

## **Committee Report**

**Item No: 6B**

**Reference: DC/22/01605**

**Case Officer: Elizabeth Flood**

**Ward: Copdock & Washbrook.**

**Ward Member/s: Cllr David Busby.**

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## **RECOMMENDATION – GRANT PLANNING PERMISSION WITH CONDITIONS**

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### **Description of Development**

Application for Outline Planning Permission (Access to be considered) - Demolition of existing redundant farm buildings and erection of up to 19No dwellings. Creation of a new vehicular & pedestrian access off The Marvens.

### **Location**

Hill Farm Barns, Hill Farm, Old London Road, Copdock And Washbrook, IP8 3LE

**Expiry Date: 28/10/2022**

**Application Type: OUT - Outline Planning Application**

**Development Type: Major Small Scale - Dwellings**

**Applicant: Suffolk County Council**

**Agent: Concertus**

**Parish: Copdock And Washbrook**

**Details of Previous Committee / Resolutions and any member site visit:** Committee site visit undertaken

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

**Has the application been subject to Pre-Application Advice:** Yes DC/21/06425. Positive pre-application advice subject to Policies CS2 and CS11 and constraints.

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## **PART ONE – REASON FOR REFERENCE TO COMMITTEE**

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

Residential development above 15 dwellings.

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## **PART TWO – POLICIES AND CONSULTATION SUMMARY**

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CLASSIFICATION: Official

## **Summary of Policies**

CN01 - Design Standards  
CR04 – Special Landscape Areas  
CS01 - Applying the presumption in Favour of Sustainable Development in Babergh  
CS02 - Settlement Pattern Policy  
CS15 - Implementing Sustainable Development  
CS11 - Core and Hinterland Villages  
CS19 - Affordable Homes  
TP15 - Parking Standards - New Development  
TP04 - New Cycle Links

National Planning Policy Framework

*At the current time, the Joint Local Plan (JLP) carries limited weight; however this is expected to change soon and any such change will be reported to Members as relevant.*

## **Neighbourhood Plan Status**

This application site is within a Neighbourhood Plan Area.

The Copdock and Washbrook Neighbourhood Plan failed at referendum. The Parish Council is currently considering a revised Neighbourhood Plan. The Neighbourhood Plan therefore has little weight.

## **Consultations and Representations**

During the course of the application, Consultation and Representations from third parties have been received. These are summarised below.

### **A: Summary of Consultations**

#### **Town/Parish Council**

##### **Copdock and Washbrook Parish Council.**

Whilst the Parish Council recognises this site sits outside of the current development area, in their opinion, the proposal will add value to the current derelict land .

Additionally, the Parish Council have further considered the development and highways road layout and make the following comments for consideration:

1. Approach from Chapel Lane to Old London Road junction. Replacement of Give Way sign with Stop sign. To reduce potential T bone accidents at junction due increase of traffic accessing new Marvens site. It will also reduce speed of vehicles travelling east bound in Chapel Lane to make it safer when pedestrians are trying to cross Chapel Lane at the junction.
2. De-regulate existing section of Old London Road, opposite development site. Replace existing 70mph signs with 30mph signs. Northbound carriageway, junction with Whights Corner and Marvens access road. To reduce traffic speed using this section of the existing carriageway from 70mph to 30mph.

3. New No Entry signs, together with a kerbed island in existing carriageway to accommodate the sign Facing south on northbound carriageway at junction of Old London Road and Chapel Lane To avoid vehicles travelling southbound on wrong side of Old London Road dual carriageway.
4. New No Entry signs Facing south on northbound carriageway at junction of Old London Road and Marvens access road To avoid vehicles travelling southbound on wrong side of Old London Road dual carriageway.
5. New public footpath On west side of northbound carriageway, from Marvens access road up to barrier. To provide a safe, segregated pedestrian / cycle route on the redundant section of dual carriageway, which could be subject to two way cycle used route.
6. No Motor Cycles sign Northbound carriageway, at junction with Old London Road and Marvens access road. At location of new bollards on carriageway.
7. Existing note on drawing, suitable signage confirming vehicle access only & resident parking only to White Cottage, to be implemented. Southbound carriageway, at junction Old London Road and Marvens access road. To prevent random parking on road outside White Cottage.
8. None drive over kerbing To centre of existing dual carriageway, to southbound carriageway. To prevent vehicular access over central reservation and beyond bollards to redundant section of Old London Road

### **Subsequent response**

The latest Ardent report REF 2003381-03A of September 2022 sets out a proposed off site London Road cycle scheme drawing no 2003381-004 Rev A. This proposal should be a condition of the proposed development.

With regards to the road layout scheme, we ask for the following items to be considered to reduce unwanted antisocial behaviour adjacent to neighbouring residents along the Old London Road.

1. Installation of a new barrier on the central grass verge of the Old London Road to prevent cars driving around the new bollards or over the grass area.
2. Signs displaying Parking for residents only
3. Parking bays marked with road linings on the south side of the Old London Road designated for residents only.
4. Improved footpath access on the north side of Old London Road, leading to Pinewood.

These items should be financed by the main contractor/ developer.

BMSDC Public Realm Consultation outlines.

- a. the quantity of open space would appear sufficient as a proportion of the development as a whole assuming that the potential attenuation basin is on the whole expected to be dry for most of the year. If it is not the case, then more public open space should be provided to ensure a minimum of at least 10% of the total area.
- b. The quantity of houses is just under the threshold and consideration should be made for on-site provision of play areas; a contribution should be sought (via CIL?) towards facilities in the parish.
- c. Primarily the open spaces will serve the development and perhaps a local solution to the maintenance and management of the open space and attenuation basin, through a management company or similar.

We would suggest details Open Space plans and confirmation of its management be finalised by S106 agreement at the details stages. The above aspects should be a condition of the proposed development.

The Parish Council APPROVE this application

### **National Consultee**

Highways England: No objection

### **County Council Responses**

Archaeology: This site lies in an area of archaeological potential recorded on the County Historic Environment Record (HER), situated in a topographically favourable location for early occupation, evidence to suggest this can be seen in the HER with the find spot of a Neolithic leaf shaped arrowhead (HER ref no. WSH 004) close to the site. Furthermore, the proposed site is close to an early crossing point of the river, where the projected line of a Roman road (WSH 009) crosses at Washbrook Bridge.

As a result, there is high potential for the discovery of below-ground heritage assets within the site. As a result, there is high potential for the discovery of below-ground heritage assets of archaeological importance within this area, and groundworks associated with the development have the potential to damage or destroy any archaeological remains which exist.

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.

Highways: Recommend approval subject to conditions. Site would be served by stop on Chapel Lane which is within easy walking distance. A S106 contribution of £10k for an RTPI screen is requested to encourage the use of sustainable transport in accordance with the NPPF.

Flood and water officer: recommend approval subject to conditions.

Infrastructure team: Summary of infrastructure requirements split between CIL/S106:

Service Requirement Capital Contribution

CIL Education

- Secondary School expansion @£25,253 per place £101,012

- Sixth form expansion @ £25,253 per place £25,253

CIL Libraries improvements @ £216 per dwelling £4,104

CIL Waste improvements @£130 per dwelling £2,470

S106 Primary school new build @ £21,774 per place £108,870

S106 Early years new build @£21,774 per place £43,548

S106 Monitoring fee (per trigger point) £412

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### **Internal Consultee Responses**

Place services Heritage: The proposed site is not relevant to any designated heritage asset. The existing buildings on the site: a farmhouse, two barns and an ancillary outbuilding have limited local interest, however, do not qualify to be considered as Non-Designated Heritage Assets. Therefore, having considered the current state of the buildings, I have no objection to their demolition. Proposal for a residential development on the site would alter the character of the site towards urbanisation, yet I cannot suggest this to have such adverse impact upon the local character and distinctiveness as to warrant an objection on the grounds of built heritage.

Arboricultural Officer: I have no objection in principle to this application subject to it being undertaken in accordance with the preliminary measures outlined in the accompanying arboricultural report. The 4 TPO oak trees on site appear adequately accommodated within the layout design to avoid damage during construction and post-development pressure for pruning. If you are minded to recommend approval, we will also require a detailed Arboricultural Method Statement, including an auditable monitoring schedule, and Tree Protection Plan, in order to help ensure harm is not caused to the trees during development - this can be dealt with under condition.

Environmental Protection - Noise: With regards to the environmental noise assessment by Ardent Consulting Engineers Report Ref: No 2003381-02 Project No: 2003381, February 2022. The assessment has identified adverse impact caused by road traffic noise. Mitigation has been shown in the report to ensure that a good acoustic environment can be achieved. Paragraphs 5.4 to 5.9 show minimum glazing specification, paragraphs 5.10 to 5.12 show suitable passive ventilation requirements and paragraph 5.15 and Appendix C show a close boarded fence to ensure that suitable noise levels in amenity spaces can be met. The report also makes recommendations concerning noise from the construction phase which should be considered and incorporated into the site construction management plan I therefore have no objection in principle subject to the following conditions being applied

Environmental Protection - Land Contamination: No objection to the proposed development subject to conditions.

Strategic Housing: Adopted and emerging policy is for 35% of the site to be affordable housing. For 19 dwellings, this equates to 6.7 affordable units. This should be provided for by way of 6 units on site and a commuted sum for the residual 0.7, currently calculated to be £53,155. The applicant has committed to this approach in principle (planning statement paragraph 3.3).

The applicant, on the Indicative Site Layout document (Aug 2020), has proposed an affordable housing mix. The proposed affordable housing mix does not include any 3-bed affordable rent units. Given the mix of demand on the Housing Register, it would be preferred to have the following mix of affordable rented units: 1 x 1b2p house @ 58m<sup>2</sup> 2 x 2b4p house @ 79m<sup>2</sup> 1 x 3b5p house @ 93m<sup>2</sup> The proposed mix of shared ownership units is acceptable.

Public Realm:

- 1) The quantity of open space would appear sufficient as a proportion of the development as a whole . This is assuming that the potential attenuation basin is on the whole expected to be dry for most of the year. If it is not then it may be more public open space should be provided to ensure a minimum of at least 10% of the total area.
- 2) Whilst the quantity of houses is just under the threshold where we would wish consideration to be made for on-site provision of play areas, a contribution should be sought (via CIL?) towards facilities in the parish.
- 3) Finally we believe that primarily the open spaces will serve the development and perhaps a few houses at its entrance in the MARvens. As this is the case we would expect a local solution to the maintenance and management of the open space, through a management company or similar We would suggest details Open Space plans and confirmation of its management be finalised by S106 agreement at the details stages

Place service Landscaping: From a desktop review, the site appears to be well screened from the south and eastern boundaries with trees and hedgerow. The western boundary contains some planting but only towards the south part, leaving the northern part open. The northern boundary is of a semi-open character with some groups of trees and scrub planting; however, this vegetation has been identified for removal leaving the site exposed to views from the north.

We welcome the intention to retain of the TPO trees and boundary planting. The existing vegetation within the site is proposed to be removed and any proposal should provide mitigation for tree loss and new planting should be within public domain to guarantee their establishment and longevity. In addition, this will assist in softening the built form and filtering views of roof tops.

The proposed green open spaces should be of high quality and provide for a varied range of users. The proposed swales and attenuation areas have the potential to provide ecological enhancements as well as amenity value. The attenuation area, if not permanently wet, should be designed as a multifunctional green open space, with planting of various sizes and areas for natural/informal play.

We welcome the proposed hedgerow planting and hedgerow trees to the west and northern boundaries. The location of the hedgerow trees should be planned carefully to provide optimum mitigation, filtering views of the development. Additional planting strengthening the existing hedgerow along the eastern boundary and around the proposed footpath/cycle link will be required. Species should reflect those on existing on site where these contribute towards preserving the local landscape character.

With regards access road, the proposed vehicular access into the site will use the existing access road to the Marvens development. This is welcome as it will not be adding new urbanised features that will have a negative impact in the local rural character. The existing site access along Old London Road will be used for pedestrian/cyclist only. In the interest of preserving and enhancing the rural character of the area, the access will need to be redesigned to a pedestrian access - reduce width and remove junction. Additional planting around the new pedestrian/cyclist access will be required.

In principle, the proposed site area could have the capacity to accommodate some development, but its acceptability will be subject to:

- Complying with Policy CR04 of the Babergh Local Plan Alteration No.2 (June 2006). – Delivering appropriate landscape mitigation to compensate for tree loss.
- Delivering appropriate landscape mitigation to integrate the development into the existing landscape character.
- Providing green open space areas of high quality.

Place services Ecology: No objection subject to securing: a) a proportionate financial contribution towards visitor management measures for the Stour and Orwell Estuaries SPA/Ramsar; and b) ecological mitigation and enhancements for protected and Priority species.

The Ecological Impact Assessment (agb Environmental Ltd, August 2022) identified a 'low population' of Slow Worm being present within the site. Therefore, as a suitable receptor site was not available within the red line boundary, we note that the developer has received permission in principle to translocate the reptiles to Belstead Country Park. This site is a large area of suitable habitat for reptiles but is known to already contain Slow Worm within the wider landscape area and other reptile translocations have been undertaken to the country park. As a result, it is indicated that we support this option, but indicate that some enhancement measures (e.g. hibernacula, brush piles, basking sites or habitat management) will need to be undertaken to ensure that the existing Slow Worm population can support the additional individual species.

Therefore, a finalised reptile mitigation strategy should be secured as a pre-commencement condition of any consent for this application. The mitigation measures identified in the Ecological Impact Assessment (agb Environmental Ltd, August 2022) should be secured and implemented in full, as this is necessary to conserve and enhance protected and Priority Species. Therefore, as the bat surveys have confirmed that the former farmhouse supports an occasionally used day roost of low conservation significance, we support that the site will be registered under Natural England's Bat Mitigation Class Licence by a registered consultant. As a result, evidence that this has been undertaken should be provided to the LPA

prior to commencement of any works on the farmhouse. We also recommend that a Wildlife Friendly Lighting Strategy is implemented for this application. In addition, we support the proposed bespoke biodiversity enhancements, which have been recommended to secure net gains for biodiversity,

At the time of writing this report at least 5 letters/emails/online comments have been received. It is the officer opinion that this represents 3 objections, and 2 general comments, this includes significant correspondence from the nearest neighbour White Cottage. A verbal update shall be provided as necessary.

Views are summarised below:-

- Access of The Marvens would be dangerous
- The Marvens is too narrow for an additional access
- Access may block access to individual properties
- Air quality
- Land contamination
- Loss of trees and shrubs will impact biodiversity
- Lack of village infrastructure
- Preventing vehicles using north bound carriageway will be beneficial but won't stop motorbikes
- Need to make south bound carriageway 30 mph as residential area
- Need further markings/restrictions to prevent parking and access on south bound carriageway.

(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**

None relevant

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## **PART THREE – ASSESSMENT OF APPLICATION**

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### **1.0 The Site and Surroundings**

- 1.1 The site comprises the derelict former farmhouse and agricultural barns/outbuildings of Hill Farm Barns and the surrounding land, which have been subject to extensive fly tipping and burning of vehicles. The site also includes a small agricultural field to the south. The land slopes down North to South. Within the site is a TPO Oak Tree and along the boundaries of the site are three other TPO Oak Trees. The site and surrounding farmland is within the ownership of Suffolk County Council, the applicant of the planning application.
- 1.2 To the north of the site is further grassland with some significant trees and then the A14. To the East of the site in London Road/Old London Road. This is the former A12 and comprises an unrestricted dual carriageway without footways. Opposite the site on London Road is White Cottage, which is accessed off London Road and then further dwellings along London Road which comprised Wrights Corner. The current access to the site is off London Road which is closed to vehicular traffic after the access, but provides a pedestrian/cycle way under the A14 to the Copdock Interchange.

- 1.3 To the East of the site are agricultural fields and then Swan Hill. To the south of the site is The Marvens, a small residential estate of approximately 18 dwellings which was originally a rural exception scheme which has subsequently expanded.
- 1.4 The site is located within the Countryside and a special landscape area. Part of the site is at risk of surface water flooding.

## **2.0 The Proposal**

- 2.1. The proposal is for Outline Planning Permission (Access to be considered) - Demolition of existing redundant farm buildings and erection of up to 19No dwellings. Creation of a new vehicular & pedestrian access off The Marvens.
- 2.2. The site would be accessed via a new access from The Marvens, close to the junction with London Road. The indicative layout shows the access going up the east side of the site, with a SUDs basin in the Eastern edge. Most of the dwellings would be located to the West of the spine road, either accessed off the road or via a private drive. The spine road would end with a hammer head with dwellings to the north. The existing access from London Road would be redesigned as a pedestrian and cycle track onto London Road.
- 2.3 The indicative layout shows a range of detached, semi-detached, terraced and bungalows. 35% affordable housing would be provided which would include six dwellings within the site.
- 2.4 Public open space would be provided north of the SUDS basin with the TPO tree within the centre of this area and on the western boundary of the site, providing protection for the TPO tree on the boundary.
- 2.5 Existing boundary trees and hedging would be retained on the east, west and south side of the development with a new hedge with trees located on the northern edge of the development. The area at risk of surface water flooding would be used as garden land.

## **3.0 The Principle Of Development**

- 3.1. Babergh benefits from a five-years plus land supply position as required by paragraph 73 of the NPPF. The tilted balance at paragraph 11(d) of the NPPF is not engaged in that respect. There is no requirement for the Council to determine what weight to attach to all the relevant development plan policies in the context of the tilted balance test, whether they are policies for the supply of housing or restrictive 'counterpart' policies, such as countryside protection policies. That said, there is a need for Council to determine whether relevant policies of the Core Strategy generally conform with the aims of the NPPF. Where they do not, they will carry less statutory weight.
- 3.2 Policy CS1 'Applying the Presumption in favour of Sustainable Development in Babergh' is in-step with paragraph 11(d) of the NPPF, even though the policy's wording was based on the earlier 2012 NPPF. This policy is therefore afforded full weight. Policy CS11 is considered to be consistent with the aims of the NPPF, in particular with regard to the need for development to respond positively to local circumstances, which is consistent with paragraph 77 of the NPPF, and therefore has full weight. Policy CS15 sets out desirable characteristics for development which are based upon the principles of sustainable development which is also consistent with the NPPF and given full weight. Both policies CS11 and CS15 accord with the NPPF, particularly in relation to paragraphs 77 and 78 of the NPPF relating to rural housing, locally identified needs and promoting sustainable development in rural areas; paragraph 103 relating to limiting the need to



travel and offering a genuine choice of transport modes; paragraph 127 to achieve well-designed places and paragraph 170 to contribute to and enhance the natural and local environment.

- 3.3 Policy CS2 'Settlement Pattern Policy' designates Copdock as a hinterland village. Policy CS2 requires that outside of the settlement boundary, development will only be permitted in exceptional circumstances subject to a proven justified need. This blanket approach is not entirely consistent with the NPPF, which favours a more balanced approach to decision-making. The NPPF does contain a not dissimilar exceptional circumstances test, set out at paragraph 79, however it is only engaged where development is isolated. For the reasons set out in this report, the development is not isolated. Paragraph 79 of the NPPF is not engaged.
- 3.4 In the absence of an up to date allocations document and given the delay in the settlement boundaries review since the last local plan was adopted in 2006, coupled with the fact that its exceptional circumstances test is not wholly consistent with the NPPF, the policy cannot be given full weight. However its overall strategy is appropriate in taking a responsible approach to spatial distribution, requiring the scale and location of new development to take into account local circumstances and infrastructure capacity. These elements are considered to be consistent with the NPPF and therefore the policy is given substantial weight.
- 3.5 As noted in the Core Strategy, delivery of housing to meet the district's needs within the framework of the existing settlement pattern means there is a need for 'urban (edge) extensions' as well as locally appropriate levels of growth in the villages. Policy CS11 responds to this challenge, setting out the 'Strategy for Development in Core and Hinterland Villages'. The general purpose of Policy CS11 is to provide greater flexibility in the location of new housing development in the Core and Hinterland Villages.
- 3.6 The site is located within the Countryside outside of the built up area boundary (BUAB) of Copdock. As such the principle of development will be accessed under Policies CS2 and CS11 of the Babergh District Core Strategy 2006. Policy CS2 states that (inter alia) *the scale and location of development will depend upon the local housing need, the role of settlements as employment providers and retail/service centres, the capacity of existing physical and social infrastructure to meet forecast demands and the provision of new / enhanced infrastructure, as well as having regard to environmental constraints and Hinterland Villages will accommodate some development to help meet the needs within them. In the countryside, outside the towns / urban areas, Core and Hinterland Villages defined above, development will only be permitted in exceptional circumstances subject to a proven justifiable need.*
- 3.7 Policy CS11 states (inter alia) that *the following matters are addressed to the satisfaction of the local planning authority (or other decision maker) where relevant and appropriate to the scale and location of the proposal:*
- i) *the landscape, environmental and heritage characteristics of the village;*
  - ii) *the locational context of the village and the proposed development (particularly the AONBs, Conservation Areas, and heritage assets);*
  - iii) *site location and sequential approach to site selection; locally identified need - housing and employment, and specific local needs such as affordable housing;*
  - iv) *locally identified community needs; and*
  - v) *cumulative impact of development in the area in respect of social, physical and environmental impacts.*

*Development in Hinterland Villages will be approved where proposals are able to demonstrate a close functional relationship to the existing settlement on sites where the relevant issues listed*

above are addressed to the satisfaction of the local planning authority (or other decision maker) and where the proposed development:

- i) *is well designed and appropriate in size / scale, layout and character to its setting and to the village;*
- ii) *is adjacent or well related to the existing pattern of development for that settlement;*
- iii) *meets a proven local need, such as affordable housing or targeted market housing identified in an adopted community local plan / neighbourhood plan;*

*The cumulative impact of development both within the Hinterland Village in which the development is proposed and within the functional cluster of villages in which it is located will be a material consideration when assessing such proposals.*

- 3.8 The development is considered to be well designed. The access of The Marvens allows the Old London Road to be closed off to vehicular traffic and also provides a cohesive development extending an existing settlement. The indicative layout shows the built development following the pattern and density of development within The Marvens and the TPO trees retained within the public open space.
- 3.9 The site is located 180 metres from the BUAB which is on the opposite side of Belstead Brook. However, Copdock and Washbrook is a dispersed settlement with three main settlement areas each with their own BUAB. With the development of The Marvens, originally as a rural exception site, The Marvens/Wright's Corner has become another settlement area. This was reflected in the draft JLP which included The Marvens within a settlement boundary. The development would be adjacent to a cluster of approximately 18 dwellings. As such it is considered the site demonstrates a close functional relationship to the existing settlement.
- 3.10 The location of the development, including the access from The Marvens would allow the existing vehicular access to Hill Farm to be removed and approximately 82 metres of the north bound carriageway London Road to be closed to vehicular traffic. London Road at this point is subject to a 60mph speed limit and has no pavements. Although the road is lightly trafficked it is also used heavily by pedestrians and cyclists from Copdock and Washbrook as it provides direct access to the retail facilities at Copdock Interchange and regular buses into Ipswich. This part of London Road is also subject to anti-social behaviour including fly tipping.
- 3.11 Closing this part of London Road to vehicular traffic would improve pedestrian and cyclist safety, in particular pedestrians will have a continuous footway from Washbrook and Copdock to Copdock Interchange. This is likely to encourage greater use of this route by pedestrians, improving the sustainability of the villages. In addition, access to the south bound carriageway would be restricted, by signage. This should decrease the vehicle- based anti-social behaviour and improve the amenity of White Cottage by reducing cars from passing this property. It would support the aspiration for a Copdock to Capel St Mary cycle lane along London Road by creating 82 metres of traffic free route. The benefits of the closure of London Road is considered to be exceptional circumstances which would support the development and therefore complies with Policy CS2.

#### **4.0 Local Housing Need**

- 4.1 Copdock is classified as a Hinterland Village, within the functional cluster of both Ipswich and Capel St Mary, within Policy CS2 of the Babergh Local Plan. This policy states that (inter alia) *Hinterland Villages will accommodate some development to help meet the needs within them.*

- 4.2 In relation to housing need Policy CS11 states that (inter alia): *Development in Hinterland Villages will be approved where proposals meets a proven local need, such as affordable housing or targeted market housing identified in an adopted community local plan / neighbourhood plan.*
- 4.3 A local housing needs assessment has been provided with this application, which concludes that depending on the analysis used, there is an additional local housing need with Copdock and Washbrook parish of between 71 and 108 dwellings and the total committed supply is 43 dwellings. As such there is a shortfall of between 28 and 65 dwellings. With the failure of the neighbourhood plan at referendum there are no current allocations to provide for this local need. It can be concluded that the development would therefore meet a proven local need in accordance with CS11.

## **5.0 Nearby Services and Connections Assessment Of Proposal**

- 5.1. The development is well served by services, it is within walking distance of the retail and other facilities within Copdock Interchange, where there is a very regular bus access to Ipswich Town Centre via the Park & Ride or Tesco. Copdock Primary School is around at 750 metre walk and Suffolk One college is also within walking distance. The new primary school at Wolsey Grange will be approximately 1.7km away from the site but there will be safe cycling links to this school. The facilities at Copdock Interchange will be more easily accessed by walking/cycling than car which will encourage use of non-motorised vehicles. The closure of London Road will also improve the connections of the remainder of Copdock and Washbrook with the facilities at Copdock Interchange.

## **6.0 Site Access, Parking And Highway Safety Considerations**

- 6.1. Access to the site would be via The Marvens, which is accessed off Old London Road. Access onto the site would be close to the entrance of The Marvens and opposite an area of public open space. The land at this point is on a steep bank which would require significant regrading. The Highway Authority has not objected to the proposals subject to conditions.
- 6.2 Within the site the indicative layout shows a spine road through the development with a pedestrian/cycle path to replace the existing vehicular access into Hill Farm Barns, allowing access onto the Old London Road.
- 6.3 The application also includes significant off site works to allow the north bound carriageway of London Road to be converted to pedestrian/cycle traffic only. This consists of the introduction of wider kerbs and bollards to prevent vehicles accessing the north bound carriageway. As the top of the London Road further bollards would be located, to prevent vehicles accessing the south bound carriageway from the east. The proposed bollards would be removable to allow for maintenance and access for highway authority vehicles. It is also proposed that there would be some soft landscaping of the verges
- 6.4 On the south bound carriageway it is not possible to close the road as the road provides vehicular access to White Cottage. It is proposed that the south bound carriageway will become two way to access White Collage only with appropriate white lines and signage to be included to try and restrict the use of this carriageway. This area of London Road is currently used for ad hoc parking and while the retention of the south bound carriageway will not prevent such parking in its entirety it is hoped that the signage will deter parking on this section of carriageway.
- 6.5 Comments have been provided by neighbouring properties who wish for further restrictions on the use of the south bound carriageway. There is a limit on what can be done to prevent use of the

south bound carriageway without preventing access to White Cottage. The proposed scheme is considered a compromise and further restrictions on parking could be considered by the Highway Authority in the future should it continue to be a problem.

- 6.6 The indicative layout shows that there would be sufficient space for parking in accordance with the Adopted Suffolk Parking standards as a mix of on plot and along private drives. Given the unique location of the development, with local facilities as Copdock Interchange being more easily accessible by walking/cycling than driving the development should encourage these forms of transport. At reserved matters stage it will be important to ensure that the materials used for the access roads allow for cycling and that every dwelling has a secure, covered area for cycle parking.

## **6.0 Design And Layout [Impact On Street Scene]**

- 6.1. Detailed design and layout would be subject to a reserved matters application. The indicative layout shows that 19 dwellings could be located on the site at a similar density to the development at The Marvens, while retaining space for the TPO trees, SUDS basin and public open space. The development would be inward looking with the extensive boundary landscaping on London Road being retained as is the case with The Marven's development (this is likely to require some additional planting). This would protect the rural character of the area.

## **7.0 Landscape Impact, Trees, Ecology, Biodiversity And Protected Species**

- 7.1 The landscape officer has stated that in principle, the proposed site area could have the capacity to accommodate some development, but its acceptability will be subject to:
- Complying with Policy CR04 of the Babergh Local Plan Alteration No.2 (June 2006).
  - Delivering appropriate landscape mitigation to compensate for tree loss.
  - Delivering appropriate landscape mitigation to integrate the development into the existing landscape character.
  - Providing green open space areas of high quality.
- 7.2 The site along with a large area of land on both sides of the A14 is designated as a Special Landscape Area. CR04 therefore applies which states that development will only be permitted when it:
- maintain or enhance the special landscape qualities of the area, identified in the relevant landscape appraisal.
  - are designed and sited so as to harmonise with the landscape setting.
- 7.3 Parts of the site currently detract from the landscape value of the immediate area due to the derelict nature of the building and the poor condition of the land. The site is also impacted by the proximity of London Road, A14 and the Marvens. Given the scale and layout of the development it is considered that the development will maintain the special landscape qualities of the area. In addition the development has been designed and sited to retain the most valuable landscape elements of the site including the boundary landscaping and TPO trees.
- 7.4 The indicative layout shows the loss of trees and shrubs within the site although those of the boundaries will be retained. It is proposed that a hedge with trees is planted on the northern boundary, this along with additional infill planting on the other boundaries, plus street trees would compensate for tree loss. It may also be possible to retain one additional tree within the site.

- 7.5 The development would not be particularly visible from outside the site, especially along London Road which will help to integrate the development into the existing landscape character. The development is likely to be visible from Swan Hill, although it will be viewed in conjunction with the development within The Marvens. Landscape mitigation in terms of good quality boundary hedging and trees should help integrate the development into the existing landscape.
- 7.6 The purpose of the two green open spaces are to provide root protection zones for the TPO trees. The trees will dominate these spaces but also be an attractive feature of them. The developer has confirmed that the attenuation basin would not be fenced so will be available as additional public open space and can be appropriately landscaped. In addition the developer is looking at the possibility of some small scale timber play equipment with the public open space.
- 7.7 Although the development will significantly change the immediate landscape of the site, given the strong boundary features it is considered that the landscape impact of the development is acceptable.
- 7.8 There is one TPO oak tree within the site and three additional TPO oak trees on the boundaries of the site. An arboricultural assessment accompanies the application and confirms that these trees are healthy and should be retained. The parameters plan shows that these trees will be retained and the route protection zone protected from development. The indicative layout shows that three of the trees would be located within public open space and the fourth overhanging the gardens of plot 10 and 11. Both these gardens are of a good size and the tree would not dominate this space. It will be important to ensure that T7 oak tree remains within public open space at reserved matters stage to ensure that there is no pressure to fell it. The arboricultural officer has not objected to the proposal subject to conditions.
- 7.9 There are also other groups of trees which ideally will be retained. These are generally on the boundary of the site and the indicative layout shows these retained. One B grade ash tree within the centre of the site is currently shown as being removed, although with a small change to the layout at reserved matters stage it is likely that this could also be retained.
- 7.10 There is a low level population of slow worms within the site, a habitat for these cannot be provided within the developed site so it is proposed that these are translocated to Belstead Country Park (Belstead Meadows) which is located on the opposite side of the A14. The Council's ecologist has accepted this proposal subject to improved habitat as Belstead County Park.
- 7.11 The bat surveys have confirmed that the former farmhouse supports an occasionally used day roost of low conservation significance, therefore the site will need to be registered under Natural England's Bat Mitigation Class Licence by a registered consultant.

## **8.0 Land Contamination, Flood Risk, Drainage and Waste**

- 8.1 A small part of the north east corner of the site is within a medium risk of surface water flooding. It is proposed that this part of the site is not developed and this is shown on the parameters plan. Much of this land is also constrained by TPO trees. The Flood and Water Officer has not objected to the proposal subject to conditions. A SUDs basin is proposed on the south east corner of the sites to manage surface water from the site.
- 8.2 Parts of the site may be contaminated as there has been fly tipping and vehicle fires on the site. A land contamination survey has been provided and the Land Contamination officer has not

objected to the development subject to conditions for further investigation and remediation of the land.

## **9.0 Impact On Residential Amenity**

- 9.1. The nearest neighbours to the site are located on The Marvens, with the closest dwelling 19 The Marvens, located approximately 15 metres from the site boundary. The indicative layout provides a layout which would provide sufficient space to ensure that the amenity of the neighbouring properties would be protected. The site slopes down towards The Marvens and the proposed properties will be sited significantly above the dwellings on The Marvens. It is proposed to retain the existing hedging on the hedge of the site and this plus the fact that the properties directly opposite the site are located on the opposite side of the road, approximately 35 metres from the site, will protect the privacy of the neighbouring properties.
- 9.2 Given the proximity of the A14 the site is subject to traffic noise. A noise assessment has been provided which shows that subject to an acoustic barrier comprising a closely boarded fence on the norther boundary (which will have hedging and trees behind) and selective glazing and ventilation the amenity of the occupiers can be protected. The indicative layout shows that 19 dwellings can be located on the site with sufficient privacy and private amenity space.

## **10.0 Planning Obligations / CIL**

- 10.1. A s.106 agreement will be required to ensure that the 35% affordable housing and public open space within the site is provided. In addition, Suffolk County Council have confirmed that it is anticipated that Copdock Primary School will not have sufficient space for children from the development. The County has therefore request £102,540 s.106 funding towards new primary school places, which will help to fund places at the new school at Wolsey Grange. In addition £41,016 is required for new pre-school places which is also likely to be used at Wolsey Grange.
- 10.2 Suffolk County Council has also requested CIL funding towards expansion of libraries and secondary schools.

## **11.0 Parish Council Comments**

- 11.1 The Parish Council supports the application, they acknowledge that the development is outside the settlement boundary but consider that the proposal will add value to the current derelict land. The Parish Council has requested additional road signs and traffic restrictions on the South bound carriageway. It is considered that the Highway Authority should decide the details of the traffic signage which maybe controlled by other legislation, while the report explains that there is a limit to how much the South Bound carriageway can be restricted. The request for a reclassification of the London Road to 30mph at this location is clearly logical but would require a Traffic Regulation Order. This is currently being considered by the Highway Authority. As explained in the report, there is a limit to how far traffic can be restricted on the South bound carriageway. While the Parish Council requests that pedestrian and cycles are segregated on the North bound carriageway, given the width of the carriageway this is considered unnecessary.

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## **PART FOUR – CONCLUSION**

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### **13.0 Planning Balance and Conclusion**

- 13.1. The site is within the Countryside and not adjacent to the built up area boundary of Copdock. As such residential development would not normally be in accordance with Policies CS2 and CS11 of the Babergh Core Strategy. However as set out in the report the development will allow for the closure of the north bound carriageway of London Road to vehicles. This will provide a safe pedestrian and cycle access to the facilities at Copdock Interchange as well as the wider Ipswich cycle network and buses into Ipswich. This will benefit the whole of Copdock and Washbrook and is considered an exceptional circumstance which would support development within the Countryside.
- 13.2 In addition there is a local need for additional dwellings within Copdock and Washbrook, the site is well related to development within The Marvens and is in character with the dispersed pattern of development which characterises Copdock. The development is therefore in accordance with Policy CS11. Some of the site is brownfield land with derelict buildings which are subject to anti-social behaviour. As such there would be environmental and social benefits of the proposal.
- 13.3 The site is within a very sustainable location within walking distance of the significant facilities and public transport at Copdock Interchange. The location of the A14 means that it is quicker to walk/cycle than drive to these facilities which will help to produce a less car dependent development.
- 13.4 The indicative layout clearly shows that the constraints on the site including the TPO trees and surface water flooding risk can be provided for within the scale of the development.
- 13.5 The development will have a minor negative impact on the Special Landscape Area due to the urbanising of a countryside site. However the boundary landscaping will help to mitigate this impact. It is considered that the benefits of the scheme particularly in relation to closure of London Road to vehicular traffic outweigh the minor landscape impact.

### **RECOMMENDATION**

**(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:**

- Affordable housing
- Public open space
- Contribution to new primary school places
- Contribution to new secondary school places
- Bus stop improvements
- RAMs payment
- Off-site reptile mitigation

**(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
- Approved Plans (Plans submitted that form this application)
- Phasing Condition (To allow phasing of the development and allows spreading of payments under CIL)
- Arboricultural method statement including tree protection plan
- Programme of archaeological works
- Acoustic barrier and glazing and ventilation measures
- Hours of constructions and demolition
- Construction management plan
- Land contamination investigation
- As recommended by the Flood and Water Officer in relation to SUDS
- As recommended by the Highway Authority including off-site improvements to London Road and 30mph signage for The Mavens
- As recommended by the Council's Ecologist including bat licence, reptile mitigation and biodiversity enhancement

**(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
- Bats

**(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 ground**