

MID SUFFOLK DISTRICT COUNCIL
DEVELOPMENT CONTROL COMMITTEE - 18 March 2013

AGENDA ITEM NO 1
APPLICATION NO 4002/14
PROPOSAL Outline application for residential development of up to 190 dwellings with access, landscape, open space and associated infrastructure.
SITE LOCATION Land between Gipping Road and Church Road, Stowupland
SITE AREA (Ha) 10.9
APPLICANT Gladman Developments Ltd
RECEIVED December 19, 2014
EXPIRY DATE March 23, 2015

REASONS FOR REFERENCE TO COMMITTEE

The application is referred to committee for the following reason:

It is a "Major" application for:-

a residential development for 15 or over dwellings

PRE-APPLICATION ADVICE

1. Limited pre-application advice was provided, where it was stated that the proposed development was outside the settlement boundary of Stowupland and therefore the proposal would be contrary to Policy CS2 of the Mid Suffolk Core Strategy.

SITE AND SURROUNDINGS

2. The site comprises two agricultural fields divided by a hedgerow, situated between Gipping Road and Church Road to the North East of the village boundary of Stowupland. The overall site measures 10.87 hectares. The southern part of the site is accessed off Church Road which lies to the south. To the east of the site is a meadow are bisected by footpaths and further arable fields. Along the Church Road frontage to the east of the site is a large garden area and then a row of four terraced cottages, the nearest neighbour being Rosemary. Adjacent to this terrace is a cluster of dwellings a number of which are Grade II listed. To the west of the site are two detached dwellings Waveney and Birdwood situated on Church Road with the playing field of the Freeman Community Primary School to the rear.

The northern field is accessed off Gipping Road, to the east of this part of the site is an agricultural field, while to the north immediately adjoining the site are four houses, Ivy Cottage, Privet Cottage, Torcross and Milgir. To the west of

the northern half of the site is a housing estate, with the rear gardens of nos. 1 to 47 Trinity Walk backing onto the site. Opposite the site is the entrance to the Grade II* listed Columbine Hall.

There are two public footpaths on the site, one which bisects the site and then skirts around the site to Trinity Walk and one which comprises a path on the edge of the site. Within the site are also a number of ditches and ponds.

HISTORY

3. The planning history relevant to the application site is:

No relevant history

PROPOSAL

4. The application is for outline planning permission for up to 190 dwellings with all matters except access reserved. An indicative layout has been provided and detailed plans of the two road accesses which are proposed to access off both Church Road and Gipping Road, going through the site. There would be three blocks of residential development, two on the southern field together comprising 2.36 hectares and one on the northern field comprising 5.37 hectares. The indicative layout also shows the existing trees and hedgerows on the boundary and centre of the site remaining with a landscape buffer between the development and the fields to the east. Areas of open space are indicated along Church Road and within the centre of the site where a play area is also indicated. Two drainage ponds are shown as is the retention of an existing pond on the edge of the site. Various footpath links through the site are also indicated.

POLICY

5. **Planning Policy Guidance**

See Appendix below.

CONSULTATIONS

6. **Stowupland Parish Council received 30th January 2015**
Objects to the proposal.
- Considered that it is too large for the village, is in the wrong location and is unsustainable. The number of dwellings would add more than 20% to the population of the village and would overwhelm the village. The NPPF states that plans and decisions need to take local circumstances into account when considering the presumption in favour of sustainable development.
 - The development will result in people driving children to schools in Stowmarket at the same time as the peak traffic movements at the two village schools.
 - The proposed quantity of new residents will put a strain on some of the village facilities, particularly football.

- Most of the new residents will commute outside the village using cars. The proposed development will be in addition to planned growth set out in the SAAP and place unsustainable demand on health care provision and other services and facilities.
- The development would set a precedent for similar unplanned development in other parishes increasing the stress on services and facilities.
- Traffic from the development will have a detrimental impact on the whole village. The access onto Gipping Road is totally unsuitable and will cause danger to all users of the road, have a detrimental impact on the residential amenity of properties adjacent to the site in Gipping Road and a detrimental impact on the setting and historical context of Columbine Hall.
- Church Road, the A1120 is heavily used and as there are insufficient public transport links, the proposal will result in a large amount of additional traffic causing congestion and danger to all.
- At peak times the junction with the B1115 is congested, the junction is close to the garage used by residents to buy items and additional traffic movements would be detrimental to road safety.
- The development will result in loss of residential amenity for those living close to it and loss of visual amenity to all residents of the village particularly those who use the footpath network and pass the site.
- The site is essential part of the character of the village, the development will change the character of the road by urbanisation and will be out of character with the settlement pattern in the village.
- The development would destroy the setting and historical context for the Grade II* listed Columbine Hall and scar the rural setting of the village including outlying development.
- Result in loss and damage of important views.
- Lead to loss of natural habitats in the ditches, ponds, tree and hedgerows.
- New dwellings are not going to be of the same proportions to the low density housing along Church Road and Gipping Road and will look out of place next to a rural village.
- The proposal is contrary to Policies CS2, CS5 and FC2 of the District Council's development framework.
- The Stowmarket Area Action plan does not allocated sites in Stowupland.
- The Parish Council is developing a neighbourhood plan and this development would deprive the community of deciding how much growth is needed and where it should go.
- Mid Suffolk District has a 5 year housing supply.
- The proposed development is unsustainable and contrary to the NPPF and the development plan. The proposed development would significantly and demonstrably outweigh the benefits of providing a large number of dwellings in Mid Suffolk.

Stowmarket Town Council received 27th January 2015

Recommends refusal of the planning application as it would have a serious detrimental effect on local services including education, health provision, open space, sport and recreation provision, library services, sewerage and drainage, and the development would have a serious detrimental effect on the local road network.

MSDC Planning Policy received 5th March 2015

Policy background

Core Strategy Focused Review provides for 450 of green field sites for Key Services Centre village, over a 15 year period. This represents an average provision for at least 45 houses on green field land. The Stowmarket Area Action Plan, concluded that there was no need for a housing allocation at Stowupland, there being substantial housing sites allocated nearby in the adjacent main town of Stowmarket. Stowupland Parish Council is preparing a Neighbourhood Plan, to consider future housing requirement of the village.

Housing Land Supply

The current Annual Monitoring Report for Babergh and Mid Suffolk estimates that the housing supply for Mid Suffolk as at 31 March 2014 was 5.5 years, including a 5% "buffer". The applicants accept a 5% buffer as appropriate. We have carried out an interim update of Mid Suffolk's housing land supply situation as at the end of January 2015. This indicates that there is no longer a 5 year supply of housing land. It is estimated to be 4.3 years, including a 5% buffer. This would equate to a shortfall of about 300 homes.

Other matters

- A main concern is the proposed scale of development and its impact on the village of Stowupland. 190 would represent about a 20% increase to the existing housing stock of Stowupland, estimated at 920
- Impact on local character/distinctiveness
- Stowupland needs to maintain its separate village character
- Policy H3 is partly retained
- Implications for local services and infrastructure
- Traffic generation
- Development would pre-empt community-led planning through the Neighbourhood Plan for Stowupland

SCC Highways received 27th January 2015

The proposed access of Gipping Road will result in additional traffic using Gipping Road and Thorney Green Road, which are unsuitable along some sections because of lack of footways, narrow width making it difficult for two vehicles to pass and high speeds to the east of the site. This additional traffic will result in a reduction in highway safety. An option of a single vehicular access off the A1120 should be considered with an emergency access off Gipping Road with a pedestrian/cycle link. The proposed new junction of the A1120 should have visibility splays of 4.5 x 90m. The suggested change to the speed limit on Gipping Road would require a Transport Regulation Order which cannot be guaranteed.

SCC Highways received 20th February 2015

Confirm that the access arrangements as currently submitted, will result in an increase of traffic on Gipping Road, Thorney Green, Thorney Green Road and Rendall Lane. These roads are unsuitable for extra traffic for the following reasons;

- Lack of footways resulting in pedestrians having to walk in the road along some sections
- High vehicle speeds to the east of the proposed development access where the speed limit is derestricted
- Narrow road widths making it difficult for two vehicles to pass

- Junctions with substandard visibility, such at the junction of Rendall Lane and Gipping Road.

For the above reasons we recommend that the application be refused in the interest of highway safety.

SCC Highways - section s106 contributions received 4th February 2015

Request contributions to upgrade various footpaths in the vicinity, costs in association with the travel plan, a contribution towards bus stop improvements and highway improvements.

SCC – Development Contributions received 6th January 2015

Possible infrastructure requirements for Suffolk County Council are as follows:

Education – The local catchment schools are Stowupland Freeman CP School and Stowupland High School. There are 14 surplus places available at primary school level but no surplus places available at the catchment secondary school.

Based on this current position we will require contributions towards providing education facilities for the 74 pupils arising, at a total cost of £1,165,392.

Pre-school provision – There is one early years provider (Stowupland Pre School) in this areas and currently there are 5 spaces available. Therefore request a capital contribution for 14 places at a cost of £85,274.

Transport – The development will require a travel plan to include the following:

- Travel Plan Monitoring and Support Fee - £5,000
- Suffolk Care Share Contribution - £950 (£5 x 190 dwellings)
- Travel Plan Implementation and Target Bond - £157,010

Libraries – Contribution of £216 per dwelling is sought i.e. £41,040 which will be spent on enhancing provision at Stowmarket Library.

Waste – Contribution of £51 per dwelling is sought i.e. £9,690 which will be spent on enhancing provision in Stowmarket.

NHS England received 9th February 2015

Require a contribution of £62,400 to provide additional capacity at Stowhealth Centre which is currently over capacity.

English Heritage received 22nd January 2015

The site lies to the south of Columbine Hall the surviving part of a grade II* listed manor house dating from c.1400 and c.1600. Concern raised that the proposed development would erode the wider rural setting and significance of Columbine Hall.

The residential development is an extension to the eastern side of Stowupland between Gipping and Church Road, lies to the south of Columbine Hall, opposite and drive to the Hall which leads off Gipping Road. At present the drives lies beyond the edge of the village so a visitor has the sense of having left the settlement and being within the rural landscape which forms the wider setting of the hall,. The construction of a large residential development on this land would change its character from a rural field to part of the modern village. This would erode the rural setting of the Hall. The illustrative master plans shows the northern half of the site being the most densely development with housing along Gipping Road. We consider there is scope for some residential

development here, but that retaining a green buffer at the northern end and the appropriate treatment of the northern edge of the housing would help preserve the setting of Columbine Hall. The extent of the green buffer should be informed by further analysis.

MSDC Heritage Team received 5th February 2015

Considered that the proposal would cause less than substantial harm to the setting of Columbine Hall. The northern end of the development would be immediately opposite the driveway to this significant heritage asset, diluting the rural character of its extended setting. The harm could be reduced by adding a green buffer zone to the northern end of the development site to obscure views.

Some impact would also be had from the reduction of the division of the village core from the linear isolated designated heritage assets along Church Road, a partial green buffer has been provided in the eastern corner but there are still properties indicated fronting Church Road adjacent to the existing village. This impact could be reduced by continuing the green buffer the entire length of Church Road. Views across the site of the spire of Holy Trinity church will be obscured; the impact is negligible as there will be other long range views which will be unaffected.

A more detailed assessment is required of the significance of the settings of the heritage assets that are to be affected by the scheme.

Landscape Planning Officer received 2nd February 2015

This is a significant development area for a village the size of Stowmarket and there will be a significant visual impact on the existing settlement and also on the surrounding countryside. There will be limited separation to the two parts of the development area, which will be dissected by the main access road this will intrude physically and visually into the field landscape cutting through the only remaining cross field hedge in this locality. The development will impact on one of the most sensitive areas of the site, the low lying field which is framed by the playing field to the south west and the pond and meadow to the north east. The development framework proposed does not reflect the high quality landscape character of this central area. The land to the west consists of playing fields is designated as a Visually Important Open Space (VIOS), the quality of this space and its connection to the wider countryside with views across the landscape from the north east towards the Holy Trinity Church and its steeple should be preserved. The impact on the VIOS does not appear to have been specifically assessed.

The north eastern edge of the development areas contains either non or limited hedgerow or trees. There will be virtually no immediate screening afforded to the development areas. In addition to this the hedgerows to the east of the site are often fragmented or non-existing allowing clear views from the direction of properties to the east of the site. Proposals to provide a 20 metre landscape buffer zone will be beneficial but this will take a minimum of 30 years to offer a beneficial visual screen. The visual impact on Gipping Road will be significant with the loss of part of the mature tree belt and hedgerow resulting from a highway access point. There will also be an impact on the visual appearance of the driveway approach to the Grade II* listed Columbine Hall. The creation of a green space area along part of the frontage will help offset the impact to an extent. The proximity of new housing to the cluster of properties on Gipping

Road will result in them becoming absorbed by the estate and losing the current character of a more isolated group. The plot size and gardens to these properties is restricted on their southern aspect making them more vulnerable to visual intrusion. Impact on existing properties in Trinity Walk will be limited.

There is likely to be a wide impact from night time light glow on the surrounding landscaping which will effectively bring the sense of developed village into contact with two outlying clusters of houses on Church and Gipping Road. Lighting will also impact on the VIOS areas of the village damaging the link between the dark fields and the wider countryside. The assessment within the Landscape and Visual Appraisal underestimates the visual impacts from the development.

Should MSDC be minded to approve the development recommend various amendments to the planning framework including carrying out advance planting, off site planting and hedgerow reinstatement, create a greater area of natural open space adjacent to the existing planning fields, create a green space setting for the cluster of properties of Gipping Road, new native hedge along Church Road, that the development is linked to foot and cycle way access routes. Also recommends a master plan approach to any reserved matters.

MSDC Strategic Housing received 17th February 2015

The application has offered to provide 40% affordable housing, however only 25% of this to be delivered on site. It is difficult for the District Council to guarantee delivery of sufficient affordable units on alternative sites. On site delivery provides more certainty as well as economies of scale and optimum use of both Council and Registered Provider resources in the allocation of completed dwellings. There is a district wide need for affordable housing and a need for both smaller affordable and market dwellings. Part of the site had been earmarked for a Rural Exception Scheme to provide affordable homes for local people.

Suffolk Wildlife Trust received 5th February 2015

The hedgerows have been identified as being of moderate to very high value and on the indicative plan these appears to be breached this will have an adverse impact on the biodiversity value of the site. The introduction of external lighting has the potential to have an adverse impact on nocturnal wildlife. Recommends that significant ecological enhancements are secured and a long term habitat management plan is produced. Recommends condition that recommendations made within the ecological survey reports should be implemented in full.

MSDC Environmental Protection - Land Contamination received 19th January 2015

No objections, recommend condition relating to contaminated land.

SCC Flood & Water Team received 7th January 2015

Various questions and comments relating to the Flood Risk Assessment

SCC Archaeological Service received 9th January 2015

Proposed development site lies in an area of high archaeological potential. There is a moderate potential for later Iron Age and Roman deposits. In order to establish the full archaeological implications of the site the application should

be required to provide a field evaluation to assess the potential for below ground heritage assets before the determination of a planning application. This will establish whether there are any remains of significance worth of protection and preservation in situ, which need to be considered in the development design. The evaluations should comprise a geophysical survey and a programme of trial trenching.

SCC Archaeological Service received 17th February 2015

Received geophysics report for site which gives a largely negative impression. Recommend condition relating to further archaeological work.

SCC Public Rights of Way received 20th January 2015

Public Footpaths 45, 49, 50 and 52 are recorded through the development site, Public Footpaths 46, 51, 53 and 54 are adjacent. No objection to the proposed works.

Environment Agency received 14th January 2015

The development site lies in Flood Zone 1 which is the area of low flood probability. More vulnerable development greater than 1 hectare, can generate significant volumes of surface water. The proposed development will only meet the requirements of the NPPF if the measures detailed in the Flood Risk Assessment submitted with this application are implemented and secured by way of a planning condition of any planning permission. Recommends condition relating to a surface water drainage scheme for the site, scheme for the provision and implementation of water, energy and resource efficiency measures and rainwater harvesting.

MSDC Arboriculture Officer received 13th January 2015

The Arboricultural Assessment submitted with the application provides a generally accurate record of the trees and hedges found at the site. As these are primarily located around the site boundaries their retention and protection should be achievable subject to an appropriate site layout design and a Tree Protection Plan. A single tree and some small sections of hedgerow are proposed for removal in order to facilitate the development. Although the impact of this loss of amenity will be low due to the value of the trees/hedges affected, suitable new planting should be provided elsewhere on the site in mitigation.

MSDC Communities Officer – Open Space, Sport and Recreation Strategy received 23rd January 2015

A contribution/on-site provision will be required for play areas, informal recreation space, village halls, outdoor pitches and other sports facilities. The exact contribution required is calculated on the occupancy level at a total contribution of £1835 per person. The village hall requires further improvement work and there is current pressure on the shared parking. The play area behind the village hall requires upgrading, given the proximity of the existing play area to the proposed development, an onsite play area may not be required. The facilities for the football club are at capacity and the quality of pitches needs to be improved. The shared changing facilities for the football club and cricket club need to be upgraded and extended. Investment will also be required in the Stowupland bowls club. Major new sport facilities are planned for Stowmarket and given Stowupland's close proximity to Stowmarket these facilities will be used by residents from Stowupland.

Anglian Water received 26th January 2015 – No objection recommend condition relating to a foul water strategy.

SCC Highways Travel Plan received 27th January 2015 – Detailed comments on the submitted travel plan.

Highways Agency received 26th January 2015 – No objection

Suffolk Preservation Society received 29th January 2015 – objects to the proposal on the basis of size, site and the impact of a highly graded heritage asset. The Society considered that the scale of the proposal is excessive as it is disproportionate in comparison to the size of the existing settlement representing approximately a 25% increase in the size of the settlement. The site was considered within the 2009 SHLAA and discounted due to road safety and access concerns. The SHLAA stated that the agricultural land classification of the site is 2 and suggests there are other sites in Stowupland with poorer quality agricultural land.

The Society is particularly concerned that the impact on setting of grade II* Columbine Hall has not been fully considered. The proposed residential development on land directly opposite the driveway will cause harm to the wider setting of Columbine Hall by changing to the character of the land from rural to suburban setting. The Society does not consider that English Heritage's recommendation of a green buffer on the north boundary will adequately mitigate this impact and suggest the size of the site is significantly reduced to retain the rural setting of this heritage asset.

MSDC Environmental Protection – Sustainability Issues received 19th February 2015

Insufficient information provided to comply with policies relating to onsite renewable energy generation and achievement of Level 4 Code for Sustainable Homes.

LOCAL AND THIRD PARTY REPRESENTATIONS

7. This is a summary of the representations received.
- Proposed no. of dwellings is out of proportion with scale of Stowupland
 - Detrimental impact on biodiversity
 - Gipping Road is not capable of taking additional traffic due to narrow width and lack of footways
 - A1120 (Church Road) already subject to congestion particularly during school drop off and pick up times.
 - Detrimental impact on landscape and character of the area
 - Impact on local footpaths
 - Proposal not in accordance with development plan policies
 - Inadequate healthcare, school and community facilities for additional population
 - Schools already having to expand due to change to two tier system
 - Loss of agricultural land
 - Sewerage system not able to cope with additional dwellings
 - Loss of identity as a village
 - Noise and light pollution

- Loss of privacy
- High density development out of character with area
- Mid Suffolk has a 5 year housing supply
- Additional traffic will have a detrimental impact on pedestrians, horse riders and cyclists
- Visibility splays will result in loss of hedgerows
- Additional vehicles will increase pollution
- Overlooking and loss of outlook

ASSESSMENT

8. Principle of Development.

The site is located outside of the settlement boundary of Stowupland. As such the site is located within the Countryside where Policy CS2 of the Mid Suffolk Core Strategy applies. This states that development in the Countryside will be limited to various categories of development. Market residential dwellings are not one of the categories of development acceptable in the Countryside and therefore the proposal would not comply with Policy CS2. In addition Stowupland is located within the Stowmarket Area Action Plan area, which states that no residential development will occur in the Key Service Centres for the first five years of the plan which was adopted in 2013.

The NPPF states that if a development plan is not up to date or in compliance with the NPPF it can be set aside to allow sustainable development. In particular paragraph 49 of the NPPF states that

Housing applications should be considered in the context of the presumption in favour of sustainable development. Relevant policies for the supply of housing should not be considered up-to-date if the local planning authority cannot demonstrate a five-year supply of deliverable housing sites.

The NPPF states that all districts should have a 5 year land supply plus an appropriate buffer. Mid Suffolk's land supply was a key issue at an appeal for the site of G.R Warehousing in Mendlesham. The conclusion of that appeal was that it was acceptable for Mid Suffolk to calculate housing supply yearly in April and for the year starting 1st April 2014 the land supply was 5.5 years. However this will need to be recalculated on the 31st March. For the purposes of this report the housing land supply was recalculated for January 2015 and was calculated to be 4.3 years. This undersupply amounts to approximately 300 houses. It should be noted that the applicants consider Mid Suffolk's land supply to be 3.9 years, the difference in these two figures are due to contesting assumptions of delivery rates from various sites.

Given that Mid Suffolk cannot demonstrate a 5 year housing supply it is considered that Policy CS2 and the housing policies including within the Stowmarket Area Action Plan should be not considered to be up to date. The NPPF nevertheless requires that the development be considered to be sustainable in order to be acceptable.

Impact on the character and appearance of the area

Policy CS5 of the Mid Suffolk Core Strategy 2008 emphasises that all development must reflect local distinctiveness and enhance the character and appearance of the district. Policy FC 1.1 of the Core Strategy Focus Review 2012 states that development must conserve or enhance the local character of the different parts of the district. Policy GP1 states to be supported all proposals should maintain or enhance the character of the surrounding area and should respect the scale and density of surrounding development.

The Landscape Officer has expressed significant concerns with regards to the landscape impact of the proposals. Given the scale of the proposals, it is considered that there will be a significant visual impact on the existing settlement and also on the surrounding countryside. The current field pattern will be fragmented by the introduction of the access road running through the site. The indicative layout suggests that the two halves of the site will be separate by an area of open space; however this will area will be dissected by the access road and will be occupied by a drainage pond and play area. The lower part of the site is particularly sensitive to development; it is framed by a meadow to the east and the school playing fields to the west and provides views across the fields to the steeple of Holy Trinity Church. The playing fields are part of an area of Visually Important Open Space, which are protected by Policy SB3 of the Mid Suffolk Local Plan. VIOS areas are protected due to their contribution to the character and appearance of the area as well as their amenity value. The playing fields act as a bridge between the open countryside and the village and this will be lost if residential development occurs to the west of them.

Currently there is a good landscape screen between the dwellings on Trinity Walk and open countryside, which softens the impact of the existing built development. There is very limited hedgerow of the north eastern edge of the proposed development. While the indicative layout shows a landscape buffer between the new development and the open countryside there will be no immediate screening. Given the lack of hedgerows in the vicinity, the development will be very visible from views from the east of the site. While the landscape buffer will become an attractive part of the development early on, it is likely to take 30 years before it actually provides a beneficial visual screen.

The road access and visibility splay will result in a significant loss of the mature tree belt and hedgerow along Gipping Road, new dwellings along Gipping Road will absorb the cluster of properties which are located on Gipping Road losing the current character of a more isolated group. The landscape impacts of the development would be by the introduction of significant lighting. The lighting impact would effectively bring the sense of developed village into contact with the two outlying clusters of houses on Church and Gipping Road. It would also impact on the VIOS which would be surrounded by areas of lighting.

Highways and transport

Saved Policies H13 and T10 of the Mid Suffolk District Local Plan states that development will be supported where it does not have a negative impact on highway safety. The policies referred to above are in line with the requirement of paragraph 39 of the NPPF to provide safe and suitable access for all and carries significant weight the determination of this application.

Access is the only matter not reserved for a future planning application. Two drawings show accesses onto the highway. One access is proposed onto Gipping Road and one onto Church Road. The Gipping Road access would be located just past the entrance to Columbine Hall and would consist of a 5.5 metre wide access road and 2 metre wide footways. Visibility splays of approximately 60 metres can be created but would involve significant loss of hedgerow along Gipping Road. It is also proposed to alter the speed limit from 60 to 30 mph. The access onto Church Road would have the same dimensions as the access on Gipping Road and could also achieve an approximately 60 metre visibility splay. As there is currently a footway and verge on Church Road, visibility splays could be created without significant loss of hedgerow.

Gipping Road is a narrow single lane carriageway which leads to a number of dwellings and a farm shop and post office at the junction of Gipping Road and Rendall Lane. It has a 60 mph speed limit up to the entrance to the village. Local residents state that Gipping Road is well used by pedestrians and horse riders accessing the network of rights of way or visiting the farm shop and post office. The highway authority has objected to the use of Gipping Road as one of the accesses for up to 190 dwellings. It states that the proposal would result in additional traffic on Gipping Road, Thorney Green Road and Rendall Lane. These roads are unsuitable for additional traffic, due to lack of footways, high speed vehicles as the speed limit is derestricted, narrow road widths and junctions with substandard visibility. While the developers have suggested that Gipping Road could be restricted to 30 mph beyond the entrance to the development, this would be subject to a Traffic Regulation Order and cannot be guaranteed.

Previous correspondence from the highway authority had suggested that the developer considers alternative proposals for a single entrance from Church Road and a pedestrian and cycle link and emergency access only from Gipping Road. A revised drawing showing such a proposal was provided to the Local Planning Authority this has not been accepted by your officers as it depicts a material change in the application which your officers considers should be subject of publicity and consultation with the Parish Council and stakeholders. There is insufficient time within the statutory determination period to allow for this publicity and consultation and officers consider that it is proper to determine the application as submitted and publicised. In addition an updated Traffic Assessment, showing the capacity of local junctions was not provided but would be required to demonstrate acceptability. Having a single entrance from Church Road, would increase the traffic movements on Church Road. Church Road is part of the A1120 and objectors have stated that this is a very busy road particularly at school drop off and pick up times as it provides access to the garage which acts as the village shop and both the primary and high school as well as the village hall. Without an updated Traffic Assessment it cannot be concluded that allowing a single access of Church Road would not have a detrimental impact on highway safety.

There have been objections to the proposal due to the impact on the footpath network. A number of footpaths cross through the site and the character of these would be significantly changed by the proposals. However the indicative layout shows this footpaths being retained, going through areas of landscaping or open space. Suffolk County Council Public Rights of Way have not objected to the scheme but have asked for contributions to improve the network of footpaths. The developer has agreed to these contributions subject to details.

Subject to a signed s.106 planning obligation it is not considered that the development would be detrimental to the rights of way network in the locality.

Impact on Heritage Assets

Policy CS5 of the Mid Suffolk Core Strategy states that the Council will protect, conserve and where possible enhance the natural and built historic environment. Policy FC1.1 of the Core Strategy Focus Review states that development must conserve and enhance the local character of different parts of the district which would include preserving heritage assets. Policy 9.5 of the Stowmarket Area Action Plan states that the Council will continue to protect its Listed Buildings and their settings. The policies referred to above are in line with paragraph 132 of the NPPF which states that the Significance of a heritage asset can be harmed through development within its setting and carries significant weight the determination of this application.

The site is in proximity to by various heritage assets, these include the Grade II* listed Columbine Hall which is located on the opposite side of Gipping Road to the site and a cluster Grade II listed dwellings on Church Road and Holy Trinity Church, also located on Church Road. Both English Heritage and the Heritage Officer have expressed concern with regards to the impact of the proposals on the setting of Columbine Hall. Columbine Hall is an important example of a major fragment of a manor house which would have originally been set within open countryside. Although the expansion of Stowupland has encroached to the boundary of the grounds of Columbine Hall, the driveway to Columbine Hall off Gipping Road is located past the built up area of Stowupland, protecting its rural setting.

Development on the opposite side of Gipping Road would have a major urbanising effect on Columbine Hall, detrimentally impacting its setting. It has been suggested that a strong landscaping buffer on the perimeter of the northern part of the development could protect the setting of the listed building. However the indicative masterplan shows the majority of development located in the northern half of the site limiting the potential area for a reasonable landscape buffer. English Heritage has stated that further analysis would be required to calculate the required depth of the buffer. In addition the Heritage Officer also recommends a landscape buffer on the south side of the site along Church Road to protect the heritage assets within the cluster of dwelling to the east of the site on Church Road. It is not clear if the scale of development proposed can be accommodated with landscape buffers on both ends of the site without having knock on impacts on the density of the development which would then affect the landscape character of the area. In addition any landscape buffer would take a significant time to establish, during this time there would be a detrimental impact on Columbine Hall, particularly as much of the existing mature hedgerow on Gipping Road would need to be removed to provide visibility splays.

Residential Amenity

Saved Policies SB2, H13 and H16 of the Mid Suffolk District Local Plan aim to protect the living conditions of neighbouring occupiers. These policies are considered to have significant weight in the determination of this application as they do not conflict with the main thrust of the NPPF as stated in paragraph 215 of the NPPF.

Dwellings on Gipping Road, Trinity Walk and Church Road all adjoin the site and could potentially be affected by the development. The proposed development would only have a limited effect on the properties on Trinity Walk as there is already a strong landscaping screen between the site and these dwellings, many of which have long gardens. The dwellings on Church Road would also be protected by existing and proposed landscaping. The dwellings on Gipping Road would be particularly affected by the development as they have virtually no rear gardens and therefore would back straight onto the new development. However provided that the new development is carefully designed in this location, issues of loss of privacy or over domination can be prevented. As such it is not considered that the proposed development would be detrimental to neighbour amenity in broad principle.

Affordable Housing

Altered Policy H4 of the Mid Suffolk Local Plan states that up to 35% of dwellings on new developments should be for affordable housing needs. This policy is in accordance with the aim of the NPPF to provide residential development for different sectors of the community. The developer is proposing 40% affordable housing, 25% on site and an addition 15% as a commuted sum. This proposal is not considered acceptable. Experience in Mid Suffolk shows there are limited opportunities for the Council to effectively use commuted sums to deliver additional housing, due to lack of available land. Therefore the preference is that all affordable housing should be located on site in line with the principle of the policy. In this instance there is no evidence that the scheme would not be viable if 35% affordable housing was provided on site, as such the development in contrary to Amended Policy H4 of the Mid Suffolk Local Plan.

Drainage

Local residents have stated that the sewerage system within Stowupland is at capacity and unable to deal with further dwellings. However Anglian Water has stated that the foul drainage from this development is in the catchment of Stowmarket Water Recycling Centre that will have available capacity for the flows and that a water drainage strategy can be dealt with by condition.

The site is within flood zone 1 and is accompanied by a Flood Risk Assessment. The Environment Agency has not objected to the development subject to conditions.

Biodiversity

Policy CS5 of the Mid Suffolk Core Strategy states that development should protect, manage and enhance Mid Suffolk's biodiversity. This policy is in accordance with paragraph 109 of the NPPF states that development should minimalise impacts on biodiversity and provide net gains in biodiversity where possible. A biodiversity phase 1 survey has been provided which shows that the current site has limited habitats for protected species. However the existing hedgerows were evaluated as being of very high value or moderate-high to high value and the hedgerow between the two fields as 'important' under the Hedgerow regulations. Hedgerows are an important habitat for breeding birds and for foraging bats.

Although most of the hedgerows would be retained, a significant amount of the hedgerow of the Gipping Road boundary would need to be removed to provide the access and visibility splays. This hedgerow has been evaluated as being of high ecological value. In addition parts of both the central hedgerow and the hedgerow on the boundary with Church Road would also need to be removed. These have been evaluated as moderate-high to high value. The Suffolk Wildlife Trust has stated that the loss of these hedgerows will have a detrimental impact on the biodiversity value of the site and could impact on the value of the hedgerows for foraging bats. As such it is considered that the development would not comply with Policy CS5 of the Mid Suffolk Core Strategy or Policy FC1.1 of the Core Strategy Focused Review which requires development to be sustainable and would not be in accordance with the NPPF.

S.106 Planning Obligations

Policy CS6 of the Mid Suffolk Core Strategy states that new development will be expected to provide or support the delivery of appropriate and accessible infrastructure to meet the justifiable needs of new development. S.106 contributions have been requested as follows:

- Primary and Secondary Education -£1,165,392
- Pre-school Education - £85,274
- Libraries - £90,000
- Waste - £9,690
- Travel plan monitoring - £5,000
- Travel plan implementation and target bond - £157,010
- Car Share Contribution - £950
- Open Space and Social Infrastructure - £1835 per person
- Rights of Way improvements - £40,107.50
- Bus Stop improvements - £12,000
- Health Care - £62,400

NHS England has requested contributions to health care and the District Council requires contributions towards public open space and social infrastructure. No section 106 obligation has been signed and the developer has confirmed that they will not agree to any contribution to libraries, waste. They are also disputing the level of educational contribution requested. Without a s.106 planning obligation executed for agreed contributions towards essential infrastructure it is considered that the proposal would have a detrimental impact on infrastructure in the surrounding area. As such it is not considered that the proposal would be a sustainable development and therefore would not comply with Policy FC1.1 of the Core Strategy Focused Review.

Balancing Exercise

Paragraph 49 of the NPPF states that where it cannot be demonstrated that a district has a five year land supply there is a presumption in favour of sustainable development. This is echoed by the Core Strategy Focus Review. It is therefore necessary to weight up the scheme to consider if the proposed development would be sustainable. Paragraph 7 of the NPPF suggests that there are three aspects of sustainability which should be considered, economic, social and environmental.

The major benefit of the proposal would be the addition of 190 dwellings to current permissions which would contribute to the supply of dwellings in the District. Inspectors' decisions have confirmed that when considering development under Paragraph 49 of the NPPF more weight should be given if there is a significant undersupply. Although there is a 4.3 year housing supply compared with the required 5 years plus buffer, it is not considered that the under supply for Mid Suffolk is particularly acute. There are examples of districts with less than 2 years supply. There is no evidence that the proposals would affect the delivery of sites within Stowmarket as set out in the Stowmarket Area Action Plan.

The development of 190 dwellings would have some economic benefits particularly during the construction phase. In addition the occupiers of the dwellings will use the shops and other facilities within Stowupland and Stowmarket providing economic benefits to the wider area. Given the proximity of the site to the employment uses within Stowmarket it is also likely that some residents will work within the District.

The proposed development, although outside of the settlement boundary would be in a relatively sustainable location. Stowupland is a key service centre and has a good range of facilities including a post office, garage with co-op, butchers, various takeaways and two pubs. In addition there is pre-school, primary and secondary schooling available in the village and a good range of recreational facilities. It is considered that the occupants of the development would therefore not be unduly reliant on cars for their day to day requirements. However the social role of sustainable development also needs to consider the effect the development will have on the local infrastructure. There is no section 106. obligation accompanying the application and the developer is disputing the level of need for education contributions and refusing to provide contributions to pre-school education, libraries and waste. There is also no confirmation that the developer would accept the level of health care contribution. Although an affordable housing contribution has been offered, this would provide insufficient affordable housing on site, with no guarantee of delivery for the offsite contributions. Without an s.106 obligation covering essential infrastructure including affordable housing, the development should not be considered to be sustainable.

With regards to the broader environmental aspects of sustainability, relating to protecting and enhancing the natural, built and historic environment. The proposal would have a detrimental impact on the setting of the Grade II* listed Columbine Hall and also the Grade II listed buildings on Church Road. The proposal would also have a significantly detrimental impact on the character of the area including the VIOS. The loss of hedgerows would detrimentally effect biodiversity. In addition the proposed access onto Gipping Road is considered to be unsafe and would cause significant danger to uses of the highway in this location.

In conclusion it is considered that the benefits from the increase in housing supply and economic benefits would be outweighed by the highways, social and environmental impacts of the proposal. On this basis your officers do not find the proposal to constitute sustainable development.

RECOMMENDATION

That Outline Planning Permission be refused for the following reasons:

- **The proposed development by virtue of the access onto Gipping Road would be detrimental to highway safety due to the narrow width, lack of footpaths and potential vehicle speeds on this highway contrary to the objectives of saved policies H13 and T10 of the Mid Suffolk Local Plan and Paragraph 32 of the NPPF.**
- **The proposed development by virtue of its scale, form and access arrangements would have a detrimental impact on the landscape character of the area including an area of Visually Important Open Space and would not conserve or enhance local distinctiveness contrary to Policies CS5 and SB3 of the Mid Suffolk Core Strategy, Policy FC1.1 of the Mid Suffolk Focused Review and saved Policy GP1 of the Mid Suffolk Local Plan and paragraph 61 and 76 of the NPPF.**
- **The proposed development would have detrimental impact on biodiversity due to the loss of hedgerows of high ecological importance contrary to Policy CS5 of the Mid Suffolk Core Strategy and Policy FC1 of the Core Strategy Focused Review and Paragraph 109 of the NPPF.**
- **The proposed development by virtue of its scale and form would have a detrimental impact on the setting of heritage assets, including the cluster of Grade II listed buildings on Church Road and the Grade II* listed Columbine Hall and on that basis the proposal would be contrary to Policies CS5 of the Mid Suffolk Core Strategy, Policy 9.5 of the Stowmarket Area Action Plan and Policy FC1.1 of the Mid Suffolk Focused Review and Paragraph 132 of the NPPF.**
- **The proposed development would provide insufficient on site affordable housing and would be unacceptable having regards to Altered Policy H4 of the Mid Suffolk Local Plan and Paragraph 50 of NPPF**
- **The proposed development would have a detrimental impact on infrastructure in relation to education, health care, libraries, waste, travel plan, public rights of way and open space and social infrastructure contrary to Policy CS6 of the Mid Suffolk Core Strategy and the thrust of the NPPF.**

Philip Isbell
Corporate Manager - Development Management

Elizabeth Truscott
Senior Planning Officer

APPENDIX A - PLANNING POLICIES

1. **Mid Suffolk Core Strategy Development Plan Document and the Core Strategy Focused Review**

Cor1 - CS1 Settlement Hierarchy
Cor2 - CS2 Development in the Countryside & Countryside Villages
Cor5 - CS5 Mid Suffolks Environment
Cor9 - CS9 Density and Mix
CS SAAP - Stowmarket Area Action Plan
CSFR-FC1 - PRESUMPTION IN FAVOUR OF SUSTAINABLE DEVELOPMENT
CSFR-FC1.1 - MID SUFFOLK APPROACH TO DELIVERING SUSTAINABLE DEVELOPMENT
CSFR-FC2 - PROVISION AND DISTRIBUTION OF HOUSING
CSFR-FC3 - SUPPLY OF EMPLOYMENT LAND

2. Mid Suffolk Local Plan

SB3 - RETAINING VISUALLY IMPORTANT OPEN SPACES
CL8 - PROTECTING WILDLIFE HABITATS
CL6 - TREE PRESERVATION ORDERS
GP1 - DESIGN AND LAYOUT OF DEVELOPMENT
RT12 - FOOTPATHS AND BRIDLEWAYS
H13 - DESIGN AND LAYOUT OF HOUSING DEVELOPMENT
H14 - A RANGE OF HOUSE TYPES TO MEET DIFFERENT ACCOMMODATION NEEDS

3. Planning Policy Statements, Circulars & Other policy

C01/03 - Safeguarding aerodromes, technical sites and military explos
NPPF - National Planning Policy Framework

APPENDIX B - NEIGHBOUR REPRESENTATIONS

Letters of representation have been received from a total of **221** interested parties.

The following people **objected** to the application

The following people **supported** the application:

The following people **commented** on the application: