



CABINET

Tuesday, 01 November 2022

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| Subject | Housing in Clusters and Small Scale Residential Development in the Countryside Supplementary Planning Document |
| Report of | Councillor David Ritchie Cabinet Member with responsibility for Planning and Coastal Management |
| Supporting Officer | Ben Wright Planner (Policy and Delivery) ben.wright@eastsoffolk.gov.uk 01502 523082 |

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| Is the report Open or Exempt? | OPEN |
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| Category of Exempt Information and reason why it is NOT in the public interest to disclose the exempt information. | Not applicable. |
| Wards Affected: | All Wards |

Purpose and high-level overview

Purpose of Report:

The purpose of this report is to recommend the adoption of the Housing in Clusters and Small Scale Residential Development in the Countryside Supplementary Planning Document (SPD).

The Housing in Clusters and Small Scale Residential Development in the Countryside SPD supports the implementation of policies relating to small scale residential development in the countryside in the East Suffolk Council – Suffolk Coastal Local Plan and East Suffolk Council – Waveney Local Plan. The policies are:

SCLP5.4 Housing in Clusters in the Countryside (Suffolk Coastal Local Plan)

WLP8.7 Small Scale Residential Development in the Countryside (Waveney Local Plan)

The SPD provides guidance including how to identify areas that could be considered as 'Clusters'/'Settlements in the Countryside', the requirements for sites to be considered appropriate for development, the landscape and characters considerations of such development, the expectations of public engagement on proposals and how SCLP5.4 and WLP8.7 relate to other policies in the Local Plans. The Housing in Clusters and Small Scale Residential Development in the Countryside SPD is appended at Appendix A of this report.

Options:

Adopt the Housing in Clusters and Small Scale Residential Development in the Countryside SPD. This will mean the Council has an SPD in place to guide the implementation of the affordable housing planning policies.

An alternative option would be to not adopt the Housing in Clusters and Small Scale Residential Development in the Countryside SPD and continue to implement the planning policies without the additional guidance. However, this would be a missed opportunity to provide further clarification on the requirements of the policies and to ultimately support effective implementation of the relevant Local Plan policies.

Recommendation/s:

1. That the Housing in Clusters and Small Scale Residential Development in the Countryside Supplementary Planning Document be adopted.
2. That the Head of Planning and Coastal Management, in consultation with the Cabinet Member with responsibility for Planning and Coastal Management, be authorised to make any presentational or typographical amendments to the Housing in Clusters and Small Scale Residential Development in the Countryside Supplementary Planning Document prior to it being published.

Corporate Impact Assessment

Governance:

No impacts.

ESC policies and strategies that directly apply to the proposal:

The Housing in Clusters and Small Scale Residential Development in the Countryside SPD primarily supports the implementation of policy SCLP5.4 Housing in Clusters in the Countryside in the East Suffolk Council – Suffolk Coastal Local Plan (2020) and policy WLP8.7 Small Scale Residential Development in the Countryside in the East Suffolk Council – Waveney Local Plan (2019).

Environmental:

The Housing in Clusters and Small Scale Residential Development in the Countryside SPD supports the implementation of planning policies relating to small scale residential development in the countryside. The Housing in Clusters and Small Scale Residential Development in the Countryside SPD contains guidance on consideration of landscape impacts of small scale developments in the countryside. A Strategic Environmental Assessment Screening Opinion (Appendix C) was undertaken and concluded that a full Strategic Environmental Assessment would not be necessary. A Habitats Regulations Assessment Screening Statement (Appendix D) was also undertaken and concluded that the Housing in Clusters and Small Scale Residential Development in the Countryside SPD will not lead to likely significant effects on protected Habitat sites.

Equalities and Diversity:

An Equality Impact Assessment Screening Opinion was produced in June 2022 to accompany consultation on the draft Housing in Clusters and Small Scale Residential Development in the Countryside SPD (Appendix E). The SPD has also been subject to separate Equality Impact Analysis as part of the production of this report (ref: EQIA448757577) in September 2022. Both assessments concluded no differential negative impacts on those with protected characteristics.

Financial:

The production and adoption of the Housing in Clusters and Small Scale Residential Development in the Countryside SPD is covered by the existing budget of the Planning Policy and Delivery Team.

Human Resources:

No Impacts.

ICT:

No Impacts.

Legal:

The Housing in Clusters and Small Scale Residential Development in the Countryside SPD has been produced in accordance with the Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended).

The Housing in Clusters and Small Scale Residential Development in the Countryside SPD has been subject to a Strategic Environmental Assessment Screening Opinion in accordance with the Environmental Assessment of Plans and Programmes Regulations

2004 (Appendix C). It has also been subject to a Habitats Regulation Assessment Screening Statement, in accordance with the Conservation of Habitats and Species Regulations 2017 (as amended) (Appendix D). An Equality Impact Assessment Screening opinion was produced to meet the requirements of the Equality Act 2010 (Appendix E).

Risk:

There are no risks envisaged in relation to the implementation of the recommendations.

External Consultees:

The Housing in Clusters and Small Scale Residential Development in the Countryside SPD has been subject to consultation during its preparation in accordance with the Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended) and the Council's Statement of Community Involvement (April 2021). The list of consultees, respondents, summaries of their comments and how these have been responded to can be found in the Consultation Statement which is appended to this report (Appendix B).

Strategic Plan Priorities

| Select the priorities of the Strategic Plan which are supported by this proposal: (Select only one primary and as many secondary as appropriate) | | Primary priority | Secondary priorities |
|---|--|-------------------------------------|--------------------------|
| T01 | Growing our Economy | | |
| P01 | Build the right environment for East Suffolk | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| P02 | Attract and stimulate inward investment | <input type="checkbox"/> | <input type="checkbox"/> |
| P03 | Maximise and grow the unique selling points of East Suffolk | <input type="checkbox"/> | <input type="checkbox"/> |
| P04 | Business partnerships | <input type="checkbox"/> | <input type="checkbox"/> |
| P05 | Support and deliver infrastructure | <input type="checkbox"/> | <input type="checkbox"/> |
| T02 | Enabling our Communities | | |
| P06 | Community Partnerships | <input type="checkbox"/> | <input type="checkbox"/> |
| P07 | Taking positive action on what matters most | <input type="checkbox"/> | <input type="checkbox"/> |
| P08 | Maximising health, well-being and safety in our District | <input type="checkbox"/> | <input type="checkbox"/> |
| P09 | Community Pride | <input type="checkbox"/> | <input type="checkbox"/> |
| T03 | Maintaining Financial Sustainability | | |
| P10 | Organisational design and streamlining services | <input type="checkbox"/> | <input type="checkbox"/> |
| P11 | Making best use of and investing in our assets | <input type="checkbox"/> | <input type="checkbox"/> |
| P12 | Being commercially astute | <input type="checkbox"/> | <input type="checkbox"/> |
| P13 | Optimising our financial investments and grant opportunities | <input type="checkbox"/> | <input type="checkbox"/> |
| P14 | Review service delivery with partners | <input type="checkbox"/> | <input type="checkbox"/> |
| T04 | Delivering Digital Transformation | | |
| P15 | Digital by default | <input type="checkbox"/> | <input type="checkbox"/> |
| P16 | Lean and efficient streamlined services | <input type="checkbox"/> | <input type="checkbox"/> |
| P17 | Effective use of data | <input type="checkbox"/> | <input type="checkbox"/> |
| P18 | Skills and training | <input type="checkbox"/> | <input type="checkbox"/> |

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| P19 | District-wide digital infrastructure | <input type="checkbox"/> | <input type="checkbox"/> |
| T05 | Caring for our Environment | | |
| P20 | Lead by example | <input type="checkbox"/> | <input type="checkbox"/> |
| P21 | Minimise waste, reuse materials, increase recycling | <input type="checkbox"/> | <input type="checkbox"/> |
| P22 | Renewable energy | <input type="checkbox"/> | <input type="checkbox"/> |
| P23 | Protection, education and influence | <input type="checkbox"/> | <input type="checkbox"/> |
| XXX | Governance | | |
| XXX | How ESC governs itself as an authority | <input type="checkbox"/> | <input type="checkbox"/> |
| <p>How does this proposal support the priorities selected?</p> <p>The Housing in Clusters and Small Scale Residential Development in the Countryside SPD supports the delivery of Strategic Plan priority P01 by providing guidance to support the implementation of policies contained in the Local Plans which support limited, small scale development in the countryside, which will in turn help to address housing needs.</p> | | | |

Background and Justification for Recommendation

| 1 Background facts | |
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| 1.1 | The Council has two adopted Local Plans: the East Suffolk Council – Waveney Local Plan (March 2019) and the East Suffolk Council – Suffolk Coastal Local Plan (September 2020). These Local Plans both contain policies that support limited development in the countryside, namely SCLP5.4 Housing in Clusters in the Countryside in the Suffolk Coastal Local Plan and policy WLP8.7 Small Scale Residential Development in the Countryside in the Waveney Local Plan. |
| 1.2 | Planned housing growth in the Local Plans is focused largely upon the urban areas and defined larger settlements and villages. However, as part of those strategies both Local Plans also provide opportunities for some limited housing to come forward in the countryside. The 'countryside' in the context of planning is anywhere, except site allocations, within East Suffolk that is outside of the Settlement Boundaries as defined by SCLP3.3 of the Suffolk Coastal Local Plan and WLP1.2 of the Waveney Local Plan or in a Neighbourhood Plan. |
| 1.3 | The Housing in Clusters and Small Scale Residential Development in the Countryside SPD (Appendix A) provides guidance on a range of topics including how to identify areas that could be considered as 'Clusters'/'Settlements in the Countryside', the requirements for sites to be considered appropriate for development, the landscape and characters considerations of such development, the expectations of public engagement on proposals and how SCLP5.4 and WLP8.7 relate to other policies in the Local Plans. |
| 1.4 | The Housing in Clusters and Small Scale Residential Development in the Countryside SPD does not create new policies but rather seeks to provide guidance that will help with the implementation of relevant policies in the Suffolk Coastal and Waveney Local Plans. Since the adoption of the Local Plans, a relatively large number of applications have come forward related to these policies, some of which have resulted in appeals. Some communities have also raised concerns about what these policies could mean to their areas. |

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| 1.5 | The Housing in Clusters and Small Scale Residential Development in the Countryside SPD has been prepared in accordance with the Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended). |
| 1.6 | The preparation of the Housing in Clusters and Small Scale Residential Development in the Countryside SPD has involved officers from the Council's Planning Policy and Delivery, Development Management, and Design and Conservation teams. The preparation of the document has been overseen by the Local Plan Working Group. |
| 1.7 | The Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended) require the Council to undertake consultation to inform the production of the SPD and, as a minimum, require that the draft document is published for four weeks and that during that time it is available on the Council's website and that physical copies are available for inspection in the Council offices. The Council's adopted Statement of Community Involvement (April 2021) also sets out further measures and actions that the Council will undertake when consulting on a draft SPD including publicising via social media sites and making copies of documents available in libraries. |
| 1.8 | The Housing in Clusters and Small Scale Residential Development in the Countryside SPD was subject to two rounds of consultation during its preparation, the details of which are contained in the Consultation Statement (Appendix B). The first was an initial consultation to inform the scope and content of the SPD. The initial consultation was carried out between March and May 2022. This initial consultation took the form of targeted workshops which involved an interactive session, using examples of possible locations where the policy may apply, in which questions, issues and suggestions for the SPD could be raised (see Consultation Statement in Appendix B). A workshop for Agents and Developers was held on the 28 th March (9 attendees), and a workshop for Town and Parish Councillors was held on the 31 st March (22 attendees). A Councillor workshop was also held on the 9 th May (16 attendees). Summaries of the consultation responses, and how they were addressed in drafting the SPD, are contained in the Consultation Statement (Appendix B). |
| 1.9 | Consultation on the draft Housing in Clusters and Small Scale Residential Development in the Countryside SPD ran for seven weeks from 17 th June until 5 th August 2022. The consultation was advertised on the Council's website, as well as on social media. 4,231 emails and 441 letters were sent out at the start of the consultation to the consultees on the planning policy mailing list which includes town and parish councils, individuals and organisations, including those who were previously contacted or responded to the informal stage of the consultation. In total 55 individuals and organisations responded to the consultation. Between them they made 106 comments. |
| 1.10 | The main themes of the comments received are summarised below; however, some of the comments covered very specific matters and it is not possible to summarise all of them here in a succinct manner. The full consultation responses have been published on the Council's consultation website (see - https://eastsuffolk.inconsult.uk/Draft_Housing_Clusters_SPD/listResponses) and are all summarised in the Consultation Statement (Appendix B). |
| 1.11 | The main issues raised through the consultation on the draft Housing in Clusters and Small Scale Residential Development in the Countryside SPD were: <ul style="list-style-type: none"> • Overall support from some respondents; |

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| | <ul style="list-style-type: none"> • Compliments on the use of illustrations to explain concepts and considerations; • Some objections to the principle of the policies; • Requests for further references to Neighbourhood Plans and documents from other authorities where relevant; • Suggestions that we should advise applicants to consult with the planning service, including specialist services, when developing proposals; • Respondents asked for clarity as to how existing non-residential uses will be considered as part of a 'Cluster'; • Respondents asked for clarity as to when a permitted dwelling would be considered as part of a 'Cluster' or 'Settlement in the Countryside'; • Requests for measurements to be provided that would determine what could be considered a 'clearly identifiable gap'; • Concerns raised over the potential cumulative impacts of proposals and how this will be considered |
| 1.12 | <p>Changes have been made to address many of the comments received, where appropriate, including:</p> <ul style="list-style-type: none"> • Further references to Neighbourhood Plans have been made in the document; • An additional paragraph has been added to the Introduction highlighting the importance of pre-application advice from the Council; • Paragraph 2.6 has been expanded to state that non-residential uses can exist within a 'Cluster' but the main consideration will be the close grouping of existing dwellings. This has also been clarified on Illustration 1; • Paragraphs 2.9 and 3.8 have been amended to state that a permitted dwelling must be under construction to be considered as part of a 'Cluster' or 'Settlement in the Countryside'. • Paragraphs 4.6 and 5.3 have been expanded to provide clearer guidance on how 'Gaps' will be considered and how they relate to the character of the area in which they exist; • Paragraphs 4.7 and 4.12 have been expanded to provide an explanation as to how non-residential uses surrounding potential sites will be considered; • Paragraph 4.12 and 5.9 have been expanded to highlight the importance of considering cumulative impacts; • Illustration 5 has been amended to provide a clearer explanation that it has been developed to show how proposals for more than 1 dwelling would be considered; • Illustration 10 has been created to provide further context and explanation to the considerations of non-residential uses and cumulative impacts.; • Paragraphs 6.1 and 6.5 has been amended to highlight that the consideration of 'Gaps' is covered in chapters 4 and 5; • Paragraph 6.17 has been added to the document reference heritage assets and relevant Local Plan policies; • Paragraphs 6.20 and 6.21 (were 6.18 and 6.19) have been amended to include reference to the Broads Authority and their Dark Skies. References to this have also been added to paragraph 5.8; • Paragraph 6.24 (was 6.22) has been amended to clarify that cumulative impacts will be considered in all cases in the former Suffolk Coastal area under policy SCLP5.4; |

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| | <ul style="list-style-type: none"> Paragraphs 8.2 and 8.3 have been added to Chapter 8 about Biodiversity and Landscape policies in the Local Plans; Paragraphs 8.8 and 8.9 (were 8.6 and 8.7) have been amended to specifically highlight the unique character of Newbourne. <p>In addition, further changes have been made to address typographical and grammatical errors and to provide clarity on certain elements of guidance.</p> |
| 1.13 | Under the Environmental Assessment of Plans and Programmes Regulations 2004 screening was carried out on the draft Housing in Clusters and Small Scale Residential Development in the Countryside SPD to determine whether a full Strategic Environmental Assessment would be required. The screening concluded that this was not required. The final Strategic Environmental Assessment Screening Opinion is appended to this report (Appendix C). |
| 1.14 | Habitat Regulations Assessment screening was also undertaken which concluded that implementation of the Housing in Clusters and Small Scale Residential Development in the Countryside SPD would not lead to likely significant effects on protected Habitat Sites and that it is therefore not considered necessary to undertake an Appropriate Assessment. The final Habitat Regulations Assessment Screening Statement is appended to this report (Appendix D). |

2 Current position

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| 2.1 | Adopted planning policy on small scale residential development in the countryside is set out in the Council's two Local Plans. The two adopted local plans are the East Suffolk Council – Suffolk Coastal Local Plan (September 2020) and the East Suffolk Council – Waveney Local Plan (March 2019). The specific policies in the Local plans are SCLP5.4 Housing in Clusters in the Countryside in the Suffolk Coastal Local Plan and policy WLP8.7 Small Scale Residential Development in the Countryside in the Waveney Local Plan. |
| 2.2 | There is currently no other guidance to directly support decision making on these specific policies. There are clear benefits in providing additional guidance in terms of providing clarity and, ultimately, achieving appropriate development. |

3 How to address current situation

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| 3.1 | The Housing in Clusters and Small Scale Residential Development in the Countryside SPD (Appendix A) provides planning guidance on policies SCLP5.4 Housing in Clusters in the Countryside and WLP8.7 Small Scale Residential Development in the Countryside. It has been prepared to support the implementation of policies contained in the adopted Local Plans. |
| 3.2 | On adoption the Housing in Clusters and Small Scale Residential Development in the Countryside SPD will be a material consideration in the determination of planning applications. |

4 Reason/s for recommendation

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| 4.1 | Adoption of the Housing in Clusters and Small Scale Residential Development in the Countryside SPD will provide guidance to assist with the implementation of the |
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| | Council's Local Plan policies SCLP5.4 Housing in Clusters in the Countryside and WLP8.7 Small Scale Residential Development in the Countryside. |
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Appendices

| Appendices: | |
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| Appendix A | Housing in Clusters and Small Scale Residential Development in the Countryside Supplementary Planning Document |
| Appendix B | Consultation Statement (October 2022) |
| Appendix C | Strategic Environmental Assessment Screening Opinion (June 2022) (produced to accompany consultation on draft SPD) |
| Appendix D | Habitat Regulations Assessment Screening Statement (June 2022) (produced to accompany consultation on draft SPD) |
| Appendix E | Equality Impact Assessment Screening Opinion (June 2022) (produced to accompany consultation on draft SPD) |

| Background reference papers: | | |
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| Date | Type | Available From |
| March 2019 | East Suffolk Council-Waveney Local Plan | https://www.eastsuffolk.gov.uk/planning/planning-policy-and-local-plans/local-plans/ |
| September 2020 | East Suffolk Council-Suffolk Coastal Local Plan | https://www.eastsuffolk.gov.uk/planning/planning-policy-and-local-plans/local-plans/ |
| September 2022 | Equality Impact Analysis (EQIA448757577) | Available on request |