

Committee Report

Item No: 8B

Reference: DC/21/05923

Case Officer: Vincent Pearce

Ward: Rickinghall.

Ward Member/s: Cllr Jessica Fleming.

RECOMMENDATION – APPROVE RESERVED MATTERS

Description of Development

Application for approval of Reserved Matters following Outline Planning Permission 3858/16, Erection of up to 42 No dwellings, supporting infrastructure and new vehicular access (highway and pedestrian) submission of details for Appearance, Landscaping, Layout and Scale for Erection of 41No dwellings (including 14 affordable).

Location

Land Adjacent Greenacres, Gardenhouse Lane, Rickinghall Superior, Diss Suffolk IP22 1EA

Application Type: RES - Reserved Matters

Development Type: Major Small Scale - Dwellings

Applicant: Ruby Homes (East Anglia) Ltd

Agent: Last & Tricker Partnership

Parish: Rickinghall Superior

Site Area: 1.54ha

Gross Density (Total Site): 26 dwellings per hectare

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

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

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

PART ONE – REASON FOR REFERENCE TO COMMITTEE

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

- I. The development exceeds the threshold for being determined under delegated authority owing to the fact that the development is 'a residential development for 15 or more dwellings' as per Mid Suffolk's Scheme of Delegation.

CLASSIFICATION: Official

PART TWO – POLICIES AND CONSULTATION SUMMARY

Summary of Policies

The Development Plan

The following policies are considered the most important to the determination of this proposal. The policies are all contained within the adopted development plan for Mid Suffolk District which for the purposes of determining this application is comprised of: Mid Suffolk Core Strategy Focused Review (2012), Mid Suffolk Core Strategy (2008) and those policies saved from the Mid Suffolk Local Plan (1998). The Botesdale and Rickinghall Neighbourhood Plan also forms part of the development plan and applies to this application. All policies are afforded full weight in the determination process in the circumstances of this application- they are considered to be consistent with the policies of the NPPF under paragraph 219 of that document.

- Mid Suffolk Core Strategy Focused Review (2012)
 - FC1- Presumption in Favour of Sustainable Development
 - FC1.1- Mid Suffolk Approach to Delivering Sustainable Development

- Mid Suffolk Core Strategy (2008)
 - CS3- Reduce Contributions to Climate Change
 - CS4- Adapting to Climate Change
 - CS5- Mid Suffolk's Environment
 - CS9- Density and Mix

- Mid Suffolk Local Plan (1998)
 - GP1- Design and layout of development
 - HB1 - Protection of historic buildings
 - HB14 - Ensuring archaeological remains are not destroyed
 - 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
 - CL8- Protecting wildlife habitats
 - T10- Highway considerations in development
 - T11- Facilities for pedestrians and cyclists
 - T12- Designing for people with disabilities
 - RT4- Amenity open space and play areas within residential development
 - RT12- Footpaths and Bridleways

The National Planning Policy Framework

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

Particularly relevant elements of the NPPF include:

- Chapter 2: Achieving Sustainable Development
- Chapter 5: Delivering a Sufficient Supply of Homes
- Chapter 9: Promoting Sustainable Transport
- Chapter 11: Making Effective Use of Land
- Chapter 12: Achieving Well-Designed Places
- Chapter 14: Meeting the Challenge of Climate Change, Flooding and Coastal Change
- Chapter 15: Conserving and Enhancing the Natural Environment
- Chapter 16: Conserving and Enhancing the Historic Environment

Other Considerations

- Suffolk County Council- Suffolk's Guidance for Parking (2014, most recently updated in 2019)

The national Planning Practice Guidance (PPG) provides guidance and advice on procedure and elaboration of NPPF policy rather than explicit policy; however, it has been taken into account in reaching the recommendation made on this application.

Neighbourhood Plan Status

This application site falls wholly within the Botesdale and Rickingham Neighbourhood Plan Area.

The Neighbourhood Plan was adopted (made) in January 2020 and therefore the plan holds full weight within the decision-making process and is part of Mid Suffolk's development plan. The following policies should be given full weight alongside those policies listed under the 'Summary of Policies' section above.

- Policy B&R 1- Spatial Strategy
- Policy B&R 2- Housing Development
- Policy B&R 4- Land North of Garden House Lane
- Policy B&R 9- Housing Mix
- Policy B&R 10- Measures for New Housing Development
- Policy B&R 14- Protection of Heritage Assets
- Policy B&R 15- Design Considerations
- Policy B&R 21- Public Rights of Way

Notably the application site is allocated for residential development of up to 42 dwellings including 35% affordables under policy B&R 4.

Consultations and Representations

A: Summary of Consultations

Town/Parish Council (Appendix 3)

- **Rickingham Superior and Inferior Parish Council**
No objection following amended plans. Would like to be included on discussions relating to construction management.

National Consultee (Appendix 4)

- **Anglian Water**
No comment.
- **Historic England**
No comment.
- **Natural England**
No comment.
- **UK Power Networks**
No objection. Consideration will need to be given to the 11KV overhead line adjacent to the site. Any diversions required will need to be applied for directly through UKPN.

County Council Responses (Appendix 5)

- **Archaeology**
No objection.
- **Development Contributions**
All infrastructure contributions fall to CIL.
- **Fire and Rescue**
No objection. A condition for fire hydrants is imposed on the outline.
- **Floods and Water**
No objection.
- **Highways**
No objection. A range of conditions were included on the outline. Note that specific technical details of highway works will be agreed under separate Section 38 Agreement outside of planning. Recommend conditions on 1- EV charging and 2- estate roads and footpath details.
- **Public Rights of Way**
No objection. Welcome the two proposed links to footpath 11. Make comments on light and air, surfacing and design of footpaths.

Internal Consultee Responses (Appendix 6)

- **Environmental Health – Air Quality**
No objection.
- **Environmental Health- Noise, Odour, Light and Smoke**
No objection, subject to conditions on 1- air source heat pump noise assessment, 2- construction hours, 3-no burning, 4- dust control and 5- construction management plan.
- **Environmental Health- Sustainability**
No objection. Recommend condition on sustainability measures.
- **Heritage**
No objection as there would be no harm to designated heritage assets.
- **Place Services- Ecology**
No objection, subject to a condition on biodiversity enhancement measures.
- **Place Services – Landscape**
No objection. Note that the proposed layout and landscaping broadly comply with outline. Make comments in relation to potential improvements that could be made in regard to hard and soft landscaping and SuDS, which are secured via condition.
- **Public Realm**
No objection. Note that the scheme includes play equipment, and that the Council would not take on the maintenance/ management of the proposed open space.
- **Strategic Housing**
Holding objection on the basis of the affordable housing mix and lack of pepper-potting.

Members should note that a revised response from Strategic Housing is expected following the submission of an amended site plan
- **Waste Services**
No objection subject to conditions 1- road surface must be suitable for refuse collection vehicle (RCV), 2- Access around site is suitable for RCV and 3- bin presentation points.

Other

- **Suffolk Preservation Society**
No comment.
- **Mid Suffolk Disability Forum**
No objection. Make comments about all dwellings meeting Part M4(1) of the Building Regulations, with 50% meeting M4(2), footpaths should be wide enough for wheelchair users (1.5 metres), dropped kerbs should provide level access, surfaces should be firm, durable and level.

B: Representations

At the time of writing this report at least 17 representations of objection and 1 neutral representation have been received in total. A verbal update shall be provided as necessary.

Views are summarised below:-

- Increased traffic (14)
- Loss of sunlight (9)
- Inadequate parking (8)
- Inadequate access (8)
- Community facilities stretched (8)
- Loss of open space (7)
- Affects to local ecology/wildlife (7)
- Design is dominating and overbearing (6)
- Impact to landscape character (6)
- Drainage (6)
- Development too high (6)
- Boundary issues (5)
- Out of character (5)
- Light pollution (5)
- Loss of outlook (5)
- Building work causing noise (4)
- Loss of privacy (4)
- Levels (4)
- Increased danger of flooding (4)
- Overdevelopment (4)
- Noise (4)
- More open space is needed (4)
- Increased accidents (3)
- Footpaths should be widened (3)
- Residential amenity (3)
- Overlooking (3)
- Unsustainable location (3)
- Conflict with Neighbourhood Plan (3)
- Scale (3)
- Fear of crime (3)
- Inadequate public transport provision (3)
- Impact to nesting skylarks (2)
- Harm to Heritage Assets (2)
- Increased pollution (2)
- Large houses (2)
- Health and Safety (2)
- Operating hours of construction and deliveries (2)
- Traffic during construction phase (1)
- Maintenance of hedgerows (1)
- Lack of footpaths on Garden House Lane (1)
- Loss of parking (1)
- Spoiling countryside (1)
- Inappropriate in Conservation Area (1)
- No provision for open space/children's play space (1)
- Impacts to Public Right of Way (1)

(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: 3858/16

Application for Outline Planning Permission for residential development of up to 42 new dwellings, supporting infrastructure and Access (Highway & pedestrian). (Appearance, Landscaping, Layout & Scale being the subject of a further Reserved Matters application)

DECISION: GTD
19.11.2018

PART THREE – ASSESSMENT OF APPLICATION

1. The Site and Surroundings

- 1.1. The site extends 1.54 hectares and is currently comprised of agricultural land. The site falls wholly within the parish of Rickinghall Superior. The site sits outside of the existing settlement boundary of Botesdale/Rickinghall (Key Service Centre) and is therefore designated as 'countryside' under policy CS1. The site does however adjoin existing residential properties to its northern and western boundaries, specifically wrapping around Greenacres, which is a detached bungalow with a modest appearance.
- 1.2. The site is accessed northeast of Gardenhouse Lane, a single-track road which connects onto The Street to the north. The Street hosts a range of services and facilities and bus stops. The nearest bus stop is located 0.3 miles northwest along The Street, running regular services Monday to Friday to a variety of villages, alongside Diss and Bury St Edmunds.
- 1.3. The site's topography is varied, gently sloping towards the northeast corner, representing a 7-metre difference in levels. There is a hedgerow running along the frontage (southwest) of the site. There are no protected trees or hedgerows on or adjacent to the site. The site is not within or near to any SSSI or designated landscape (for example Area of Local Landscape Sensitivity, Special Landscape Area of Area of Outstanding Natural Beauty).
- 1.4. The site is not within nor adjoining a Conservation Area, however it is near to several listed buildings, the closest being Grade II listed Garden House, which is approximately 58 metres west.
- 1.5. There is a Public Right of Way (PROW) (footpath) running outside of but along the northwest boundary of the site, which connects to another PROW (footpath) northeast of the site, which is separated from the site by agricultural land. There is another PROW (footpath), running southwest of the site through agricultural fields, on the opposite side of Gardenhouse Lane.
- 1.6. The site falls wholly within Flood Zone 1 (very low fluvial flood risk), and also has a very low pluvial (surface water) flood risk. Gardenhouse Lane is however at a high risk of pluvial flooding.

2. The Proposal

- 2.1. 41 dwellings are proposed on site in total, comprised of 14 affordable dwellings (35%) and 27 open market dwellings. This is a reduction of one dwelling from the description of development under the outline permission which allowed 'up to' 42 dwellings.
- 2.2. The tenure of the dwellings is as follows:
- 4 x 1-bedroom flats (affordable rent)
 - 2 x 1-bedroom houses (affordable rent)
 - 9 x 2-bedrooms houses (2 x shared ownership, 3 x affordable rent)
 - 4 x 3-bedroom bungalows
 - 18 x 3-bedroom houses (2 x shared ownership, 1 x affordable rent)
 - 4 x 4-bedroom houses
- 2.3. The parking provision on site is wholly in accordance with SCC Highways Parking Guidance. There are a total of 97 parking spaces (87 allocated to specific dwellings), including the following:
- 10 visitor parking spaces (scattered along the minor access road, within private drives and parking courts)
 - 16 tandem parking arrangements (offering 32 spaces in total) no triple parking arrangements other than 6 which are surplus to requirement.
 - 9 garages (6 garages are provided to the rear of tandem parking arrangements but all 6 are surplus to parking requirement)
 - 4 car ports (1 car port is surplus to parking requirement)
 - 1 parking court
- 2.4. Other features of the proposed development include:
- Air source heat pumps to serve each dwelling
 - Bin storage and collection points
 - Secure covered cycle storage
 - 2 pathway links to PROW footpath northwest
 - PROW footpath to be surfaced with compacted Hoggin Surface- it should however be noted that any works proposed to the PROW will be subject to securing separate consent through SCC's PROW Team post planning.
 - Public open space (256 sqm) with play space (125 sqm)
 - Landscaping- hedgerows and trees (existing and proposed), swales and attenuation basin, railings and brickwork walls.

3. The Principle of Development

- 3.1. Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that if regard is to be had to the development plan for the purpose of any determination to be made under the Planning Acts, then that determination must be made in accordance with the plan unless material considerations indicate otherwise.
- 3.2. The principle of development for the erection of 'up to' 42 dwellings and the detail of the vehicular and pedestrian access were approved and thus established under outline permission 3858/16. The outline permission was granted on the 19th November 2018. A range of conditions were

imposed on the outline permission, for ease of reference these conditions are listed in summary under the recommendation section of this report.

- 3.3. Whilst this does not change the extant nature of the outline permission, since the outline permission was granted, the Botesdale and Rickinghall Neighbourhood Plan has been made (2020).
- 3.4. The site is allocated for 'up to' 42 dwellings within the Botesdale and Rickinghall Neighbourhood Plan, under policy B&R 4. As the site is specifically allocated, it is therefore also compliant with Neighbourhood Plan policies B&R 1 and B&R 2.
- 3.5. This reserved matters application is solely concerned with the appearance, layout, landscaping and scale of the development, with the access and principle of residential development on site having been established under outline 3858/16.

4. Site Access, Parking and Highway Safety Considerations

- 4.1. The proposed access into the site is consistent with what was approved under the outline permission (and secured via condition 17) and continues to be taken off of Gardenhouse Lane to the southwest of the site. Alongside the access, the construction of the footways, access road and driveways are secured via condition 21 of the outline permission.
- 4.2. The main minor access road and private driveways are to be surfaced in visually different materials, improving the legibility of the site.
- 4.3. SCC Highways note that they may wish to adopt the minor access road. In the event that they wish to adopt the spine road, an agreement under Section 38 of the Highways Act 1980 would be required. This is entirely separate from the planning process.
- 4.4. Agreement of the proposed parking provision and secure cycle storage is reserved by condition 18 of the outline permission. Parking and secure covered cycle storage details have nonetheless been submitted as part of this reserved matters application and have been incorporated into the site plan. The proposed parking provision is broken down under section 2 of this report, however it is wholly in accordance with SCC Parking Guidance (2019) and therefore policy T9.
- 4.5. Details of bin storage and collection points are reserved by condition 20 of the outline permission. Bin storage and collection points have nonetheless been demonstrated on the submitted site plan as part of this reserved matters application.
- 4.6. Condition 19 of the outline permission ensures that a construction management plan is agreed and in place prior to commencement of development.
- 4.7. Details and the provision of a new footway is secured along Gardenhouse Lane under condition 23 of the outline permission. This footway will link the site to The Street where a large proportion of local services, facilities and bus stops can be found.
- 4.8. Alongside this formal footway link, additional footpath links are proposed within the site to link to the existing PROW footpath to the north of the site and surfacing upgrades are proposed to this PROW. The proposed footpath links and surfacing upgrades to the PROW are secured via a recommended condition.

- 4.9. Overall, the proposed development achieves a high level of permeability within the site and plugs into existing connections to improve connectivity to and from the site, thus encouraging active sustainable means of transport.
- 4.10. Conditions are recommended as part of this reserved matters application to secure EV charging points and requiring the submission of the construction details of the proposed minor access road and private driveways.
- 4.11. The proposed development would be in accordance with Neighbourhood Plan policies B&R 4, B&R 10, B&R 15 and B&R 21, Local Plan policies RT12, T9 and T10, paragraphs 69, 105, 110 and 111 of the NPPF.

5. Design and Layout

- 5.1. A range of house types and forms (including bungalows) are proposed which deliver a coherent but not homogenous form of development. Back-to-back distances of 22 metres are achieved as a minimum. All of the proposed dwellings provide floor space that meets Nationally Described Space Standards.
- 5.2. The mix of dwellings proposed is as listed under section 2 of this report. The open market mix was not conditioned under the outline permission; therefore, this element of the proposal cannot be considered under this reserved matters application. The open market mix has nonetheless been assessed by the Council's Strategic Housing Team who deem it to be acceptable with regard to policies B&R 4, CS9 and the Council's Strategic Housing Market Assessment. Moreover, in the first set of Parish Council comments in November 2021, the Parish Council confirmed that they felt the mix of dwellings proposed was good and in accordance with their Neighbourhood Plan.
- 5.3. The details of the specific proposed materials are reserved by condition 14 of the outline permission. However, such material details have also been submitted as part of this reserved matters application. The proposed materials are taken from a traditional palette and colours, reflective of the Suffolk vernacular and would comprise of a mixture of:

Roof tiles

- Red Pantiles
- Black Pantiles
- Natural Slates
- Dormer Cheeks in grey finish

Elevations

- Horizontal Boarding- Midnight Black, Booth Blue and Heathered Moss
- White Render- scraped texture finish
- Red Multi Brickwork
- Red Brickwork

Fenestration

- Externally applied glazing bars
- Dark Grey UPVC
- Cream UPVC

Doors

- A variety of door styles are proposed in Black, Midnight Grey and Blue colours
- Garage doors to be dark grey

Fascias, Bargeboards and Rainwater Goods

- All Dark Grey/ Cream (to match windows)

Surfaces

- Minor access road and footways- tarmac
- Private drives- Block paving
- On plot parking- Block paving

- 5.4. Condition 13 of the outline permission requires the submission of existing and proposed land levels and finished floor levels of the dwellings prior to commencement.
- 5.5. Whilst not perfect, on balance, officers do not consider a lack of pepper-potting on this scheme to be fatal to the proposed layout, noting that there are a relatively small total number of affordable dwellings (14) and the site is not of a significant size. Whilst 11 dwellings are generally considered the maximum number of affordable dwellings that should be grouped in one location, in this instance there would only be 3 additional dwellings in the same overall group. To separate 3 affordable dwellings away from the remaining 11 is unlikely to substantially change the overall integration of the affordable dwellings within the wider scheme, especially as all affordable dwellings are tenure blind. Moreover, whilst the 14 dwellings are within the same area of the site, they are in two 'clusters' served by two separate entrances from the minor access road, with 5 dwellings in one part and 9 dwellings in another.
- 5.6. Air source heat pumps are proposed to serve each dwelling as shown on the proposed site plan.
- 5.7. A sustainability statement has been submitted as part of the reserved matters submission, outlining the developer's commitment to reducing carbon emissions on site. Notwithstanding the air source heat pumps, a range of additional measures have been identified that could be incorporated into the final scheme:
- Solar thermal hot water panels
 - Solar photo voltaic electricity panels
 - Minimising construction waste
 - 'A' rated materials
 - Materials responsibly and locally sourced
 - Water saving devices within dwellings
 - Home user guides provided to future occupants
 - Energy efficient light fittings
 - Energy efficient internal fitout
 - Secure external drying areas to all dwellings
 - Increase thermal performance of dwellings through air tightness and controlled ventilation
- 5.8. However, this statement solely outlines **potential** measures that could be incorporated into the scheme and does not guarantee such measures. A condition is therefore recommended to require the submission of confirmed carbon reduction and broader sustainability measures that are to be incorporated into the final development.

5.9. The proposal would accord with Neighbourhood Plan policies B&R 4, B&R 9, B&R 10 and B&R 15, Core Strategy policies CS3, CS5 and CS9, Local Plan policies GP1, H13, H14 and H15 and paragraph 130 of the NPPF.

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

6.1. Specific details of the landscaping scheme (hard and soft) and a timescale for implementing the landscaping are covered by conditions 15 and 16 of the outline permission. A broad landscaping scheme of hard and soft landscaping on site has nonetheless been included as part of this reserved matters submission.

6.2. The landscaping strategy proposed as part of this application includes the following elements:

- Swales run alongside the spine road
- Attenuation basin is to the frontage of the site and is to be enclosed by railings
- The majority of existing hedgerow and trees along the frontage of the site are to be retained
- A small section of existing hedgerow and a small number of trees are to be removed to facilitate the construction of the access and secure visibility splays
- A proposed 3-metre-wide native shrub mix hedgerow is proposed along the southeast boundary
- A proposed 1-metre-wide native shrub mix hedgerow is proposed along northwest boundary, with gaps made within it to provide pathway links to adjacent to PROW
- Public open space enclosed by railings
- Play space area enclosed by railings and accessed via gate
- Public Right of Way along northwest to be surfaced with compacted Hoggin surface and with a minimum width of 2 metres
- Mown grass areas to plot frontages and public open space
- Meadow grass areas along swales.
- A rich range of tree and hedgerow species are proposed.

6.3. An area of public open space measuring 256 square metres and a space measuring 125 square metres for play purposes have been incorporated into the scheme. The provision of open space and play space are to be secured via condition, alongside details of how such spaces shall be managed and the specific details of how the proposed space for play shall be used for play purposes. This is in accordance with a specific criterion of Neighbourhood Plan policy B&R 4 and Local Plan policy RT4.

6.4. Both the entrance into the site and the boundaries are heavily landscaped, retaining a rural edge of settlement character, albeit the level of landscaping reduces within the confines of the site owing to the proposed quantum of development.

6.5. The amount of trees and hedgerows proposed for removal is kept to a minimum in order to accommodate the access. Notably, such trees and hedgerows are not protected.

6.6. Condition 12 of the outline permission secured appropriate off-site mitigation for farmland birds in accordance with Place Services Ecology comments.

6.7. Place Services Ecology raised no objection to the reserved matters from the perspective of ecology and protected species. However, they recommend a condition to secure biodiversity enhancement measures which is reflected in the recommendation section of this report.

6.8. The proposed development would accord with Neighbourhood Plan policy B&R 15, Core Strategy policies CS4 and CS5, paragraph 174 of the NPPF.

7. Land Contamination, Flood Risk, Drainage and Waste

7.1. Land contamination matters were assessed under the outline permission. There are no concerns or potential impacts arising to future occupants from potential land contamination.

7.2. Condition 6 of the outline permission seeks to secure details and the implementation of an appropriate surface water drainage scheme. A surface water drainage scheme has been included as part of the reserved matters, demonstrating how SuDS and the proposed hard surfaces will dispose of surface water to prevent flooding arising from development of the site.

7.3. The proposed surface water drainage scheme is comprised of the following elements:

- All private driveways and some private parking areas will be surfaced with permeable paving. Some private parking areas and some plots will be drained to a sewer network that is built by the developer to a standard agreed by a water company who will then adopt the sewer network once completed. This is done under section 104 of the Water Industry Act 1991, which is an entirely separate process to planning. The remaining private parking areas will drain to the permeable private driveways and the remaining plots will drain to private soakaways.
- Swales and an attenuation basin are incorporated into the scheme, forming part of the proposed sustainable urban drainage system on site which specifically addresses paragraph 167 c) of the NPPF.

7.4. The proposed surface water drainage scheme has been assessed by SCC Floods and Water and is considered acceptable.

7.5. The proposed development is in accordance with Neighbourhood Plan policy B&R 15, Core Strategy policies CS4 and CS5 and paragraphs 167 of the NPPF.

8. Heritage Issues

8.1. The Council's Heritage Team did not identify any harm to designated heritage assets arising from the principle of residential development under the outline permission. In assessing the specific details of the development under this reserved matters application, the Council's Heritage Team raised no objection and concluded that no harm would arise from the development within the setting of listed buildings, specifically in relation to Grade II listed Garden House located southwest.

8.2. Potential archaeology on the site was assessed under the outline permission, and conditions 9 and 10 of the outline permission secure the appropriate levels of archaeological investigation and reporting. Therefore, there are no additional archaeological matters to be assessed under this reserved matters application.

8.3. The proposed development is therefore in accordance with Neighbourhood Plan policy B&R 14, Core Strategy policy CS5, Local Plan policies HB1 and HB14 and paragraphs 197 and 199 of the NPPF.

9. Impact on Residential Amenity

- 9.1. A construction management plan was secured under condition 19 of the outline permission. As part of this there is a requirement to agree construction hours and routing, amongst other matters to protect and mitigate potential impacts on neighbouring amenity.
- 9.2. Future occupants would benefit from dwellings that are NDSS compliant, with minimum back-to-back distances of 22 metres, access to public open space, play provision, secure and covered cycle storage, allocated parking provision and footpath and footway links into Rickinghall.
- 9.3. All dwellings along the northwest boundary of the site, where the nearest existing properties are located along Ryders Way, are bungalows thus mitigating against potential overlooking, loss of privacy and overshadowing. An adequate separation distance, measuring a minimum of 25 metres is achieved between plots 1-4 and the existing bungalow to the southwest (Greenacres).
- 9.4. The proposed development is in accordance with Neighbourhood Plan policy B&R 15, Local Plan policies H16 and H17 and paragraph 130 of the NPPF.

10. Parish Council Comments

- 10.1. The original concerns of the parish council related to a lack of initial engagement, lack of assessment against Neighbourhood Plan, lack of play provision and lack of boundary landscaping. They further noted confusion over the dwellings being NDSS compliant, the provision secure and covered bin and cycle storage, sustainability measures, construction traffic and security and surfacing along the PROW.
- 10.2. Following discussions throughout the application process and in order to address these earlier Parish Council comments, the applicant submitted amended plans. The amended plans incorporated play provision, landscaping, bin storage and presentation points, secure covered cycle storage and PROW upgrades and clarified issues relating to NDSS. Additional sustainability measures and construction traffic issues are dealt with by conditions. As such, the Parish Council no longer raise an objection to the proposed development.

PART FOUR – CONCLUSION

11. Planning Balance and Conclusion

- 11.1. The principle of erecting 'up to' 42 dwellings was established through the grant of outline planning permission 3858/16. The proposed quantum of development (41 dwellings) is consistent with the outline permission.
- 11.2. Since the grant of outline permission, the Botesdale and Rickinghall Neighbourhood Plan has been made, which allocates the site for 'up to' 42 dwellings under policy B&R 4. As discussed within the body of this report these proposed reserved matters are wholly in accordance with policy B&R 4 as well as other relevant Neighbourhood Plan policies.
- 11.3. The appearance, landscaping, layout and scale are acceptable and accord with the development plan (Neighbourhood Plan, Core Strategy Focused Review, Core Strategy and Local Plan), outline permission (including s106 Agreement and conditions) and the NPPF (an important material consideration). There are no material considerations that indicate that a decision should be taken against the development plan.

11.4. In conclusion, the development is considered acceptable, and the recommendation is therefore to grant the reserved matters.

RECOMMENDATION

That authority be delegated to the Chief Planning Officer to approve the reserved matters subject to the following conditions as summarised below (unless details to satisfy such conditions are submitted to the LPA to the satisfaction of the Chief Planning Officer and relevant consultees prior to the issuing of a decision) and any others as may be deemed necessary.

- Approved plans
- An area of open space and play space of no smaller than 381 square metres
- Agreement of management company for open space and play space
- Play space details to be agreed (to be considered in accordance with the Fields in Trust recommended benchmark guidelines)
- Footpath links to PROW and PROW upgrades
- Advanced planting
- Landscape management plan (to include details of hedgerow management along PROW)
- No burning on site
- Dust control measures
- Noise assessment for air source heat pumps
- EV charging details
- Construction details of estate roads and footpaths (for both Highways and Waste Services)
- Sustainability measures
- Biodiversity enhancement measures

Informatives

- Proactive working with NPPF- No pre-app
- Tied to outline
- Floods and drainage
- Public Rights of Way

The following conditions were imposed on the outline permission and continue to apply to these reserved matters:

- Time limit for commencement (2 years)
- Surface water drainage scheme
- Surface water scheme implementation, maintenance and management
- SuDS details for LLFAs Flood Risk Asset Register
- Construction surface water management plan
- Written Scheme of Investigation for archaeology
- Post Investigation for archaeology
- Fire hydrants
- Ecological offsite mitigation strategy for farmland birds
- Finished floor levels of dwellings

- Materials
- Landscaping scheme
- Timescale for landscaping scheme to be implemented
- Construction of access to serve the site
- Parking and manoeuvring
- Construction Management Plan
- Refuse bins and collection areas
- Construction of carriageways and footways within the site
- Construction of new footway along Garden Lane

The following was secured under s106 Agreement:

- 35% affordable housing (tenure, mix and layout to be agreed under reserved matters)