

## **Committee Report**

**Item No:** 8c

**Reference:** DC/21/02405

**Case Officer:** Daniel Cameron

**Ward:** North Cosford.

**Ward Member/s:** Councillor Deborah Saw

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### **RECOMMENDATION – GRANT RESERVED MATTERS APPROVAL SUBJECT TO CONDITIONS**

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#### **Description of Development**

Application for approval of reserved matters following outline application B/15/01433 Town and Country Planning Order 2015 - Appearance, Scale, Layout and (Discharge of Condition 20 - Landscaping details) for the erection of 48No dwellings.

#### **Location**

Land East of Artiss Close And, Rotheram Road, Bildeston, Suffolk

**Expiry Date:** 12/01/2024

**Application Type:** RES - Reserved Matters

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

**Applicant:** Orbit Homes

**Agent:** Rachel Morwood

**Parish:** Bildeston

**Site Area:** 3.1ha

**Density of Development:** 15.4 dwellings per ha.

**Details of Previous Committee / Resolutions and any member site visit:** Outline planning permission was granted on 20<sup>th</sup> October 2017 under reference B/15/01433 and an application for reserved matters approval was brought before Planning Committee on 30<sup>th</sup> November 2022 but was pulled as the site was purchased by another developer. A site visit was carried out on the 6<sup>th</sup> March 2024.

**Has a Committee Call In request been received from a Council Member (Appendix 1):** No  
**Has the application been subject to Pre-Application Advice:** Yes under reference DC/21/01778.

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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:

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CLASSIFICATION: Official

Babergh District Council's scheme of delegation requires that applications which represent residential development for 15 or more dwellings be determined by Planning Committee.

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

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### **Summary of Policies**

NPPF - National Planning Policy Framework  
NPPG-National Planning Policy Guidance

### **Joint Local Plan Policies**

SP01 - Housing Needs  
SP03 - The sustainable location of new development  
SP09 - Enhancement and Management of the Environment  
SP10 - Climate Change  
LP15 - Environmental Protection and Conservation  
LP16 - Biodiversity & Geodiversity  
LP17 - Landscape  
LP19 - The Historic Environment  
LP23 - Sustainable Construction and Design  
LP24 - Design and Residential Amenity  
LP27 - Flood risk and vulnerability  
LP29 - Safe, Sustainable and Active Transport  
LP32 - Developer Contributions and Planning Obligations

### **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**

**N.B – Members should be aware that the comments presented below are in given in response to the amended plan prepared and submitted by Orbit Homes. Previous comments which relate to the previously submitted plans have been omitted for clarity.**

#### **Parish Council (Appendix 3)**

##### **Bildeston Parish Council Comments received 15<sup>th</sup> November 2023**

The Parish Council OBJECTS on the following basis:

As per previous comments listed below, sent on 16 June 2021 and 13 July 2021, the Parish Council reiterate their concerns on housing design, surface water run-off, drainage, flooding and attenuation pond,

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also accessibility from the site to the rest of the village via footpaths/ cycle paths and storage for gardens and wheelie bins.

Housing design is uniformly bland and uninteresting. See comments previously sent below.

With regards to the water run-off no capacity or calculations are given, this has been an issue since the outline application. The attenuation pond is uninspiring and could look more natural. The recent Storm Babet rain caused considerable high water and overtopping of the brook behind The Brooks house, along the Public Rights of Way footpath.

It is disappointing to note that accessibility to the centre of the village from the site has not been addressed for a direct pedestrian (and possibly cycle) link from the development to the village centre. While we appreciate that outline permission was granted without such a link, we are disappointed that our offer in 2017 to help facilitate such a link was not taken up. This offer still stands. The Parish Council understood Orbit Housing were going to put a footpath through Artiss Close.

External storage has still not been addressed. The Parish Council would remind Babergh DC of the issues experienced at Paddocks Way with wheelie bin storage. There is also no garden storage.

#### **National Consultee (Appendix 4)**

##### **Anglian Water Comments received 8<sup>th</sup> November 2023**

We consider that the impacts on the public foul sewerage network are acceptable to Anglian Water.

##### **Environment Agency Comments received 8<sup>th</sup> November 2023**

No comments.

##### **Historic England Comments received 23<sup>rd</sup> October 2023**

No comments.

##### **Internal Drainage Board Comments received 8<sup>th</sup> November 2023**

The site lies outside of the IDB catchment; therefore the board has no comments.

##### **Norwich International Airport Comments received 20<sup>th</sup> October 2024**

From a safeguarding viewpoint, this development will not provide a significant collision risk to aircraft operating in the vicinity of the airport.

##### **UK Power Network Comments received 9<sup>th</sup> November 2023**

No comments.

#### **County Council Responses (Appendix 5)**

##### **Archaeology Service Comments received 8<sup>th</sup> November 2023**

Conditions 6 and 7 of the Outline planning permission have secured archaeological investigation, mitigation and reporting for the site. As a result, there is no requirement for additional conditions relating to the reserved matters application.

##### **Development Contributions Comments received 20<sup>th</sup> October and 8<sup>th</sup> November 2023**

It is noted that the Outline planning permission has a binding Section 106 Agreement attached. Obligations previously entered into remain in force. Should the scheme be altered to provide 100% affordable housing, it should secure a deed a variation which will impact on CIL receipts from the development.

##### **Fire and Rescue Team Comments received 25<sup>th</sup> October 2023**

A planning condition is attached to the Outline planning permission to secure delivery of an onsite fire hydrant.

**Flood and Water Team Comments received 23<sup>rd</sup> October 2023**

The LLFA recommends a holding objection at this time. Additional detail with regards to the SuDS strategy.

**Flood and Water Team Comments received 3<sup>rd</sup> November 2023**

The LLFA recommends a holding objection at this time. Additional detail with regards to the SuDS strategy.

**Flood and Water Team Comments received 29<sup>th</sup> January 2023**

The LLFA recommends approval at this time.

**Highways Team Comments received 9<sup>th</sup> November 2023**

The revised proposal is generally acceptable to the Highway Authority, however the internal footpath link between the access roads (alongside plots 36 and 48), that is seen as a key link to encourage sustainable travel is shown as mown grass on the landscape drawing (LSDP 2100.01 Rev B). This would not be suitable for vulnerable road users or year-round use and should be amended to a bound surface that is a suitable width to accommodate pedestrians and cyclists.

Similarly, condition 9 of B/15/01433 (amended by DC/20/04666) states that the footpath link to existing PROW Bildeston FP1 should be hard surfaced.

**Travel Plan Team Comments received 19<sup>th</sup> October 2023**

No comments.

**Internal Consultee Responses (Appendix 6)**

**Communities Team Comments received 1<sup>st</sup> December 2023**

There is concern at the provision of play equipment being a lesser offer than previously shown.

**Environmental Health – Air Quality Comments received 9<sup>th</sup> November 2023**

No comments.

**Environmental Health – Noise, Odour, Lighting, Smoke, etc Comments received 6<sup>th</sup> November 2023**

Requirement for a noise assessment given the proximity of neighbouring commercial business as well as a light spill diagram to support the lighting strategy.

**Environmental Health – Noise, Odour, Lighting, Smoke, etc Comments received 9<sup>th</sup> December 2023**

The submitted light spill drawing needs to be based on the vertical plane as well as the horizontal.

**Environmental Health – Noise, Odour, Lighting, Smoke, etc Comments due 18<sup>th</sup> March 2024**

To be circulated as late papers.

**Heritage Team Comments received 24<sup>th</sup> November 2023**

Concern is raised regarding the potential for increased flood risk within the village and the holding objection lodged by the LLFA and should be resolved.

Based on the revised scheme, it is considered that the appearance, scale, layout and landscaping details would not cause harm to any heritage assets.

**Place Services Ecology Comments received 16<sup>th</sup> September 2022**

Support discharge of the Outline conditions relating to ecology. Additional information should be provided in light of Biodiversity Net Gain.

**Place Services Ecology Comments due 11<sup>th</sup> March 2024**

To be circulated as late papers.

**Place Services Landscaping Comments received 22<sup>nd</sup> November 2023**

A number of points are raised in regards to the design of the development:

- Appropriate levels of screening to site boundaries and sensitive boundary treatment to the countryside edge.
- A good quality and multifunctional green infrastructure.
- An attractive gateway entrance to the development which is sensitive to the rural setting/context of the site.
- A green public open space and recreation areas integrated within the residential layout with acceptable levels of passive surveillance.
- Nature based SuDS solutions: integration of blue and green infrastructure in the same corridor, optimise landscape, amenity and biodiversity benefits of the proposed attenuation area/SuDS.
- Tree planting and soft landscaping to soften hard surfaces, parking areas and built form.

**Place Services Landscaping Comments due 22<sup>nd</sup> November 2023**

To be circulated as late papers.

**Place Services Urban Design Comments Received 14<sup>th</sup> December 2023**

A number of points are raised in regards to the design of the development:

- We would request an explanation of the narrative of pulling back of the dwellings from the northwest corner which has the unfortunate consequence of exposing rear boundary fences to the Rotherham Road properties backing on to the site.
- We prefer the positive back-to-back relationship established in the outline illustrative layout.
- We also note that this move now means that rather than having a central amenity space as the outline illustrative plan, most green space is concentrated to one end of the site, and we would therefore welcome attempts to provide green connections throughout the layout.
- We note that our advice regarding additional NPPF paragraph 131 street trees has also not been taken meaning there is a missed opportunity to provide green connected space running through the development.
- We welcome the definition of the amenity space tree planting.
- We also note that our advice regarding strengthening of the planting on the north and east boundaries in line with the illustrative layout not been taken. This opens the site up to views from the east which may not be acceptable and further justification of this approach is required.
- We would expect the house types to be amended with the guidance produced above to create a contextual and high-quality design.

**Public Realm Comments Received 23<sup>rd</sup> October 2023**

Additional detail is required around securing Biodiversity Net Gain on site, particularly with regards to mix of additional hedgerows and associated management of the landscape.

**Public Realm Comments Received 5<sup>th</sup> December 2023**

It is requested that the same level of play equipment offer as per the previous application is provided onsite.

**Strategic Housing Comments received 9<sup>th</sup> November 2023**

Whilst not consistent with the affordable housing mix secured at Outline, the changes represent a benefit, particularly with the inclusion of social rent properties. The proposal represents a helpful contribution to

the meeting the District-wide affordable housing needs in a location with challenging affordability and a large number of households on the housing register with a local connection to the parish. Whilst all units meet the Nationally Described Space Standard, it is not clear whether any units meets Part M4(2) of Building Regulations.

*N.B Final drawings show 24 dwellings would meet the higher Part M4 standard.*

### **Suffolk Wildlife Trust Comments received 9<sup>th</sup> November 2023**

No comment.

### **B: Representations**

At the time of writing this report at least 4 letters/emails/online comments have been received. It is the officer opinion that this represents 3 objections, 0 support and 1 general comment. A verbal update shall be provided as necessary.

Views are summarised below:-

- Design is an improvement over the previous scheme.
- Frontage design is weak and turns away from the road frontage.
- Materials should be natural and some inclusion of white brick would be welcome.
- No solar panels or details of sustainability measures are noted.
- Concern regarding development traffic routing through Bildeston.
- Concern regarding outflow from SuDS and surface water drainage.

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

Previously, the application had generated at least 6 letters/emails/online comments have been received. It is the officer opinion that this represents 6 objections, 0 support and 0 general comment. A verbal update shall be provided as necessary.

Previous views are as summarised below:

Objections to the scheme note the following material planning considerations:

- Size of scheme represents 10% growth on existing dwellings in Bildeston.
- Lack of integration to rest of village.
- Impact on local highways network and particularly impact of HGV traffic through villages to supply the site with building materials.
- Materials chosen do not reflect local character.
- Insufficient information on how development here affects neighbouring site at Rotherham Road and Artiss Close which are lower.
- Layout of the development is too formal and car dominated and restrict passive solar gain within site.
- Ecology impacts and lack of biodiversity enhancement.
- Flooding not satisfactorily dealt with.

### **PLANNING HISTORY**

**REF:** DC/19/05285

Discharge of Conditions Application for  
B/15/01433 - Condition 5 (Contamination),

**DECISION:** PGR

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CLASSIFICATION: Official

	Condition 6 (Archaeological Works), Condition 28 (Part Discharge- Protected Species Mitigation Measures)	02.04.2020
<b>REF:</b> DC/20/01643	Discharge of Conditions Application for B/15/01433- Condition 28 (Part Discharge- Protected Species Mitigation Measures)	<b>DECISION:</b> GTD 18.05.2020
<b>REF:</b> DC/20/04666	Application for Non Material Amendment to Condition 9 relating to B/15/01433 - To allow for alterations to wording relating to footpath.	<b>DECISION:</b> GTD 04.11.2020
<b>REF:</b> DC/20/04902	Application for the Modification of Section 106 Planning Obligation dated 19 October 2017 relating to B/15/01433 under sub- section 106A (1) (a)	<b>DECISION:</b> GTD 11.12.2020
<b>REF:</b> DC/21/02405	Application for approval of reserved matters following outline application B/15/01433 Town and Country Planning Order 2015 - Appearance, Scale, Layout and (Discharge of Condition 20 - Landscaping details) for the erection of 48No dwellings.	<b>DECISION:</b> PCO
<b>REF:</b> DC/23/04581	Discharge of Conditions Application for B/15/01433 - Condition 6 (Archaeological Works)	<b>DECISION:</b> GTD 08.11.2023
<b>REF:</b> B/16/00859	Application under Section 73 of the Town and Country Planning Act (1990) to vary condition 29 attached to Planning Permission - B/15/1433/OUT (Outline - Erection of 48 residential dwellings with detailed consideration of access) - Prior to occupation of the dwellings the replacement of those parts of the frontage boundary hedge that are to be removed will be undertaken in accordance with the details shown on Smeeden Foreman plan reference LL01 dated 13 June 2016	<b>DECISION:</b> DIS 29.01.2018

<b>REF:</b> B/15/01433	Outline - Erection of 48 residential dwellings with detailed consideration of access.	<b>DECISION:</b> GTD 20.10.2017
<b>REF:</b> B/14/01435	Outline - Erection of 49 residential dwellings with details of access, as amended by details received 23rd January 2015, 24th & 25 February 2015.	<b>DECISION:</b> REF 07.05.2015
<b>REF:</b> BIE/13/00949	Policy CS11 - Proposed Residential Development of up to 80 dwellings	<b>DECISION:</b> PCO
<b>REF:</b> B//02/01567	Application under Regulation 3 of the Town and Country Planning General Regulations 1995 - Outline - Residential development ( for local needs housing).	<b>DECISION:</b> WDN 24.10.2002

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

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### **1. The Site and Surroundings**

- 1.1 The site is located to the east of Bildeston's settlement boundary and was previously utilised in arable cultivation. The site is currently laid to grass. The topography of the site slopes from its south-east corner. The fall across the site is from 56m above ordinance datum (AOD) at the highest point in the south-eastern corner adjacent the B1078 to 44m AOD in the north-west corner of the site. A stream (Bildeston Brook) is located to the north of the site.
- 1.2 To the immediate west of the site is Artiss Close and residential development on Rotherham Road. Both of these developments are cul-de-sac estates layouts with properties backing onto the site. Artiss Close and Tailor Made Joinery across the road mark the current village entrance.
- 1.3 Bildeston's spatial character is one of an historic core with conservation area status with estate style development set out to the east of this core. The village and its historic core retain a visual affinity to the countryside surrounding the village and its landscape setting, particularly to the west.
- 1.4 A public right of way runs north to south through the field to the east of the site, parallel to the eastern boundary of the site. A public footpath runs along Bildeston Brook to the north of the site and connection to this public right of way is secured through the outline planning permission.



## **2. The Proposal**

- 2.1 The application provides reserved matters detail for matters of appearance, landscaping, layout and scale for the erection of 48 no. dwellings. Matters relating to access were fixed as part of the outline planning permission.
- 2.2 The application was previously brought before Planning Committee on 30<sup>th</sup> November 2022 but was removed from the agenda on the day of the committee owing to the purchase of the site by Orbit and their intention to review and amend the detail of the reserved matters application. For clarity, the main amendments are:
- Amended layout;
  - Amended dwelling design;
  - Amended housing mix;
  - Amended surface water drainage details; and
  - Amended landscaping details.
- 2.3 The amendments are considered to create a more effective and efficient use of the application site, increase open space within the site (from 0.67ha. to 1.25ha.), provide a mix of housing that better reflects needs of the district and increases the level of affordable housing on offer (comprising affordable rent and shared ownership) from 35% to 100%.
- 2.4 The proposed housing mix comprises the following:

<b>PLOT</b>	<b>TYPE</b>	<b>NO.</b>	<b>AREA (sq. m)</b>	<b>AREA (sq.ft)</b>	<b>DESCRIPTION</b>
Shared Ownership:					
	Fern	7	71.91	774.04	2 bed house
	Rowan	9	80.06	861.77	2 bed house
	Elder	8	88.63	954.01	3 bed house
	Poplar	7	95.08	1023.44	3 bed house
	Elm	4	115.25	1240.55	4 bed house
<b>Total:</b>		<b>35</b>			
Social Rent:					
	Rowan	3	80.06	861.77	2 bed house
	Poplar	7	95.08	1023.44	3 bed house
	Ramsworth	1	71.20	766.40	2 bed bungalow

	Gorse	2	50.44	542.94	1 bed bungalow
<b>Total:</b>		<b>13</b>			
<b>TOTAL:</b>		<b>48</b>			

- 2.4 All dwellings comply with Part M of Building Regulations and all dwellings meet with nationally described space standards.
- 2.5 Access to the site is taken from the B1078 with internal roads creating a single spine road within the site with the exception of a single private access. Dwellings are to take access directly from the spine road or from the private access. 42 of the plots have their own vehicular accesses from the spine road or private drives. The remaining 6 plots benefit from vehicular access to off-plot parking. 12 visitor parking spaces are provided within the scheme. There are no instances of triple parking within the scheme. Pedestrian access is taken from the same road with a footpath provided between Paddocks Way and the new access to be created to serve the development. A footpath connection is also provided within the site to the wider public right of way network.
- 2.6 The material palette for the scheme is comprised of red brick, cream renders, weatherboarding, red pantiles, red plain tiles, slate and white uPVC windows and doors.
- 2.7 Surface water drainage is proposed to utilise a piped network which will be discharged into a SuDS basin located to the north of the site. The basin will discharge via gravity into the adjacent watercourse which in turn feeds into Bildeston Brook. It has been designed to accommodate 1 in 100-year flood events factoring in climate change predictions. Foul water drainage is to be gravity fed into the sewer system serving Bildeston.
- 2.8 The open space within the site is to incorporate a play area comprising both natural play elements as well as more formal equipment.
- 2.9 All properties are designed to be served by air source heat pumps and each property is also served by an electric vehicle charging point.
- 2.10 Back to back distances within the site are 25m minimum while back to back distances with existing properties to those on Artiss Close are marginally greater with between 26m and 30m noted. Existing landscaping is to be retained along the site boundary such that additional screening is noted.

### **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 the determination must be made in accordance with the plan unless material considerations indicate otherwise'.
- 3.2 JLP policy SP03 is clear that existing settlement boundaries are as established within the earlier Local Plans and Core Strategies and are carried forward until such time as they are reviewed.

The principle of development is established within settlement boundaries. However, for the purposes of this application site falls outside of the settlement boundary for the village of Bildeston.

- 3.3 The policy goes onto state that new housing development shall only come forward through extant planning permissions, allocations within made Neighbourhood Plans, windfall development described within the other policies of the JLP or are brought forward within the forthcoming Part 2 of the JLP.
- 3.4 For the purposes of this application, the outline planning permission granted under reference B/15/01433 is considered to establish the principle of residential development on the site for up to 48 no. dwellings. To that end, Members are not tasked with re-considering the planning permission from scratch; rather, it is necessary to consider those details reserved under the planning permission for determination at this current stage of the overall process. The principle of development is therefore effectively fixed, subject to the conditions attached to the grant of outline planning permission.
- 3.5 In summary, the acceptability of the identified site to accept 48no. dwellings is established in principle and is the starting point for the determination of this reserved matters application.

#### **4. Nearby Services and Connections Assessment of Proposal**

- 4.1 The application is located on the edge of Bildeston, a core village, as identified within Core Strategy policy CS2. Core villages are to act as a focus of development within their functional cluster and are considered to have sufficient services and facilities to accommodate a degree of housing growth.
- 4.2 The application site is located around 500m from High Street up the B1078 putting future residents within a reasonable walking distance of most of the shops, public houses and primary school. The application proposes the connection of the site to the footways within Bildeston in order to facilitate this. In addition, a footpath connection to the wider network of footpaths crossing the countryside is proposed and secured as part of the Section 106 attached to the outline of this application.
- 4.3 For reference, the Chartered Institution of Highways and Transportation (CIHT) Planning for Walking document states "Across Britain about 80 per cent of journeys shorter than 1 mile are made wholly on foot". Furthermore, the CIHT guidelines for Providing Journeys on Foot sets out desirable walking distances for journeys with acceptable walking distances of between 400 and 1000m, with the maximum of 1200m being suggested. The Department for Transport Local Walking and Cycling Infrastructure Plans Technical Guidance for Local Authorities sets out a core walking distance of 400m (approx. 5 minutes), with a 2km radius around this, extending the walking zone to 2.4km. It is considered that the site would offer a good level of connectivity to the rest of the village.

#### **5. Site Access, Parking and Highway Safety Considerations**

- 5.1 Policy LP29 of the JLP requires that all development demonstrates safe and suitable access for all, prioritising sustainable and active transport. Onsite parking is to be informed by the relevant parking guidance.
- 5.2 Paragraph 115 of the NPPF confirms that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual

cumulative impacts on the road network would be severe. No such impact is found with the application.

- 5.3 Details of the access were agreed at outline stage and are unchanged here. Consultation with the Highway Authority notes that the access and its visibility splays are acceptable. It is considered that the pedestrian connection is similarly acceptable and would provide a suitable route to make a walking connection to the services within Bildeston. Onsite parking meets adopted standards and is noted to secure electric vehicle charging points within the scheme.

## **6. Design and Layout**

- 6.1 Place Services Landscaping and Urban Design provide critical comments relating to the amended layout provided by Orbit Homes, in particular they view the historic core of Bildeston as exemplar design for the village. Orbit note that the immediate context of the site are the adjacent developments at Rotherham Road and Artiss Close and that their development will be seen within that context given it is at a greater remove from the historic core of the village. They give a greater level of detail within their submitted additional design statement.
- 6.2 Officers consider that the argument given is rational. The site is viewed in context of the modern developments rather than in context with the historic core of Bildeston. As such the appearance of the dwellings reflect the adjoining material palette of Artiss Close and Rotherham Road. They are majority two storey and none are greater than 9m in height owing to conditions imposed at Outline stage.
- 6.3 Development is ordered towards the site frontage in order to continue built form along road frontage and is laid out in a rough H shape, retaining the central play area approved at Outline stage. Concentration of development away from the northern end of the site allows for below ground heritage uncovered during archaeological investigation of the site to be preserved in situ and to further deliver a gravity fed SuDS solution.
- 6.4 Additional details emblematic of Bildeston have been reflected within the elevational treatments of the units proposed and include square bay windows, stone cills, brick arches to windows, chimneys to prominent plots and projecting barge boards and eaves. In summation, it is considered that the proposed design sits comfortably with the adjoining development while still incorporating the traditional design elements that are particularly pronounced within the village. Officers consider that the proposed design is appropriate and can be supported.

## **7. Landscape Impact, Trees, Ecology, Biodiversity and Protected Species**

- 7.1 On-site vegetation is proposed to be retained and incorporated within the layout of the development. This is then to be enhanced further with additional planting within the site. Planting specifications have been subject to consideration by Place Services Ecology who confirm they are appropriate native species. Given the edge of settlement location of the site adjacent to open countryside, it is considered that a softer boundary approach is warranted. In views from the countryside, the site would be seen against the backdrop of existing residential development and would sit well in context.
- 7.2 Specific comments regarding wildlife impacts have also been taken from Place Services Ecology. They note that details regarding on site ecology are acceptable, as are on site biodiversity enhancements and lighting. They do note that off-site provision for additional biodiversity enhancement is required of the development, it is recommended that a condition be utilised to

secure this additional detail and require its provision prior to the first occupation of any dwelling on site.

## **8. Land Contamination, Flood Risk, Drainage and Waste**

- 8.1 Land contamination was assessed at outline stage and found to be acceptable. There is no need to revisit this issue within this application.
- 8.2 The SuDS scheme has been reviewed by the Lead Local Flood Authority who recommends approval of the supplied details. It ensures that surface water run off from the site is captured and stored within the onsite SuDS basin capable of dealing with a 1 in 100-year flood event, taking into account climate change with an additional buffer on top. It is proposed that water stored in the SuDS basin would be released at a similar rate to an undeveloped green field site.
- 8.3 Anglian Water have capacity to accept the flows from this development site and no issue is noted with regards to their ability to deal with the flows. The Internal Drainage Board have no comments to make as the application would not affect their assets.

## **9. Heritage Issues**

- 9.1 The duty imposed by the Listed Buildings Act 1990 imposes a presumption against the grant of planning permission which causes harm to a heritage asset. A finding of harm, even less than substantial harm, to the setting of a listed building must be given "*considerable importance and weight*". (\*Bath Society v Secretary of State for the Environment [1991] 1 W.L.R. 1303). While paragraph 199 of the NPPF further states "*When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be).*"
- 9.2 The Council's Heritage Team were consulted on the outline application and noted that the site would have little impact on either the setting of the Parish Church within Bildeston or upon the Bildeston Conservation Area. Development is located adjacent to other modern residential estates, at the periphery of both the conservation area and the setting of the Parish Church. Consultation on this application with Historic England has not identified any issue with the application as it currently stands.
- 9.3 Specific comments from the Council's Heritage Team was taken on the amended reserved matters application and there is no objection to the proposed scheme noted. They consider the site would not impact on the setting of listed buildings within Bildeston or on the Bildeston Conservation Area.
- 9.4 Archaeological investigation of the site has been secured under the Outline planning permission and site investigation has taken place. This has informed the current layout of the scheme with a larger green area to the north ensuring that archaeological finds are preserved in situ.

## **10. Impact on Residential Amenity**

- 10.1 Back-to-back distances with existing development is considered to be good, at minimum 26 metres. Members should note that these properties are proposed at bungalows, such that their impact on neighbouring privacy would be low. In any event intervening planting and boundary fencing would combine to protect the privacy of existing properties. Two storey properties benefit

from a greater back to back up to a maximum of 30m, again intervening planting and boundary fencing would be applied.

- 10.2 Internally, back to back distances are reduced slightly, but 25m is still considered to be adequate to protect amenity.

## **11. Planning Obligations / CIL**

- 11.1 A Section 106 Agreement is in place for the application site and secures the following contributions:
- 35% affordable housing to be delivered onsite;
  - Bus stop improvements contribution;
  - Education contribution of £165,195 (index linked);
  - Footpath link within site;
  - Delivery on public open space within the site;
  - Management scheme for public open space
  - Creation of a public path to link to village; and
  - Contribution towards waste services.
- 11.2 With regards to the affordable housing delivery onsite, a further deed of variation to the Section 106 Agreement will be sought.
- 11.3 Management of public open space is either to be taken on by a management company, the details of which are to be provided to the Council, or the developer can opt to transfer the open space to another public body (either the Council or Bildeston Parish Council). In this event development cannot commence until such time as a completion agreement with the relevant public body has been agreed to to secure the transfer of the public open space for a peppercorn contribution and to secure funding for ongoing maintenance of the public open space.
- 11.2 It is important to note that Community Infrastructure Levy would not be collected from the application site in addition to the infrastructure contributions secured under the Section 106 as the entirety of the site is offered as affordable housing.

## **12. Parish Council Comments**

- 12.1 Comments from the Parish Council are noted and while most are dealt with within the body of this report, for clarity they are briefly noted here.
- 12.2 Issues regarding surface water flooding have been amended to the satisfaction of the LLFA. They are content that the attenuation basin within the site would be capable of storing surface water in a 1 in 100-year flood event taking into account climate change data with an additional storage capacity on top. This would ensure that surface water would be stored on site and slowly released over time at a green field run off rate or better.
- 12.3 Comments regarding design have been taken into account, incorporating both Place Services Urban Design and Landscaping comments and have been positively addressed. Officers consider the design of the scheme acceptable.
- 12.4 The site will deliver an extension to the existing footway connecting the site to the village and will deliver a footpath connection to the wider public right of way network to the north-east. Orbit have

considered whether a footway connection along Bildeston Brook could be delivered but have concluded it is not feasible to deliver.

- 12.5 External storage has been provided with each dwelling provided with an onsite shed and onsite storage location for refuse and recycling bins. The submitted refuse strategy shows that it is possible for a waste tender to access all proposed properties within the site.

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## **PART FOUR – CONCLUSION**

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### **13. Planning Balance and Conclusion**

- 13.1 The principle of development on this site has been agreed through the approval of B/15/01433 and this application only relates to matters of appearance, landscaping, layout and scale.
- 13.2 In this regard the application is found to be acceptable. It would sit comfortably with the immediate surroundings of the site, which are modern estate developments. It is not directly read against the finer grain of development seen within the centre of Bildeston, particularly the Parish Church and the conservation area.
- 13.3 Additionally, the site would deliver significant levels of affordable housing over and above the amount agreed within the Section 106 Agreement. This is a significant benefit of the development and would help to address district wide need.
- 13.4 Other benefits associated with the site include gravity fed SuDS and foul water systems as opposed to the pumped systems previously utilised. The site would still serve to deliver a play area with the size of public open space offered also increased over the previous scheme. Officers recommend approval of the reserved matters application.

### **RECOMMENDATION**

**That the Chief Planning Officer be authorised to APPROVE reserved matters subject to conditions as summarised below and those as may be deemed necessary by the Chief Planning Officer:**

- Confirmation as to the scope of the approval given and noting that the condition attached to the outline remain in force.
- Development to be undertaken in accordance with the approved drawings.
- Materials to be agreed prior to works above slab level.
- Details regarding planting and maintenance requirements for SUDS basin to be agreed.
- Construction method statement to include details of HGV routing to site and hours of work.
- Prohibition of burning of waste materials on site.
- Details of light spill to be agreed.
- Details of noise output of ASHP to be agreed prior to installation.
- Protection details for retained planting onsite to be agreed.
- Estate roads, footways and parking to be delivered prior to occupation within site.
- Details of off-site biodiversity enhancement to be agreed.

- Additional enhancement measures including swift nest bricks and hedgehog friendly fencing to be agreed.

**And the following informative notes as summarised and those as may be deemed necessary:**

- Proactive working statement
- Notes regarding Anglian Water assets within the vicinity of the site.