

Committee Report

Item No: 7A

Reference: DC/22/06117
Case Officer: Elizabeth Flood

Ward: Claydon & Barham.

Ward Member/s: Cllr David Penny and Cllr John Whitehead.

RECOMMENDATION – APPROVE VARIATION OF CONDITION

Description of Development

Application under Section 73 of the Town and Country Planning Act 1990 - Variation of Condition 37 (Market Housing Mix) of planning permission DC/18/00861 Dated: 23/04/2021 -

Location

Land To The East Of, Ely Road, Claydon, Suffolk

Expiry Date: 31/08/2022

Application Type: S73 Variation of Condition

Development Type: Major Small Scale - Dwellings

Applicant: Minster Property Group

Agent: Mr Jake Stentiford

Parish: Barham and Claydon (split across parishes)

Site Area: 3.37ha

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

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 land allocation for 15 or more dwellings

PART TWO – POLICIES AND CONSULTATION SUMMARY

CLASSIFICATION: Official

Summary of Policies

FC01 - Presumption In Favour Of Sustainable Development
FC01_1 - Mid Suffolk Approach To Delivering Sustainable Development
FC02 - Provision And Distribution Of Housing
CS01 - Settlement Hierarchy
CS02 - Development in the Countryside & Countryside Villages
CS03 - Reduce Contributions to Climate Change
CS04 - Adapting to Climate Change
CS05 - Mid Suffolk's Environment
CS06 - Services and Infrastructure
CS09 - Density and Mix
GP01 - Design and layout of development
H07 - Restricting housing development unrelated to needs of countryside
HB01 - Protection of historic buildings
HB07 - Protecting gardens and parkland of historic interest
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
CL08 - Protecting wildlife habitats
CL09 - Recognised wildlife areas
CL11 - Retaining high quality agricultural land
T04 - Planning Obligations and highway infrastructure
T09 - Parking Standards
T10 - Highway Considerations in Development
T11 - Facilities for pedestrians and cyclists
T12 - Designing for people with disabilities
T13 - Bus Service
RT04 - Amenity open space and play areas within residential development
SC04 - Protection of groundwater supplies
H04- Proportion of Affordable Housing

Joint Local Plan

SP01 - Housing Needs
SP02 - Affordable Housing
SP03 - The sustainable location of new development
LP23 - Sustainable Construction and Design
LP27 - Flood risk and vulnerability
LP29 - Safe, Sustainable and Active Transport

Neighbourhood Plan Status

This application site is not within a Neighbourhood Plan Area.

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

[Click here to view Consultee Comments online](#)

Town/Parish Council

Claydon Parish Council

The parish council discussed these plans and concluded that they do not alleviate our concerns. This is overdevelopment of a small site that is being built off another housing development(Exeter Road) that was built off another(Edinburgh Gardens). Both estates already have issues with traffic and parking, especially during the school runs, where it becomes highly dangerous, without adding another estate. We have the large development in Barham Church Lane coming soon, which will also have cars cutting through, to avoid a very busy Main Road, to get to the A14 and town.

We have no doctors surgery, Needham Surgery is the closest and currently not accepting new patients. The schools are currently over subscribed. There is no regular bus service after 6pm and limited at weekends and only two small village food shops. This is a development for 67 social houses. These families will require cars to get their children to school, if they cannot get into the local schools (don't forget the 257 houses being built 500 meters away of which 100 are social housing). There is nothing for our teenagers to do (no bus service after 6pm) which could encourage anti-social behaviour due to boredom. Our pharmacy deals with a huge amount of medical enquiries, and like the doctors in Needham, complaints are increasing due to the demand and extra pressure being put on them. Therefore the parish council feels that, to build social housing (or any more housing) on this plot of land, with the arguments that have been presented above, is irresponsible and thoughtless. There is also the environmental impact of increased traffic, landscape impact and more destruction of habitats and open space

Internal Consultee Responses

Strategic Housing

1. Key Points

When considered alongside the reserved matters application, it can be seen that this remains a mixed tenure proposal with home ownership included as part of the development.

Whilst Mid Suffolk has a healthy supply of affordable housing, this proposal represents a beneficial addition to the supply during a cost of living crisis.

2. Proposal

2.1 This Section 73 application is to ensure that a proposal for a 100% affordable housing development would be consistent the outline planning permission (DC/18/00861). It accompanies a reserved matters application (DC/22/01274) which would bring forward a development of 25 shared ownership units and 42 affordable rented units.

2.2 This Memo focuses on some relevant issues related to the principle of a 100% affordable housing development, primarily the relationship with affordable housing needs and supply.

2.3 Compared with an open market-led and policy-compliant development with 35% affordable housing, this proposal would deliver an additional 44 affordable homes in a location with good access to schools (primary and secondary), bus stops and a shop.

3. Housing Need Information

3.1 Given the nature of the development, the following points may be of relevance in determination of this application. Strategic Housing Market Assessment (SHMA) Requirements

3.2 The SHMA assesses the housing needs of the District for the period 2018-2036. The SHMA (published in 2017 with a partial update in 2019) indicates that there is a need for 127 new affordable homes in Mid Suffolk per annum. Housing Register Evidence

3.3 The Housing Register shows that there are currently (at time of writing) 627 households with a local connection to somewhere in Mid Suffolk. The number of applications to join the Mid Suffolk Register is increasing. The current and projected changes to the cost of living strongly suggest an increase in the number of households seeking affordable rented properties in Mid Suffolk in the coming months and years. Officers are also aware of reports of landlords exiting the private rented sector, meaning potential reductions in supply of that tenure of housing with more households instead seeking affordable or social rents.

3.4 At the time of writing, the Council's Choice Based Lettings system has 22 households with a local connection to Claydon, Barham or Whitton registered for affordable rental units. This represents a snapshot; the number of households will naturally vary over time, particularly at a very local level.

3.5 Please note that this does not directly represent a local need. This indicates the number of households in housing need, registered as having some form of local connection to the parish. Households bid for rented properties based on their own preferences and may choose to bid for properties elsewhere. Equally, households from other parts of Mid Suffolk could bid for these properties.

3.6 Please also note that there is likely to be a hidden need; households in the locality who have not joined the Housing Register. It is common that households will apply to join the register when they see affordable homes come forward in their locality, when there is an opportunity for a new home.

Shared Ownership

3.7 Within the total requirement for affordable housing, the SHMA indicates a need for 583 Shared Ownership units in Mid Suffolk between 2018 and 2036 (32 per annum).

3.8 Anecdotally, Registered Providers are reporting healthy demand for Shared Ownership homes across Babergh and Mid Suffolk. Again, anecdotally, demand for Shared Ownership may increase following the end of the Help to Buy Equity Loans scheme available to first-time buyers in October 2022.

3.9 Shared ownership remains a form of affordable home ownership which is supported by the Government, including via grant funding

4. Supply of Affordable Housing

4.1 Delivery of affordable housing in Mid Suffolk as set out in the Council's Annual Monitoring Reports, is as follows:

Year (1st April – 31st March)	Net Affordable Completions
2021/22	196
2020/21	193
2019/20	128
2018/19	118
2017/18	107
Total	743

This shows delivery of 743 affordable homes between 2017 and 2022, against an assessed need for 635; so a surplus.

4.2 Looking forward, the Council's Housing Land Supply Position Statement indicates that, as of March 2022, the Council has a deliverable supply of 6,043 homes for the period 1st April 2022 to 31st March 2027.

4.3 Over the past five years, affordable housing has represented almost 24% of overall housing delivery. Applying this rate to extant deliverable sites indicates a supply of 1,444 affordable homes projected to be delivered between 2022 and 2027. This amounts to 289 units per annum, in excess of the 127 homes assessed as being needed by the SHMA. This is clearly good news, but Members may also wish to be mindful of the potential for reduced construction output in coming years due to the national economic situation. This site, and others like it, could make a very welcome contribution to affordable housing supply if some predictions around housing market delivery come true.

Supply in Claydon and Barham

4.4 In giving consideration to very localised needs, an assessment of the Land Supply Position Statement also shows that, in addition to this proposal, the following proposal would be expected to contribute to affordable housing supply in the immediate vicinity of the development:

- 0085/17/OUT – Land North of Pesthouse Lane, Barham (20 dwellings of which 7 affordable) 5 x Affordable Rent units 2 x Shared Ownership units This proposal is currently seeking reserved matters permission via DC/21/01457.

4.5 In addition, there is an outline permission for 269 dwellings on land north west of Church Lane, Barham (planning reference 1856/17). The Council has not included this site in its land supply due to insufficient evidence of deliverability, but it could still potentially contribute to the supply of affordable housing; the Section 106 agreement which accompanies the outline permission would require a policy-compliant amount of affordable housing, which would equate to up to 94 affordable homes (70 x affordable rents and 24 x shared ownership).

5. Occupation of the units

5.1 The rented properties will be allocated to households on the Council's Housing Register, in line with the usual processes. This gives priority to those with a local connection to the District of Mid Suffolk.

5.2 Due to Homes England funding requirements, the Shared Ownership properties on this scheme would not be able to have any local connection criteria. As such, whilst this might be considered to be a loss of six shared ownership units with a local connection, the loss has to be balanced against a gain of 19 units which would be available to local people (albeit on a level playing field with potential buyers from other parts of the country).

5.3 In order to buy a shared ownership property, the household income of the buyer/s must be less than £80,000 per year and the buyers must not be able to afford the deposit and mortgage payments for a home which meets their needs. They must also either be

- a first-time buyer,
- someone who used to own a home but cannot afford to buy another,
- forming a new household, for example after a relationship breakdown,
- an existing shared owner or
- someone who owns a home but cannot afford a different home that meets their needs

6. Conclusions

6.1 The 'conversion' of the application, from an open market-led scheme to 100% affordable housing, represents a beneficial increase in affordable housing supply, relative to total District needs.

6.2 Whilst the proposal exceeds very localised needs from the parishes of Claydon and Barham, this is not how the units will be allocated. The rental units will help meet growing needs from across Mid Suffolk. The shared ownership units will be available nationally.

6.3 Considering this application alongside the reserved matters application, the proposal represents a mixed tenure development, with a high proportion of home ownership (37%). In the long run, with staircasing, more and more of the Shared Ownership units would be converted to open market home ownership, helping more households into ownership.

6.4 Members might also wish to note that Flagship Housing would be taking a long-term interest in the management and maintenance of the site.

Internal Consultee Responses)

B: Representations

At the time of writing this report at least 7 letters/emails/online comments have been received. It is the officer opinion that this represents 7 objections, 0 support and 0 general comment. A verbal update shall be provided as necessary.

Views are summarised below:-

- Lack of infrastructure
- GP surgery has closed
- Lack of public transport
- Highway impact
- Not a minor change to the application
- Poor design

(Note: All individual representations are counted and considered. Repeated and/or additional communication from a single individual will be counted as one representation.)

PLANNING HISTORY

REF: DC/18/00861	Outline Planning Application (with means of access to be considered) - Erection of up to 67 dwellings, public open space and supporting site infrastructure including access.	DECISION: GTD 23.04.2021
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PART THREE – ASSESSMENT OF APPLICATION

1. The Site and Surroundings

1.1. The application site comprises (Grade 3) agricultural land on the eastern fringe of Claydon, which is designated as a Key Service Centre in the Core Strategy.

1.2. Claydon contains a number of services and facilities including a local convenience shop, primary school, secondary school and community/village hall.

1.3. The site is surrounded by residential development to the west and woodland to the east. The northern and southern boundaries contain hedgerows that form the field boundaries, with a further agricultural field to the north and rough grassland to the south. The site currently comprises two agricultural fields which are divided by a hedgerow. The site abuts the village settlement boundary on its western side. The site is within both parishes of Claydon and Barham, with the boundary of the parishes running along the retained hedge that traverses the site east to west.

1.4. The site is not highly visible from the wider area, but is visible from Church Lane to the north of the site, and from dwellings along Winchester Gardens, Ely Road and Hereford Drive.

1.5. The site is not in, adjoining or near any Conservation Area. There are no nearby listed buildings, the closest being the Grade I Church of St Mary's and St Peter's located on the north side of Church Lane some 280m northeast of the site. The Grade I St Peter's Church tower is visible when viewing this application site from the surrounding area. The site is not in an area of special character designation such as an Area of Outstanding Natural Beauty or Special Landscape Area, but is within the Site of Special Scientific Interest (SSSI) Impact Risk Zone. Nor is the site adjoining, or in proximity to, any designated landscape areas of special significance. The site is within the Mineral Consultation Area set by Suffolk County Council's Minerals Core Strategy 2008.

1.6. The site measures 3.37 ha and is located entirely in Flood Zone 1. Public Rights of Way run along the site's northern boundary (Bridleway 15052 linking Thornhill Road to The Slade) and the eastern boundary (Footpath 3553) running alongside the site through The Slade).

1.7. Ely Road is a cul-de-sac, although Winchester Gardens is accessed via Ely Road. Ely Road joins Thornhill Road to the west of the site. This road is currently a bus route for a regular service from Ipswich to Eye/Diss during the daytime on Mondays to Saturdays.

1.9. On the north boundary of the site is a protected oak tree (TPO ES61/T5) and a protected group of three oak trees to the north west of the site (ES61/G4).

1.10. To the north, outside of the site boundary, is a disused 19th Century chalk pit which has not been filled in.

2. The Proposal

2.1 The proposal is to vary condition 37 Market Housing Mix of the outline planning permission DC/18/00861 this condition states:

Concurrent with the submission of reserved matters, the market housing mix shall be submitted and agreed in writing with the local planning authority. This shall include a schedule of the mix of house types and sizes to be provided within the reserved matters, which shall be broadly in accordance with the indicative housing mix submitted at the outline stage with predominantly two and three bedroom dwellings, unless housing need evidence indicates otherwise. The approved details shall be adhered to in the reserved matters applications submitted.

The proposal is to vary this condition to the following wording, removing the word 'market':

Concurrent with the submission of reserved matters, the housing mix shall be submitted and agreed in writing with the local planning authority. This shall include a schedule of the mix of house types and sizes to be provided within the reserved matters, which shall be broadly in accordance with the indicative housing mix submitted at the outline stage with predominantly two and three bedroom dwellings, unless housing need evidence indicates otherwise. The approved details shall be adhered to in the reserved matters applications submitted.

2.2 The variation of condition is to allow 100% affordable housing comprising of the following:

Affordable Rent: 42 properties

Shared Ownership: 25 properties

The outline planning permission required 23 affordable dwelling (35% of total) and the strategic housing officer had requested the following mix:

4x1 bedroom flat – affordable rented

4 x 2 bedroom flat – affordable rented

6 x 2 bedroom house - affordable rented

2 x 3 bedroom house - affordable rented

5 x 2 bedroom house – shared ownership

2 x 3 bedroom house – shared ownership

3. The Principle Of Development

3.1. The Principle of Development was determined with the granting of the Outline planning consent under planning application no DC/18/00861. The key test is whether for a proposal for 100% affordable housing would be acceptable in relation to community cohesion, housing mix and need and loss of CIL.

4. Community Cohesion

4.1. Concerns have been raised regarding single tenure developments not providing community cohesiveness as occupants would not mix with the wider community. The site would be a mixture of affordable rent and shared ownership properties. It is expected that the affordable rent properties will be first allocated to occupiers with a connection to Mid Suffolk District (although this would need to be agreed with the Registered Provider) via Gateways to Homes. As potential tenants generally bid of properties, it is likely that many of those who choose to bid of these properties will already have connection with the area.

4.2 The shared ownership properties will be available nationwide but are likely to be bought by those with a specific reason to live in the area. Some of these properties will eventually be staircased to 100% ownership and become owner occupied, creating in time, a more mixed community. As a mixture of 2-, 3- and 4-bedroom the dwellings will be predominantly family houses with children who will attend local schools. The properties in Winchester Road and the end of Ely Road were originally Council Housing, some of which are been purchased through right to buy. Exeter Road and Hereford Drive are generally market dwellings. Therefore, there is already mix a mix of housing within the neighbouring roads which this proposal would fit into.

4.3 The development will also provide a LEAP with a 6 pieces of play equipment, including equipment for older children. This is more than would usually be expected on a site of this size, given the scale, location and equipment provided by the LEAP it is likely to be used by the wider community especially those living in the large estates to the south and west of the site. Overall it is considered given the size of dwellings, mix of tenure and the provision of the LEAP the 100% affordable housing mix would not be detrimental to community cohesion, particularly noting the change expected over time with staircasing.

5. Housing Mix and Need

5.1 The housing mix will be as follows:

Affordable Rent: 42 properties

Shared Ownership: 27 properties

- 6 x 2 bedroom bungalow - 2 shared ownership, 4 affordable rent
- 5 x 3 bedroom bungalow – 1 shared ownership, 3 affordable rent
- 27 x 2 bedroom house – 13 shared ownership, 14 affordable rent
- 23 x 3 bedroom house – 7 shared ownership, 16 affordable rent
- 6 x 4 bedroom house – 2 shared ownership, 4 affordable rent

As required under part 2 of condition 37 the development will be predominantly 2- and 3-bedroom dwellings, the affordable rent properties will include 4 x 2 bedroom bungalows, 4 x 3 bedroom bungalows and 4 x 4 bedroom houses. These types and sizes of properties are relatively scarce within the affordable rent market and there is likely to be a district need for these properties. However the one bedroom flats previously proposed, have been omitted.

5.2 As the Strategic Housing Officer has stated, there are 22 households on the Housing Register with local connections to Barham, Claydon or Whitton, this application would more than cover this need and there are more affordable dwellings for Claydon and Barham in the pipeline. However the site is within a sustainable location with a bus service, local shops and primary and secondary education and Ipswich, which is a major source of employment, is easily accessible. As such the dwellings are likely to be attractive to those on the Housing Register within the wider district.

5.3 There is likely to be a growing need for both shared ownership and affordable rent dwellings in the future, while there may not strictly be evidence of need for the additional affordable houses, this does not mean that they wouldn't be occupied by households in housing need, the development would provide 67 long term affordable dwellings, which will help provide a robust affordable housing supply for the future.

6. CIL

6.1. A s.106 agreement which covered affordable housing, RAMS payment, funding for primary school building costs and land, public rights of way improvements, junction improvements and highway improvement to support pedestrians and cyclists was previously signed as part of the outline application.

6.2 As a 100% affordable housing scheme the application would be CIL exempt, this would result in no additional funding for public transport improvements, library services, waste disposal improvements, provision of secondary school and sixth form places and healthcare provision which was all required for this proposal.

6.3 The Parish Council's would also miss out on their CIL allocation, however the scale, size and location of the LEAP will provide a community resource which does not need to be funded by the Parish Council. This will go some way to offset the loss of parish CIL payment.

6.4 It should be noted that any additional necessary infrastructure such as expansion of the High School and 6th form provision and the provision of Health Care would still come from wider CIL fund which provides for district wide infrastructure, however this development would not contribute to the CIL fund and therefore there would be the potential that lower priority infrastructure would not be funded.

7. Parish Council Comments

7.1 The majority of the Parish Council's comments relate to the principle of development of this site. However there is an outline planning permission for the development and therefore the principle has been accepted and cannot be reconsidered.

7.2 The loss of the GP surgery from Claydon is unfortunate but would not be a reason to reconsider the principle of planning permission. Compared with a lot of the district the facilities in Claydon, including the bus service are good and the development is considered to be sustainable. As noted above CIL funding would continue to be available for GP provision.

7.3 With regards to the concerns due to the lack of infrastructure, the development would help fund to a new primary school within Claydon which will help improve the existing lack of school places.

PART FOUR – CONCLUSION

8. Planning Balance and Conclusion

8.1. The proposal has received outline planning permission, and whilst this proposal would amend that slightly to be 100% affordable housing, it is considered that the proposal would not be detrimental to community cohesion and that the mix of dwellings is in accordance with part 2 of Condition 37, providing a good mix of 2, 3 and 4 bed dwellings, such that it achieves the aims expected in this regard.

8.2 The key issue is therefore if the benefit of additional affordable dwellings outweigh the impacts of providing these instead of market properties. While there is not strong evidence of need for additional affordable dwellings in the area, given the sustainable location of the site and the likely additional need for affordable dwellings it is considered that there is significant benefit of additional affordable dwellings and given the fact that some local infrastructure would be provided via a s.106 agreement and infrastructure could still seek CIL contributions, such that the impacts are considered to be outweighed by the benefit of affordable housing.

RECOMMENDATION

That authority be delegated to the Chief Planning Officer to Grant a variation of Condition 37 (Market Housing Mix) of planning permission DC/18/00861.

1) TO AMEND CONDITION 37 AS FOLLOWS:

Concurrent with the submission of reserved matters, the housing mix shall be submitted and agreed in writing with the local planning authority. This shall include a schedule of the mix of house types and sizes to be provided within the reserved matters, which shall be broadly in accordance with the indicative housing mix submitted at the outline stage with predominantly two and three bedroom dwellings, unless housing need evidence indicates otherwise. The approved details shall be adhered to in the reserved matters applications submitted

2) AND TO REIMPOSE THE FOLLOWING CONDITIONS WHICH WERE INCLUDED ON THE OUTLINE PLANNING PERMISSION DC18/00861:

- **Outline time limit**
- **Approval of reserved matters – appearance, scale, layout, landscaping**
- **Approved Plans – broad compliance with parameter plan including location of single storey dwellings**
- **Phasing Condition (To allow phasing of the development and allows spreading of payments under CIL) (Pre-commencement)**
- **Removal of permitted development rights for upwards extensions to any single storey dwellings**
- **Provision of open space and play space, timing of and maintenance and management**
- **Detailed landscape planting plan, including advance planting, management plan, landscaping scheme and details of SUDS areas**
- **Road construction and surface water disposal from roads**

- **Construction management plan (including hours for deliveries and construction works on site) • Vehicle turning and parking (including cycles and electric vehicle charging points)**
- **Bin storage**
- **Travel plan**
- **Protection of public right of way during construction the development**
- **Fire hydrants**
- **Drainage strategy (Anglian Water)**
- **Surface water drainage scheme including further infiltration testing and two-stage water treatment**
- **Maintenance and management of the surface water drainage scheme**
- **SuDS components on LLFA's Flood Risk Asset Register.**
- **Construction Surface Water Management Plan**
- **Mineral extraction quantified**
- **Archaeology – implementing programme of archaeological work**
- **Ecology protection, mitigation and enhancement, including the provision of Swift boxes, hedgehog fencing and wildlife sensitive lighting**
- **Level access to enable wheelchair access for all dwellings/buildings**
- **Tree Method Statement and Tree Protection Plan compliance**
- **Unexpected contamination**
- **Energy and renewal integration scheme to be agreed**
- **Rainwater harvesting to be agreed**
- **Service ducting for Broadband cables**
- **No burning on site**