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TOWN AND COUNTRY PLANNING ACT 1990
OUTLINE PLANNING APPLICATION
ERECTION OF 6 DWELLINGS (INCLUDING 2 AFFORDABLE HOMES)
LAND REAR OF ENNISKILLEN LODGE, LITTLE WALDINGFIELD, CO10 0SU.

PLANNING STATEMENT
Incorporating
LOCAL VALIDATION REQUIREMENTS STATEMENT
DESIGN AND ACCESS STATEMENT
And
HERITAGE STATEMENT

Ref: 1049
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1.0 INTRODUCTION

1.1 This statement has been produced in support of an outline planning application proposing the erection of 6 dwellings, including 2 affordable homes, on land to the rear of Enniskillen Lodge, The Street, Little Waldingfield.

1.2 The planning application is submitted in outline form with all matters reserved. The application consists of this statement together with the following documents.

- Application form and Certificate;
- Site location plan;
- Drawing 4246-01 P1 Indicative layout plan;
- Phase 1 ecology survey;
- Phase 1 land contamination survey;
- Flood Risk Assessment; and,
- Tree survey.

1.3 The following Statement is in two parts. The first part deals with the Council's Local Validation Requirements for planning applications and includes a Design and Access Statement and a Heritage Statement. The second part is a Planning Statement which sets out the relevant local and national planning policies and other material considerations.

2.0 LOCAL VALIDATION REQUIREMENTS STATEMENT

2.1 AFFORDABLE HOUSING

2.1.1 The National Planning Policy Framework (NPPF) states that only major developments are required to provide affordable housing. This proposal is a 'major' application as the site area exceeds 0.5 hectares. Consequently, the development will provide 2 affordable homes, in accordance with the Council's policy.

2.2 ARCHAEOLOGICAL STATEMENT

2.2.1 The Historic Environment Records (HER) confirm that there are no records of archaeological finds on or near the site. Therefore, it is not necessary to carry out any pre-submission archaeological investigation.

2.3 BIODIVERSITY

2.3.1 The application site is accompanied by a Phase I ecological assessment produced by Hillier Ecology Ltd.

2.4 CAR PARKING

2.4.1 The proposed dwellings will be provided with adequate car parking in accordance with the Suffolk Parking Guidelines. Precise details of parking provision is a detail to be agreed at the reserved matters stage.

2.5 COMMUNITY INVOLVEMENT

2.5.1 The proposed development was the subject of a public exhibition held in the village meeting room on 16 October 2018. The public exhibition was attended by 45 members of the local community of which 11 completed the feedback forms. The majority of comments received were positive. The following is a summary of all the comments made.

- "The development is aesthetically pleasing and well designed to complement the village feel."
- "Very imaginative – well done."
- "Pleased to see the inclusion of affordable social housing which is important for the diversity of the village. Would be pleased to see consideration for residents with timings of building works. Proposed architecture is appealing with sympathetic styles for the area."
- "No negative comments. I won't be able to see the houses from my house. A tasteful development."
- "A very imaginative development which would sit well with the village setting from a design point of view."
- "Of the 3 potential development sites in LW, this to me is the most appropriate and with least impact on neighbours. I like the low density and the affordable housing. I'm not sure about a bin store at the front as this might look a bit unsightly; also, residents having to bring bins 100yds across a gravel drive will be difficult. I also like your proposal to improve visibility at the site entrance which should probably keep highways happy. Please also work closely with the Parish Council Neighbourhood Planning team. Lastly I wish you success."

- “Thrilled with the new proposed development at rear of Enniskillen Lodge and would very much like to purchase of the singleton dwellings as soon as possible once plans have been approved.”
- “The proposed development looks very attractive with the exception of the bins store. In my experience of developments with communal bin stores all sorts of rubbish will be dumped there”.
- “I am impressed with this small development as it will not impact on the look of the village or break the conservation area. I am slightly concerned about the access onto The Street as visibility is limited”.
- “If these six properties are the only ones designated for Little Waldingfield then I personally have no problem with them being erected in the location as proposed as this I feel will not impact on the village as a whole. If this was not to be the case and more properties were to be building on other proposed sites that would impact on the village then my views on the whole scheme would be considerably different”.
- “Positive to see a proposal for small balanced housing development within the village that needs to evolve in a managed way that could provide housing for those wishing to get on the housing ladder. We need to encourage such development and resist those within the village that oppose any development for their own self interest.”

2.6 CONTAMINATED LAND

- 2.6.1 The land has not previously been developed. The application is accompanied by a Phase I land contamination report produced by Brown 2 Green Associates Ltd which confirms that the site is suitable for residential development.

2.7 DESIGN AND ACCESS STATEMENT

Use

- 2.7.1 The use of the land is justified on the basis that the development accords with local and national planning policy and will help to meet an identified housing need.

Pre-application involvement

- 2.7.2 The proposed development has been the subject of positive pre-application discussions with Dr Jonathan Duck, the Council's Heritage Officer and planning officer

Melanie Corbishley. Dr Duck originally advised that the setting of the conservation area and the listed buildings does not dismiss the principle of development, suggesting that a limited number of small barn-like properties arranged around a courtyard would be a feasible design solution. In response to that advice, an initial scheme was produced which was then the subject of further discussions with Dr Duck and Ms Corbishley. The detailed recommendations regarding scale, form and siting have been incorporated into the current scheme.

Scale, Appearance and Layout

- 2.7.3 The proposed dwellings will be bespoke designs. They will reflect the Suffolk vernacular style and incorporate the use of traditional materials. The design philosophy follows the pre-application advice from the Council's Heritage Officer and creates a farmyard setting consisting of a farmhouse and 5 other dwellings with the appearance of converted barns which will enhance the setting of the conservation area.
- 2.7.4 The proposed scheme is a low density development which has been carefully and sensitively designed to respect its surroundings. Plots 4, 5 and 6 will be single storey dwellings to minimise any impact on adjacent dwellings and to ensure that there is no overlooking or any loss of outlook. Plots 5 and 6 will be the affordable homes.

Access

- 2.7.5 The development will be served by the existing vehicular access. The modern wall along the frontage of Enniskillen Lodge will be demolished and rebuilt and set further back to provide suitable visibility splays.

Landscaping

- 2.7.6 Drawing 4246-01 P1 gives an illustration of how the site will be landscaped. Precise details of landscaping will be agreed at the reserved matters stage.

2.8 DRAINAGE

- 2.8.1 The proposed dwellings will be connected to the mains sewer. Surface water drainage will discharge to soakaways.

2.9 FLOOD RISK ASSESSMENT

2.9.1 The Environment Agency flood maps confirm that the application site is situated within Flood Zone 1 (FZ1) which means that it comprises land which is not at risk of flooding. The application is accompanied by a Flood Risk Assessment produced by Stroud Associates Ltd.

2.10 HERITAGE IMPACT STATEMENT

2.10.1 The vehicular access to the application site is within the Little Waldingfield Conservation Area the boundary of which runs directly to the rear of The Swan and Enniskillen. Both The Swan Inn and Enniskillen are grade II listed buildings.

2.10.2 The Conservation Area Appraisal (CAA) does not specifically refer to the application site and it is not within any of the 'Important Vistas'. The CAA does refer to this part of The Street, stating *"With its concentration of red and white brick cottages and a very wide pavement, the area of The Street adjoining the T-junction has a definite feel of having been at one time more of a centre to the village. The adjoining Swan public house set well back from the road adds to this wider public space and represents the only remaining commercial frontage there."*

2.10.3 The listing entries for the two listed buildings are both short, the entry for The Swan states:

"A C18 timber-framed and plastered house. Now faced in roughcast. 2 storeys. 2 window range on the upper storey and 4 window range on the ground storey, double-hung sashes with glazing bars. A central gabled porch projects on the front. Roof tiled, hipped, with a central chimney stack. A single storey wing extends at the south-west end."

2.10.4 The listing entry for Enniskillen states:

"A C18 or early C19 brick house, plastered. 2 storeys. 3 window range, double-hung sashes with glazing bars. A central gabled latticed porch with shaped bargeboards projects on the front. Roof tiled, with shaped bargeboards to the gables on the north-east and south-west ends."

2.10.5 Paragraphs 195 and 196 of the National Planning Policy Framework (NPPF) set out the considerations when determining applications for development affecting heritage

assets. Paragraph 195 states in part *“Where a proposed development will lead to substantial harm to or total loss of significance of a designated heritage asset, local planning authorities should refuse consent, unless it can be demonstrated that the substantial harm or loss is necessary to achieve substantial public benefits that outweigh that harm or loss”*. This proposal will not lead to substantial harm to or total loss of significance of the conservation area or the two adjacent listed buildings.

2.10.6 Paragraph 195 of the NPPF states *“Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal, including securing its optimum viable use”*.

2.10.7 In this case, the effect of the development on the significance of the conservation area and the setting of the listed buildings is less than substantial harm and is outweighed by the public and social benefits of providing a range of new family homes, including affordable housing.

2.11 LANDSCAPE IMPACT ASSESSMENT

2.11.1 The application site is not within a Special Landscape Area (SLA), Area of Outstanding Natural Beauty (AONB) or any other area of special designation. The site is a discreet location and the development will not have a significant impact on the character of the landscape. The proposed development will not impact on the character of the village as a whole. Any minor visual impact arising from the development can be mitigated by a comprehensive landscaping scheme.

3.0 PLANNING STATEMENT

3.1 National Section 38(6) of the Planning and Compulsory Purchase Act 2004 (As amended) requires planning decisions to be made in accordance with development plan unless material considerations indicate otherwise. In this case, the development plan for the area is the Babergh Core Strategy & Policies (2014) and the ‘saved policies’ of the Babergh Local Plan (2006).

3.1.2 Little Waldingfield Parish Council are in the process of producing a Neighbourhood Plan (NP). The document is still at an early stage and therefore has limited weight.

3.1.3 The emerging Joint Babergh & Mid Suffolk Local Plan is also at an early stage and it too has limited weight.

3.1.4 The National Planning Policy Framework (NPPF) sets out the Government's planning policies and is a material consideration.

3.2 BABERGH CORE STRATEGY & POLICIES (2014)

3.2.1 Policy CS1 of the Core Strategy states that when considering development proposals the Council will take a positive approach that reflects the presumption in favour of sustainable development as set out in the NPPF.

3.2.2 Policy CS2 of the Core Strategy sets out the Council's 'Settlement Pattern Policy' and provides a spatial hierarchy of settlements. The policy designates Little Waldingfield as a 'Hinterland Village'.

3.2.3 Paragraph 2.8.5.1 of the Core Strategy sets out the Council's intention to provide greater flexibility within rural communities, allowing growth and service/infrastructure improvements. This flexibility is reflected in Policy CS11 which makes provision for housing growth on sites outside of the current settlement boundaries defined in the Local Plan.

3.2.4 The Council has published 'Rural Supplementary Planning Guidance' which sets out the main issues for consideration when proposing development under the provisions of Policy CS11. The following paragraphs provide an assessment of the proposal in the context of the Council's guidance (some of the criteria of policy CS11 are addressed within other sections of this report).

Core Strategy Objectives 1, 2 And 7

3.2.5 The proposal will meet Core Strategy objectives 1, 2 and 7 in the following ways: first of all the development will contain a mix of dwelling houses and types which will help to ensure a mixed and balanced community within the development itself and within the village as a whole. Furthermore, the development will provide local jobs in the building trades during construction and, when complete will result in a population increase which will help to sustain services and facilities within the village and within adjoining settlements.

Settlement classification

- 3.2.6 As previously stated, Little Waldingfield is identified as a Hinterland Village. This means that the Council considers that the village is a sustainable settlement suitable for growth.

Relationship to Built Up Area Boundary (BUAB)

- 3.2.7 The access for the application site is within the BUAB, the remainder of the site is adjacent to the BUAB.

Greenfield/brownfield classification

- 3.2.8 The application site is part of the garden of Enniskillen Lodge. However, the High Court judgement **Dartford Borough Council v Secretary of State for Communities & Local Government (CO/4129/2015)** is relevant. That judgement held that only residential gardens within the "built-up area" were exempt from the definition of previously developed land whereas, residential gardens outside "built up areas" were "brownfield". This application site is outside of the built up area of Little Waldingfield and therefore constitutes previously developed (brownfield) land.

Linkage to the village and distances to key services

- 3.2.9 Being adjacent to the BUAB, the site has excellent linkage to the village.

<u>Key Service</u>	<u>Location</u>	<u>Distance from Site</u>
Primary School	Great Waldingfield	2 miles
Post Office	Great Waldingfield	2 miles
Public house	Little Waldingfield	Adjacent to site
Convenience Store	Great Waldingfield	2 miles
Place of Worship	Little Waldingfield	150 yards
GP Surgery	Long Melford	4.5 miles
Dentist	Sudbury/Long Melford	4.5 miles
Playing Field	Little Waldingfield	200 yds
Bus Stop	Little Waldingfield	Adjacent to site

Scale of development

3.2.10 The scale of the proposed development is considered proportionate to the size of the village.

Open Space

3.2.11 The proposed development is a short walk from the playing fields which form the principal area of public open space in the village.

3.3 BABERGH LOCAL PLAN (2006)

3.3.1 The application site is outside, but adjacent to the settlement boundary for Little Waldingfield as defined by the Babergh Local Plan. As the site is outside of the current settlement boundary, for planning purposes, it is considered to be in the countryside where policy HS02 seeks to restrict new housing development.

3.4 LITTLE WALDINGFIELD NEIGHBOURHOOD PLAN (LWNP)

3.4.1 The LWNP is still at an early stage. In May, a LWNP 'drop in' event was held where boards were displayed explaining the NP process and the progress undertaken to date. As part of the evaluation process the LWNP team has concluded that 14 new homes is an appropriate level of housing growth for the village and have identified 3 potential housing allocation sites one of which is the land the subject of this application. The next stage for the LWNP will be to undertake a formal period of consultation on the document. Until that consultation period has been undertaken and comments/objections are addressed the LWNP cannot be given significant weight as a material consideration in the determination of planning applications.

3.5 BABERGH & MID SUFFOLK JOINT LOCAL PLAN (BMSJLP)

3.5.1 The Council has recently published the Babergh & Mid Suffolk Joint Local Plan Preferred Options Consultation Regulation 18 (BMSJLP). The document includes a proposed settlement boundary for the village. The only change to the settlement boundary from that previously designated by the Babergh Local Plan is the inclusion of land on the eastern side of The Street opposite Grove Avenue. All of the land proposed for inclusion within the settlement boundary is within the conservation area and directly opposite two listed buildings (Wood Hall Farm and Wood Hall Barn). Consequently, the

development of that land would have a greater impact on the setting of heritage assets and a greater impact on the character of the village than the land the subject of this application.

- 3.5.2 The BMSJLP Preferred Options Regulation 18 is currently out to public consultation. It is inevitable that there will be a significant number of objections to the draft document. Until the consultation period has expired and comments/objections are addressed the BMSJLP cannot be given significant weight as a material consideration in the determination of planning applications.

3.6 NATIONAL PLANNING POLICY FRAMEWORK (NPPF)

- 3.6.1 At the heart of the NPPF is a presumption in favour of sustainable development. Paragraph 8 of the NPPF describes the three objectives of sustainable development as economic, social and environmental and states that these dimensions give rise to the need for the planning system to provide economic, social and environmental benefits.

- 3.6.2 The development of this site would fulfil each of the three objectives of sustainable development. Firstly, it would meet the economic objective of sustainable development by helping to sustain and improve vitality and viability of local services and facilities in Little Waldingfield and the adjoining villages in the 'functional cluster'.

- 3.6.3 The development would meet the social role of sustainable development by providing a range of new family homes including 2 affordable homes. This is an important consideration given that the Council does not have a 5 year supply of deliverable housing land.

- 3.6.4 The development of the site would also accord with the environmental role of sustainable development. There are bus stops located immediately adjacent to The Swan Inn which provide a limited service to Sudbury and Hadleigh on Tuesdays and Thursdays. However, there are bus stops in nearby Great Waldingfield which provide more regular and frequent services to Long Melford, Sudbury, and Bury St Edmunds.

- 3.6.5 As previously stated, as the site is outside of the current settlement boundary for Little Waldingfield, it is considered to be in the countryside. Paragraph 79 of the NPPF concerns the provision of dwellings in the countryside. It states in part "*Local planning authorities should avoid isolated dwellings in the countryside unless there are special circumstances*".

- 3.6.6 The meaning of the term 'isolated' was the subject of the recent High Court Judgement relating to **Braintree District Council v Secretary of State for Communities and Local Government, Greyread Limited & Granville Development Limited [2017]**. Braintree District Council had applied to the High Court to quash an Inspector's decision which had allowed a development for residential development on land outside of a settlement boundary. The Council claimed that the Inspector has misinterpreted the NPPF as the meaning which should be given to the term "isolated homes" was "homes which were remote from services and facilities". The Judgement of Mrs Justice Lang was that the Council were wrong and that the term 'isolated' should be given its ordinary objective meaning of "far away from other places, buildings, or people; remote" (Oxford Concise English Dictionary). This High Court judgement has subsequently been upheld in the Court of Appeal. Clearly, in this case, the proposed dwellings would not be isolated and therefore there is no need to demonstrate any special circumstances.
- 3.6.7 The matter of access to public transport and reliance on the private car was also considered by Mrs Justice Lang in her judgement. At paragraph 28 of her decision, she acknowledged that "*in rural areas, where public transport is limited, people may have to travel by car to a village or town to access services*" and "*the general policy in favour of locating development where travel is minimised, and use of public transport is maximised, has to be sufficiently flexible to take account of the differences between urban and rural areas.*"
- 3.6.8 The NPPF requires local planning authorities to maintain 5 years supply of deliverable housing land. Babergh District Council cannot demonstrate a 5 year supply of deliverable housing land. Consequently, its planning policies for the provision of new housing development (CS1, CS2, CS11 and HS02 referred to previously) are out of date.
- 3.6.9 Paragraph 11 of the NPPF states that where the policies which are most important for determining the application are out-of-date, permission should be granted unless (i) The application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed, or, (ii) Any adverse impacts of doing so would significantly and demonstrably outweigh the benefits when assessed against the policies in this Framework taken as a whole.
- 3.6.10 In this case, the proposed development would not conflict with any policies which protect areas or assets of particular importance as the application site is not in an area protected from development. Furthermore, the scheme will bring with it economic,

social and environmental benefits as previously described and there would be no adverse impacts arising from the development which would significantly and demonstrably outweigh those benefits.

4.0 CONCLUSIONS

- 4.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 (As amended) requires planning decisions to be made in accordance with development plan unless material considerations indicate otherwise.
- 4.2 The NPPF is a material consideration. The NPPF states that in cases where the Council does not have a 5 year supply of deliverable housing land, (as is the case with Babergh District Council) its development plan policies for the provision of housing should be considered as out of date and planning applications should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits.
- 4.3 In this case the proposed development provides an opportunity for a range of housing types and sizes to meet local need. Furthermore, the proposal would generate economic, social and environmental benefits and would not cause any impacts that would significantly outweigh those benefits.

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