee meeting.
- 4.6. Whilst it is acknowledged that existing on-street parking on Hadleigh Road, to the frontage of the proposed development would result in some disruption to traffic flows, such disruption is not considered to result in a significant impact on the transport network or an unacceptable or severe impact on highway safety, as per the requirements of NPPF paragraphs 110 and 111. It is also noted that the Local Highway Authority do not object to the proposal in this regard. As such your officers are unable to advise the application is refused for such reasons.
- 4.7. Overall the proposal is considered acceptable in highway safety terms, having had regard to development plan policies HS28, TP15 and EMST3, having had regard to the provisions of the NPPF as a material consideration.

5.0 Design and Layout [Impact on Street Scene]

- 5.1. The development is predominantly two-storey; however the developer has sought to provide 6 no. Bungalows as part of the development.
- 5.2. The proposed housing is proposed essentially in two character areas, with the denser area fronting the Village Street-Scene and the more open, less dense area to the rear of the site, adjacent to open countryside, surrounding the central area of open space and play area. The proposed layout is considered to create a welcoming, quality, open, green, pedestrian-friendly residential environment. Back gardens face either: street-scenes, side elevations of properties, public open space, or open countryside, and generally avoid unsupervised spaces. The proposed open spaces and landscaped boundaries provide green corridors to accord with landscaping recommendations, as well as creating a soft, structural buffer to the adjoining countryside. Overall the development is considered to deliver attractive spaces between dwellings to encourage activity and good sense of place, with direct links to the open countryside, via the existing public right of way, to be incorporated.
- 5.3. The proposed housing density of 27.3 dwellings per hectare, is considered to be acceptable in this location, reflective of the existing village character, in accordance with the provisions of development plan policies CS15 and CS18. 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 special landscape character of the locality.
- 5.4. The layout proposes a wide range of house types, with 8 no. significant design variations proposed. The resulting range of house types enjoys detailed features with a 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 14 no. new affordable housing units.

- 5.5. Your Strategic Housing Officers have assessed the application proposal and are satisfied that the proposed would deliver the affordable homes secured by way of the outline permission, of a type and tenure that is acceptable, in accordance with what was previously agreed in principle at outline stage.
- 5.6. Overall the proposed design and layout of the proposed development is considered consistent with the requirements of development plan policies CS11, CS15, CN01, HS28, EMST3, EMST4, EMST6, EMST9 and EMST12, having had regard to the provisions of the NPPF as a material consideration.

6.0 Landscape Impact, Trees, Ecology, Biodiversity and Protected Species

- 6.1. The proposed scheme of landscaping has previously been considered and approved at Outline Planning Stage and details are secured by way of condition.
- 6.2. Overall, the proposed landscaping scheme is considered to provide appropriately wide native species hedgerows, in double staggered rows, to all site boundaries interspersed with tree planting. The interior of the site would also include a significant amount of green spaces, where a significant amount of further tree planting is also proposed internal to the site.
- 6.3. Whilst it is noted that Council's consultants are of the opinion that further ecology information is required, it is considered that the applicant is already under an obligation to carry out a significant amount of ecology enhancements on the basis of the proposed layout and landscaping, which is already approved. Such ecology enhancements are secured by way of conditions 22 to 25 of the Outline Planning Permission and will be addressed at the relevant stage.
- 6.4. Overall, the proposed scheme of landscaping is considered to provide an exemplary open, green environment and setting, with appropriate native species soft landscape planting to site boundaries, offering a significant amount of ecological enhancements appropriate to such an edge of Village location.
- 6.5. Overall the proposed scheme of landscaping is considered consistent with the requirements of development plan policies CS11, CS15, CN01, HS28, EMST3, EMST4, EMST6, EMST9 and EMST12, having had regard to the provisions of the NPPF as a material consideration.

7.0 Impact on Residential Amenity

- 7.1. Policy HS23 of the development plan seeks to ensure new housing developments protect the amenities of neighbouring residents. Furthermore, 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.
- 7.2. 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.
- 7.3. The closest separation distance between existing and proposed properties would be approximately 13 metres, between the side elevations of proposed plot 1 and no. 7 Hadleigh Road. Proposed dwellings fronting Hadleigh road would be approximately 26 metres away from the frontages of existing dwellings on the opposite side of the road. Minimum back-to-back distances from existing properties on Garrards road, to the north of the site, would be not less than 40 metres. The proposed development would not, therefore, result in significant harm with regards dominance, overshadowing or loss of daylight to any existing neighbouring property.
- 7.4. The proposal, therefore, accords with the aspirations of development plan policy HS28 and with paragraph 130 of the NPPF in this regard.

8.0. Surface Water Drainage and Flood Risk

- 8.1. Whilst matters relating to Flood Risk and Surface Water Drainage have previously been dealt with under the Outline Planning Permission as a point of principle; further detail was required to be submitted and approved concurrently with this reserved matters submission, as required by conditions 18 and 19 of the outline permission (ref: B/17/01009).
- 8.2. Despite negotiation with the applicant by your officers, further information has not been forthcoming in this respect and, in the absence of such, it has not been possible to conclude that the proposed development would not increase flood risk elsewhere, as required by NPPF paragraph 167.

9.0 Other Issues

- 9.1. It is noted that the previous resolution of members required, inter alia: EV charging Infrastructure to be provided throughout the development; Consideration of no street lighting to be provided, in the interest of amenity and biodiversity; and consideration for the provision of a defibrillator within the development. Although the applicant has not engaged with your officers with regards these resolutions, it is considered that such matters could be secured by way of conditions, should members resolve to approved the application.
- 9.2. It is also noted that the previous resolution of members required further information with regards passing bays. It is noted that such passing bays are already secured by way of condition 15 of the outline planning permission. It is, therefore, suggested that the Council would have control to assess further details in this respect and, if needs be, enforce provision at the relevant time.

10.0 Parish Council Comments

- 10.1. The majority of matters raised by Elmsett Parish Council have been dealt with in the relevant sections above; however, further elaboration with regards specific points raised is provided below:
- 10.2. The application includes the widening of, and improvements to, Hadleigh Road along the frontage of the development site and for the provision of additional car passing bays on Ipswich Road and Flowton Road. The proposed highway improvements are considered to provide proportionate

- alleviation of resultant pressure on the existing highway network and to make the scheme acceptable in terms of highway safety and convenience for both motorists and pedestrians.
- 10.3. A lighting design scheme is required to be submitted and agreed prior to occupation of the site, by way of Condition 25 of the Outline Planning Permission.

PART FOUR - CONCLUSION

10.0 Planning Balance and Conclusion

- 10.1 The principle of development has been agreed for the number of dwellings proposed as well as a Section 106 agreement to secure delivery of the 14 no. Affordable Homes; Public Open Space and Play Equipment; Biodiversity Enhancements; as well as improvements to the existing Highway network.
- 10.2. 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.
- 10.3. The proposed development is well connected to the existing village and its existing services and facilities, which it would help support.
- 10.4. The proposal would 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.
- 10.5. 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.
- 10.6. Whilst it is acknowledged that existing on-street parking on Hadleigh Road, to the frontage of the proposed development would result in some disruption to traffic flows, such disruption is not considered to result in a significant impact on the transport network or an unacceptable or severe impact on highway safety, as per the requirements of NPPF paragraphs 110 and 111. It is also noted that the Local Highway Authority do not object to the proposal in this regard. As such your officers are unable to advise the application is refused for such reasons.
- 10.7. The applicant has failed to submit additional flood risk and surface water drainage information, as required by conditions 18 and 19 of the outline permission ref: B/17/01009. The proposal is, therefore, considered contrary to NPPF paragraph 167, in this regard, which requires all developments not to increase flood risk elsewhere.
- 10.8. For the reasons given in paragraphs 10.6 and 10.7, above, the current proposal is not considered to represent sustainable development and for these reasons the current application is not supported by your officers.

RECOMMENDATION

That the Chief Planning Officer be authorised to REFUSE Reserved Matters, for the following reasons:

Conditions 18 and 9 of the Outline Planning Permission (ref: B/17/01009) require further details regarding flood risk and surface water drainage to be submitted concurrently with this reserved matters application. Such details have, however, not been provided.

The development is, therefore, contrary to the provisions of NPPF paragraph 167 and clauses vii and viii of Babergh Core Strategy policy CS15, as the applicant has not demonstrated, to the satisfaction of the Local Planning Authority, that the proposed development would not increase flood risk elsewhere.

