

MID SUFFOLK DISTRICT COUNCIL
PLANNING REFERRALS COMMITTEE - 04 February 2015

AGENDA ITEM NO 1
APPLICATION NO 2452/14
PROPOSAL Demolition of existing industrial buildings and erection of 11no. dwellings and amended access.
SITE LOCATION Land at Red Willows Industrial Estate, Finborough Road, Onehouse
SITE AREA (Ha) 0.5
APPLICANT Hartog Hutton Ltd
RECEIVED August 1, 2014
EXPIRY DATE October 3, 2014

REASONS FOR REFERENCE TO PLANNING COMMITTEE

The application is referred to Planning Committee for the following reasons:

Your Corporate Manager requested that the Chairman of the Development Control Committee agree that this application be reported to Planning Committee following presentation of Development Control Committee A having regard to the scale and location of the development outside of the settlement boundary. The development would be a 'departure' from the development plan. This reference was agreed.

UPDATE FOLLOWING DEVELOPMENT CONTROL COMMITTEE A HELD 3 DECEMBER 2014

1. The decision of the Development Control Committee A on the 3rd December 2014 is as follows:

'Decision – That Members are minded to grant Planning Permission and that the application be reported to Planning Committee on that basis subject to negotiation and viability assessment to [a] secure Section 106 as recommendation and [b] minded that such permission be subject to the conditions as recommended.

That Officers when reporting advise the Planning Committee on the following matters and their inclusion in a decision:

- LED lighting
- Inclusion of shared equity affordables
- Cycle storage
- Surface water run off management
- Biodiversity enhancement / safeguarding
- Contribution under S.106 to speed regulation work'

Since the 3rd December a viability assessment has been undertaken. In light of this the proposal has been amended from 11 units including 5 affordable dwellings, as presented to Committee A, to **11 dwellings including 3 affordable units.**

Additional consultation has been undertaken with Suffolk County Council

Infrastructure, the Viability Officer, Strategic Housing and further representation has been received from local residents.

SUMMARY OF ADDITIONAL CONSULTATIONS SINCE DC COMMITTEE 'A':

- **MSDC Viability Officer**

2. The applicant has engaged with the council in a viability assessment to establish the level of contributions that are possible whilst still allowing the proposal to be economically viable. Whilst complete 'common ground' has not been achieved there has been sufficient consensus to agree an obligations package. In light of this the scheme has been revised to include 3 affordable units instead of the 5 units that were previously presented to Committee A.

Following negotiations the applicant has proposed the following:

- 3 affordable units
- £28,000 for the provision of open space and social infrastructure
- £6,699 for Early years education and
- £33,495 for Primary education

- **Suffolk County Council Obligations Manager**

3. Suffolk County Council has been engaged in the viability assessment process with regards to ensuring that reasonable contributions are made towards Suffolk County Council Infrastructure. In light of the information submitted by the applicant, contributions towards Early years education and Primary education have been agreed, totalling £40,194. Contributions towards libraries and waste (totalling £2,937) are not viable.

At the time of writing final comments from the County Obligations Manager are awaited and a verbal update will be given.

- **Affordable housing**

4. The Strategic Housing team have been re-consulted in light of the proposed reduction from 5 affordable units to 3 affordable units, consisting of 2 x 1 bed flats and 1 x 2 bed house made available for affordable rent (plots 4-6 as set out on the site layout plan). At the time of writing final comments from the County Obligations Manager are awaited and a verbal update will be given.

Your Planning Officers consider that the delivery of 3 no. units of affordable accommodation represents a reasonable proposition, together with the contributions described, and having regard to the amenity benefits inherent in the redevelopment.

PUBLICITY

5. New representations received since the 3rd December included objections to the 11 dwellings and comment on the design of plots 2 no. to 6 no. Officers have considered these issues and consider that the provision of a range of house types, including affordable units, is beneficial to the supply of housing in the area and that the design is of a good quality that retains a traditional character in keeping with the

area.

In response to representations received from local residents and to safeguard transparency, further publicity regarding the 'departure' status of the application is being undertaken based on the amended development of 11 dwellings. This publicity will end on the 11th February. Members will be updated of any material considerations that may arise from this.

UPDATED ASSESSMENT FOLLOWING DEVELOPMENT CONTROL COMMITTEE 'A'

6. The proposed development has been amended since the Committee meeting on 3rd December having regard to the viability assessment. The principle of the proposed development and key issues for consideration remain as set out in the Officer's report presented to committee on 3rd December. However, the assessment of key issues following the viability assessment that have changed are set out below:
 - Section 106 Contributions and viability aspects
 - Affordable housing
 - Conditions
 - Contribution under s.106 to speed limit regulation work

SECTION 106 CONTRIBUTIONS AND VIABILITY ASPECTS

7. As requested by Development Control Committee A officers have assessed the viability of the development. The issues affecting the consideration of this application remain as set out in the report to members on 3rd December. In summary, contributions were sought towards the provision of the Infrastructure Delivery Programme which superseded the standard requirements for Open Space and Social Infrastructure at a maximum of £89419. Contributions were also sought towards Suffolk County Council Infrastructure with a maximum payable of £43,131. The assessment of the scheme was based on the provision of 5no. affordable units.

Officers negotiation based on the viability assessment has resulted in the number of affordable units being reduced from 5 no. to 3 no. This allows a total contribution of £68,194 to be made towards the provision of local infrastructure based on £28,000 for Open Space and Social Infrastructure and £40,194 to be contributed towards the provision of Early years and Primary education (£6,699 and £33,495 respectively).

Officers consider that the delivery of affordable together with this package of contributions represents a reasonable balance of obligations to achieve a relatively sustainable development which also delivers amenity benefits for nearby residents.

AFFORDABLE HOUSING

8. The council's team has stated that there is a demand for 1 and 2 bedroom affordable units in the Onehouse and Stowmarket area. The previously proposed 5 no. units for affordable rent was welcomed by Strategic Housing. The reduction to 3 no. units for affordable rent is still accepted as being a beneficial windfall.

CONTRIBUTION UNDER S.106 TO SPEED LIMIT REGULATION WORK

9. The potential to secure contributions towards the cost of lowering the speed limit on Finborough Road in the vicinity of the application site has been considered as part of the viability assessment and Section 106 negotiations.

Local residents had raised safety concerns and wished that the speed limit is reduced. Suffolk County Council Highways are content that a safe access can be achieved based on the current speed limit. There is a limited amount of viable contributions available. Taking these issues into account, Officers recommend that funds would most appropriately be allocated to the provision of Open Space and Social Infrastructure and Early years and Primary education needs and that to apply contributions to this purpose would not satisfy Regulation 122 of the CIL Regulations 2010.

POTENTIAL PLANNING CONDITIONS

10. At the committee on 3rd December Committee were minded that additional conditions be added to the recommendation. The recommendation has been amended to take these into account as far as possible and amendments have been made to the site layout to take these into account. The conditions discussed are as follows:

1. LED lighting
2. Inclusion of shared equity affordables
3. Cycle storage
4. Surface water run off management
5. Biodiversity enhancement / safeguarding

- **LED Lighting**

11. The use of LED lighting has been agreed informally with the applicant. Proposals are to include low level lighting and lighting on the frontages of dwellings. It is considered that this is acceptable and would minimise impacts from light pollution to residents and local wildlife. Final details are recommended to be secured by condition.

- **Cycle storage**

12. An amended site layout has been provided that includes cycle storage areas within the individual curtilages of the dwellings. This is considered to be acceptable and suitably addresses the need for secure storage of cycles. Their provision is recommended to be secured by condition.

- **Surface water run off management**

13. The most appropriate surface water management scheme shall be based on

percolation tests following the demolition of the existing buildings. The detail of a scheme of surface water run off management is recommended to be secured via planning condition. Any application to discharge the condition shall be determined based on consultation with the Environment Agency.

- **Biodiversity enhancement / safeguarding**

14. The site is adjacent to the River Ratt where biodiversity mitigation and enhancement measures could reasonably be achieved. The Ecological Scoping Survey submitted with the application recommends that bird boxes are provided to mitigate against the loss of potential habitat. A Biodiversity Mitigation Statement has been submitted by the applicant outlining measures improve the river corridor. The amended site layout plan also indicates the location of bird nest boxes. It is considered reasonable that the provision of biodiversity mitigation is secured by condition.

SUMMARY REASON FOR RECOMMENDATION

15. The resolution of Development Control Committee A has been explored with the applicant and relevant stakeholders as detailed. Your Corporate Manager considers it appropriate to proceed to determine the application before you on the basis of the package currently presented.
16. In the circumstances Officers are of the view that the development, subject to conditions and Section 106 obligations, would be sustainable and of benefit to local amenity and 5 year housing land supply, having regard to the development plan and all relevant material considerations including the National Planning Policy Framework.

RECOMMENDATION TO PLANNING COMMITTEE

Subject to no new material considerations resulting from publicity described above that authority be delegated to the Corporate Manager for Development Management to determine the application and grant planning permission subject to the execution of a Section 106 on terms to the satisfaction of the Corporate Manager for Development Management to secure the following heads of terms:

17. Affordable housing – 3 units for affordable rent
 - OSSI - £28,000
 - Suffolk County Council Education - £40,194

And that such permission be subject to the following conditions:

- 3 year time limit
- Highways access and layout
- External lighting details – LED only
- Samples of materials
- Scheme of hard and soft landscaping including planting and fencing to the rear of site
- Contamination
- Parking

- Phasing
- Scheme of sustainability measures during construction and occupation
- Details of surface water run off management
- Cycle storage provision
- Biodiversity mitigation and enhancement measures to be agreed to river corridor area

***** EXTRACT FROM 3 DECEMBER 2014 COMMITTEE REPORT *****

REASONS FOR REFERENCE TO COMMITTEE

The application is referred to committee for the following reason:

The Head of Economy considers the application to be of a controversial nature having regard to the scale of the development and its location outside of the settlement boundary. The development would be a 'departure' from the development plan.

PRE-APPLICATION ADVICE

1. Pre-application advice was provided by officers at a meeting held 26th November 2013. Officers acknowledged that the development involved a brownfield site with potential contamination problems and that Union Road on the opposite side of the road has been allocated for housing as part of the Stowmarket Area Action Plan.

SITE AND SURROUNDINGS

2. The application site is an industrial area on the western end of Finborough Road approx. 500m west of the Settlement Boundary of Stowmarket. The site includes a warehouse style building set towards the eastern side of the site with lean to extensions on the eastern elevation.

The current use of the site is for vehicle repairs which have included repair and maintenance of stock cars. There is an area of hardstanding around the existing industrial buildings with vehicles, plant and containers stored in the open around the site.

The site slopes down towards the south with Rattlesden River running at the rear boundary. There is a range of mature trees and planting along the banks. Land on the northern side of Finborough Road is on higher ground separated by a hedge and variety of trees.

The site is on the western end of a row of dwellings fronting Finborough Road. These include approx. 4 x detached dwellings with off road parking to the fore of the site. There are also existing dwellings fronting Wash Lane, approx. 140m to the east of the site.

The site is bounded at the front by a hedge and various small trees. The western boundary is relatively open with low level shrubs leaving views open to

the adjacent agricultural land. The eastern boundary, abutting the neighbouring dwelling, is bound by a close board fence.

Further to the east is a cluster of dwellings around Wash Lane and countryside leading up to the edge of the built up area of Stowmarket.

To the west is further countryside along the Finborough Road.

HISTORY

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

2579/09	Continued use as car repair business	Enquiry
1968/09	Planning contravention notice served regarding impact on local amenity arising from use of site for vehicle servicing, repairs and storage of vehicles and parts.	Enforcement

PROPOSAL

4. For clarity, members should note that the original submission proposed a total of 9 dwellings consisting 3 x affordable units and 6 x market dwellings.

Following discussion with officers the application has been amended and now proposes 11 dwellings consisting of 5 x affordable dwellings and 6 x market dwellings.

The development represents development with a density of 22 dwellings per hectare including two storey dwellings and flats with associated parking, garaging and turning areas set around a cul-de-sac accessed from Finborough Road.

The site would consist of the following house types:

Plot 1

4 bed detached dwelling fronting Finborough Road. 4 parking spaces including 2 garage spaces. Plot size of approx. 450sqm, approx. 366sqm of garden of garden space.

Plot 2

2 bed, end terrace, (affordable unit). 1.6 parking spaces. Plot size of 108sqm, approx. 68sqm of garden space

Plot 3

2 bed terrace (affordable unit). 1.6 parking spaces. Plot size of 90sqm, approx. 42sqm of garden space

Plot 4

1 bed flat (affordable unit). 1.6 parking spaces. Plot size of 60sqm, equivalent of approx. 27.5sqm of garden space.

Plot 5

1 bed flat (affordable unit). 1.6 parking spaces. Plot size of 60sqm, equivalent of approx. 27.5sqm of garden space.

Plot 6

2 bed end terrace (affordable unit). 1.6 parking spaces. Plot size of 153sqm, approx. 121sqm of garden space.

Plot 7

3 bed semi-detached. 2 parking spaces incl. single garage. Plot size of 275sqm, approx. 200sqm of garden space.

Plot 8

3 bed semi-detached. 2 parking spaces incl. single garage. Plot size of 250sqm, approx. 175sqm of garden space.

Plot 9

4 bed detached. 4 parking spaces incl. double garage. Plot size of 600sqm, approx. 500sqm of garden space.

Plot 10

4 bed detached. 4 parking spaces incl. double garage. Plot size of 600sqm, approx. 500sqm of garden space.

Plot 11

4 bed detached. 4 parking spaces incl. double garage. Plot size of 675sqm, approx. 600sqm of garden space.

POLICY**5. Planning Policy Guidance**

See Appendix below.

CONSULTATIONS**6. Onehouse Parish Clerk Consultation Sent: 11/08/2014, Reply Received: 12/11/2014**

'Councillors support the application with the following comments:

- A 30 mph limit must be applied prior to the development for road safety. The number of properties to be built more than doubles the number of dwellings in the vicinity and therefore car movements
- Concerns are expressed regarding potential flooding due to the ground disturbance for foundations and loss of permeable material.

Following the additional information, Councillors still support the application

however have bigger concerns regarding the impact of traffic since 11 properties will now be built.

It is imperative that a 30 mph limit be applied prior to the development for road safety.

Cllrs are disappointed on inconsistency applied by MSDC on affordable housing required on different developments.'

The Environment Agency Consultation Sent: 11/08/2014, Reply Received: 01/09/2014

No objections subject to conditions relating to contamination surveys being undertaken prior to commencement control of surface water drainage and foul water (subject to permit).

Suffolk Wildlife Trust, Consultation Sent: 11/08/2014, Reply Received: 02/09/2014

No objections subject to external lighting being sympathetically designed to avoid detrimental impact on nearby semi natural habitat at the rear of the site. It is also recommended that any new planting is of native species and implemented to avoid impact on water vole habitat that has been recorded in the vicinity.

MSDC - Environmental Health - Land Contamination, Consultation Sent: 12/11/2014, Reply Received: 13/08/2014

No objection subject to contamination survey being undertaken prior to commencement.

MSDC - Community Development Officer, Consultation Sent: 11/08/2014, Reply Received: 22/08/2014

Development should be subject to OSSI contributions totalling £27,246

Further comment:

To provide for the tasks set out under the areas of 'Community and Green Infrastructure' in the adopted IDP (dated April 2014) the following contributions will be required:

£8129 per dwelling.

This wouldn't be 'on top' of OSSI contributions but would replace them.

MSDC - Building Control Manager, Consultation Sent: 11/08/2014, Reply Received: 12/08/2014

No objections subject to contamination survey.

MSDC - Environmental Health - Noise/Odour/Light/Smoke/Emissions, Consultation Sent: 11/08/2014, Reply Received: 13/08/2014

No objections

SCC - Corporate S106, Consultation Sent: 11/08/2014, Reply Received: 12/08/2014

The development is within the Stowmarket Area Action Plan where contributions towards the provision of local infrastructure would be required including:

- **Early years and primary education** - £609 and £3,045 is sought per dwelling (£6699 and £33495 respectively)
- 18. Libraries** - £216 per dwelling (£2376)
- 1. Waste** - £51 per dwelling (£561)

Suffolk County Council - Highways Consultation Sent: 11/08/2014, Reply Received: 05/11/2014

No objections subject to provision of adequate visibility splay.

MSDC Economic Strategy Consultation Sent: 11/08/2014, Reply Received: 20/08/2014

'This is an existing employment site that generates local jobs and is not a vacant brownfield site. Whilst extra land for employment uses have been allocated for Stowmarket – nearby at Chilton Leys and further away at Mill Lane, neither of these sites have been development or are available to relocate existing businesses to. No mention has been made of arrangements to relocate the businesses that operate from the site and I am concerned at the potential economic impact this would have on these businesses.'

SCC Flood & Water Management, Consultation Sent: 11/08/2014, Reply Received: 12/08/2014

Suffolk County Council's comments are that the drainage system shall be in accordance with CIRA 697 sustainable drainage and including exceedance routes.

The River Rattle is also a WFD watercourse and will need a WFD assessment to be carried out if any works. Suggest consultation with Environment Agency on this scheme and the impacts of any drainage strategy on the main rivers WFD status.

LOCAL AND THIRD PARTY REPRESENTATIONS

7. This is a summary of the representations received.
 2. The development would tidy up a noisy industrial area
 - Limit on external lighting
 - Landing window of plot 9 is obscure glazed and opening restrictors to restrict opening to a max of 20 degrees of the norm
 - The 30mph speed limit should be extended on Finborough Road

A petition has been signed by over 100 local residents requesting that the 30mph speed limit is extended along Finborough Road in the vicinity of the site.

11

This is supported by the local ward member and Suffolk County Council Councillors.

ASSESSMENT

8. The application is considered in relation to the following key issues:

- Summary of policy position
- Principle of development
- Impact on amenity of neighbouring properties
- Impact on character and appearance of the area
- Loss of employment
- Highway and Access Issues
- Affordable Housing
- Infrastructure Delivery Plan
- Suffolk County Council Infrastructure
- Environment and Flood risk
- Consultee and Representatives Comment

- **SUMMARY OF POLICY POSITION**

- **The Local Plan 1998 (Saved Policies)**

- The proposed development lies outside of the settlement boundary of Stowmarket.

- Policy SB1 of the Local Plan states that new development will take place within existing settlements unless provided for by other policies contained in the plan.

- Policy H7 states that in the interest of protecting the existing character and appearance of the countryside, outside settlement boundaries there will be strict control over proposals for new housing.

- Policy E6 provides that the district planning authority recognises the importance of existing industrial and commercial sites as providing local employment opportunities. In considering applications for change of use the district planning authority will expect a significant benefit for the surrounding environment, particularly in terms of improved residential amenity or traffic safety.

- **The Local Development Framework Core Strategy 2008**

- Policy CS1 of the Core Strategy states that the majority of new development will be directed to towns and key service centres. As the proposal is outside the settlement boundary it must be considered in policy terms to be outside a key settlement such as Stowmarket and on that basis the proposal is contrary to Policy CS1 and CS2.

- Policy CS5 of the Core Strategy states that the council will seek to protect and conserve landscape qualities. CS5 also states that any new development will be of a high quality design that respects the local distinctiveness of the district and create visual interest in the street scene.

- **The Core Strategy Focused Review (CSFR) 2012**

- The Core Strategy Focused Review (CSFR) Policy FC 1 sets out the council's presumption in favour of sustainable development. This is qualified by supporting text that states that the Council will grant permission unless material

considerations indicate otherwise – taking into account whether any adverse impacts of granting permission would significantly and demonstrably outweigh the benefits, when assessed against the policies in the National Planning Policy Framework as a whole; or specific policies in that Framework indicate that development should be restricted.

Policy FC 1.1 sets out Mid Suffolk's approach to delivering Sustainable Development and states that *"development proposals will be required to demonstrate the principles of sustainable development and will be assessed against the presumption in favour of sustainable development as interpreted and applied locally to the Mid Suffolk context through the policies and proposals of the Mid Suffolk new style Local Plan. Proposals for development must conserve and enhance the local character of the different parts of the district. They should demonstrate how the proposal addresses the context and key issues of the district and contributes to meeting the objectives and the policies of the Mid Suffolk Core Strategy and other relevant documents."*

Stowmarket Area Action Plan

SAAP Policy 4.1 – Presumption in Favour of Sustainable Development reinforces Core Strategy Focussed Review FC 1 and FC 1.1. This provides that the Council will take a positive approach in accordance with the NPPF and always work with applicants to secure development that improves the economic, social and environmental conditions in the area.

SAAP Policy 4.2 – Providing a Landscape Setting for Stowmarket provides that, where appropriate, the Council seek to enhance the landscape setting of Stowmarket with particular regard to development that may impact on views in, out and across Stowmarket. In this instance, the site could affect views of Stowmarket when entering the town.

SAAP Policy 6.4 – Development in the Villages provides that planning applications for residential development in the villages within the Stowmarket area will be expected to contribute to the Infrastructure Delivery Programme.

SAAP Policy 9.2 – River Valleys provides that the environment within the river valleys shall be conserved and enhanced and planning permission will not be granted where the proposed development would have an unacceptable adverse impact on flooding, quality of ground or surface water, biodiversity and public access.

It should also be noted that the SAAP Glossary defines a Rural Exception Site as *"Small sites for affordable housing in perpetuity where sites would not normally be used for housing. Rural exception sites seek to address the needs of the local community by accommodating households who are either current residents or have an existing family or employment connection. Small numbers of market homes may be allowed at the local authority's discretion, for example where essential to enable the delivery of affordable units without grant funding."*

NPPF

The National Planning Policy Framework (NPPF) provides that the NPPF *"does not change the statutory status of the development plan as the starting point for decision making. Proposed development that accords with an up-to-date Local Plan should be approved and proposed development that conflicts should be refused unless other material considerations indicate otherwise"*.

The NPPF also provides (paragraph 187) that *“Local planning authorities should look for solutions rather than problems, and decision-takers at every level should seek to approve applications for sustainable development where possible. Local planning authorities should work pro-actively with applicants to secure developments that improve the economic, social and environmental conditions of the area.”*

Section 7 of the NPPF refers to design. It provides that good design is a key aspect of sustainable development; it should contribute positively to making places better for people. Decisions should aim to ensure that development will function well and add to the overall quality of the area, establish a strong sense of place, create attractive and comfortable places to live, work and visit, optimise the potential of the site to accommodate development, create and sustain an appropriate mix of uses and support local facilities and transport networks.

Furthermore it provides that development should respond to local character and history, and reflect the identity of local surroundings and materials, while not preventing or discouraging appropriate innovation. The NPPF goes on to state it is *“proper to seek to promote or reinforce local distinctiveness”* (paragraph 60) and permission should be *“refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions”* (paragraph 64).

Paragraph 54 of the NPPF states *“In rural areas, exercising the duty to cooperate with neighbouring authorities, local planning authorities should be responsive to local circumstances and plan housing development to reflect local needs, particularly for affordable housing, including through rural exception sites where appropriate. Local planning authorities should in particular consider whether allowing some market housing would facilitate the provision of significant additional affordable housing to meet local needs.”*

NPPF – Supply of Housing

The NPPF provides that Local Authorities should maintain a five year land supply for residential development. Para 49 goes on to provide *“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.”*

It is considered that this authority does have a five year land supply and accords to the NPPF. Nevertheless, this site does potentially offer a welcome opportunity to add to land supply in Stowmarket in the particular circumstances of this brownfield edge of settlement location and noting the exclusion of Chilton playing fields from the Chilton Leys Development Brief.

As the site is outside of the defined Settlement Boundary the proposed development is contrary to relevant adopted planning policy in strict terms. The proposed development of the site would need to be considered as a ‘departure’ from the development plan and has been assessed based on its individual merits in accordance with the Council’s presumption in favour of sustainable development, with particular regard to key issues such as impact on the character and appearance of the countryside, the loss of employment sites, the impact on residential amenity and the provision of a range of housing types.

- **PRINCIPLE OF DEVELOPMENT**

In this instance the site is situated at the end of a group of existing dwellings fronting Finborough Road and Wash Lane. The site is also on the opposite side of Finborough Road from the Union Road allocation site and south of Chilton Leys development. The site is well served with a public footpath extending into the town centre of Stowmarket and with good footpath links to Stowmarket High School and Leisure centre.

The site is a brownfield site in current industrial use as a vehicle repair workshop. There is local support for the change of use of the land from an industrial area to residential. It is likely that much of this support has arisen mindful of the amenity impacts of the current activities.

It is considered that although the site is circa. 500m outside of the defined settlement boundary of Stowmarket and designated as being in the countryside, the site is still well linked to services and facilities in Stowmarket. It is also a brownfield site with local support for redevelopment and in very close proximity to Chilton Leys and Union Road sites which allocates up to 1200 homes with associated services and facilities in the immediate vicinity.

Officers consider that, in principle, a departure from your development plan is warranted having regard to the combination of material considerations which are of relevance. These include the opportunity to redevelop a site which has amenity impacts on the locality, an opportunity to deliver significant additional affordable housing and to reinforce housing supply in a relatively sustainable location.

- **IMPACT ON AMENITY**

The layout of the site is designed to present a street frontage onto Finborough Road including plot 1 which is a detached two storey dwelling and a terrace of Plots 2-6 which are the affordable units. Other properties would be set around a cul-de-sac towards the rear of the site with views possible along the access.

Properties abutting the eastern boundary have been designed to avoid overlooking of neighbouring properties. The proposed development would result in general domestic noise adjacent to existing dwellings. However, the existing use of the site as for industrial uses has resulted in noise disturbance.

Representation received refers to the north facing, first floor, landing window of plot 9 recommending that the window is obscure glazed with restricted opening. The window faces towards the south elevation of plot 8. Given that windows on plot 8 include a first floor bathroom window and the distance between properties would be approx. 15m it is officer's opinion that obscure glazing is not necessary.

The proposed development is considered to be beneficial to the residential amenity of neighbours in comparison to the existing use of the site and does not give rise to any serious loss of privacy.

- **IMPACT ON THE APPEARANCE OF THE AREA**

The proposed development is designed with a traditional Suffolk vernacular with a mix of materials including brick, render and weatherboarding along with

pantiles and slates.

Existing dwellings along Finborough Road include a range of detached, brick two storey and chalet style dwellings. To the northern side of Finborough Road is currently arable farmland on a higher ground level with mature boundary including a mix of trees and bushes enclosing the northern side of the road.

The proposed development site would be set on a lower ground level than land to the north, dropping to the river the rear which includes a range of mature trees. As such the site would not be overly prominent in wider views of the area and would be read in conjunction with existing dwellings on Finborough Road and Wash Lane.

Primary views of the site would be the frontage onto Finborough Road. Here the principle elevations of properties are considered to be of good quality, including soft landscaping and being in keeping with the general scale of other dwellings on Finborough Road. Glimpse views along the cul-de-sac entrance would be possible with frontages generally facing onto the turning head. It is considered that this is a suitable layout in the context of the rural area and would be a significant improvement in the appearance of the site in comparison to existing industrial buildings and outside storage of machinery and goods. The proposed development is therefore considered to be an improvement on the current appearance of the site in accordance with Core Strategy Policy CS5 and Core Strategy Focused Review Policy FC1.1.

- **LOSS OF EMPLOYMENT**

The proposed development would replace an existing employment site. The site is currently used for small scale vehicle repairs and maintenance. Comment has been received from the Economic Development team objecting to the loss of employment land when other facilities are not yet available as part of nearby allocations at Chilton leys.

The site could potentially be used for alternative business under its current B2 use class, providing more employment possibilities. However, the use of the existing site has been subject of complaint from local residents and the current site is in a relative state of disrepair that would require significant investment to be promoted as a viable rural employment site.

Officers are also mindful that part of the Chilton Leys allocation has already come forward with an outline industrial element in the first, already approved, phase.

The proposed redevelopment of the site would result in the loss of an employment site. However, the current site is relatively underused and in a poor state of repair needing investment to be optimally attractive to business. With this in mind, the potential benefits to residential amenity, the potential to provide a mix of house types contributing towards meeting local demand for affordable housing, helping to add to the Council's 5 year land supply and the potential to secure community benefits are considered to outweigh the loss of an employment site in the overall circumstances.

- **HIGHWAYS**

The proposed development would include an improved access onto Finborough Road serving the 11 dwellings.

Finborough Road is a classified road with a national speed limit. The site is required to provide adequate visibility splays in both directions to a distance that is commensurate with typical vehicles speeds on the road.

A traffic survey has been undertaken by SCC Highways to assess typical vehicle speeds in the vicinity of the site. Based on typical speeds, Highways consider that suitable visibility splays can be achieved based on the current speed limit with a minor cutting back of hedging to the west of the site that has overgrown the public footpath.

Parking provision meets Suffolk County Council's parking standards with internal garage spaces of 6 x 3 for single garage and 6 x 6 for double garages. There is adequate turning and manoeuvring within the site to allow egress onto the public highway in a forward gear.

It is noted that local representation seeks that the 30mph speed limit is extended further west, along Finborough Road. However, based on comments of the Highways Officer, the proposed improved access onto the highway with the current speed limit is considered to be safe.

- **AFFORDABLE HOUSING**

Amended plans show 5 x affordable units being provided on site. This includes a mix of 1 and 2 bed units in a terrace fronting Finborough Road. The affordable dwellings would include 3 x traditionally styled two storey, 2 bed units with 2 x 1 bed flats, one at ground floor level and one unit on the floor above.

The council's housing team have stated that there is demand for 1 and 2 bedroom affordable units in the Onehouse and Stowmarket area. Housing Officers recommend that the tenure of proposed affordable units would preferably be split with 3 x units made available for affordable rent and 2 x units available for shared ownership, although 5 x affordable rented units may be considered. At the time of writing the proposed tenure is not available.

The proposed provision of 5 affordable units on site is welcomed by Housing and is considered to be of benefit to meeting local demand for affordable housing in the area.

- **INFRASTRUCTURE DELIVERY PLAN**

The development site is in the area defined within the Stowmarket Area Action Plan. Policy SAAP Policy 11.1 – Development Contributions to Infrastructure Delivery and SAAP Policy 6.4 – Development in Villages is applicable and requires development to make contributions towards the provision of infrastructure within Stowmarket.

The Community Development Officer has stated that contributions towards the Infrastructure Development Plan would replace requirements for OSSI at a rate of £8129 pre dwelling resulting in a total of £89419. Following discussions with the applicant it has been agreed to consider viability and contributions on an 'open book' basis.

- **OPEN SPACE AND SOCIAL INFRASTRUCTURE**

The proposed development is above the threshold of 10 dwellings where each dwelling would usually be subject to contribution towards the provision of open

space, sport and recreation facilities would be at a rate of £1835 per person. Based on an application of the SPD - Open Space and Social Infrastructure it is your officer's opinion that the higher threshold would be applicable with contributions totalling £72282.

Members should note that the facilities and services for which OSSI contributions would provide are met by the Infrastructure Development Plan. Any contributions that may be secured under SAAP Policy 11.1 would therefore duplicate the requirements of SPD – Open Space and Social Infrastructure. As the Infrastructure Development Plan are tailored to the needs of the area within the Stowmarket Area Action Plan it is considered appropriate that the requirements of SAAP Policy 11.1 and Infrastructure Delivery Plan override standard requirements of the SPD - Open Space and Social Infrastructure.

- **SUFFOLK COUNTY COUNCIL INFRASTRUCTURE**

The amended scheme of 11 dwellings would be subject to requirements to provide contributions towards early years education, primary education, libraries and waste with a maximum payable of £43,131.

Following discussions with the applicant it has been agreed to consider viability and contributions on an 'open book' basis.

- **ENVIRONMENT AND FLOOD RISK**

The site is in the countryside with a small river to the south of the site that provides good quality habitat for wildlife. The site is currently an industrial area with potential contamination. The site is within flood zone 1 with the lowest risk of flooding.

There are no objections from consultees with regard to the proposed development, subject to suitable contamination surveys being undertaken, surface water details being agreed and the proposed development being completed with suitable regard to local wildlife habitats. It is reasonable that these details are agreed by condition.

Local representation has been received relating to external lighting. This is commensurate with comments of Suffolk Wildlife Trust that require any external lighting to be sensitive to its impact on nearby habitats. It is considered reasonable that should permission be granted that a condition could be applied that requires the developer to submit details of any external lighting.

- **CONSULTEES AND REPRESENTATIONS**

Following consultation with local residents it is understood that there is local support for the proposed redevelopment of the site subject to the speed limit along Finborough Road being reduced to 30mph. Officers have taken this into account along with comments of Suffolk County Council Highways which states that access can be achieved safely within the current speed limit.

- **CONCLUSION**

Officers note that the proposed development is a departure from the development plan and requires special consideration in relation to the individual merits of the proposal. For this reason the recommendation is for onward reporting to Planning Committee with a 'minded to' resolution.

The site is in the countryside but it is a brownfield site with a current industrial

use in an edge of town location. The site is well related to existing dwellings facing Finborough Road and benefits from an existing footpath that runs into the town centre. There is also a public footpath linking to Stowmarket High School and Leisure Centre to the north and the site is on the opposite side of the highway from a site allocated for residential development of up to 1200 homes in the Core Strategy and SAAP.

Officers consider that whilst the site is in the countryside, the development is sufficiently related to Stowmarket to be considered relatively sustainable on its particular facts. The 11 dwellings, including 5 affordable units, have the potential to add to the Council's 5 year land supply of dwellings and deliver welcome affordable housing.

The proposed development would however increase demand on local services and facilities. It is therefore considered reasonable that contributions are secured for the provision of appropriate infrastructure, subject to the viability of the development. In the circumstances officers wish to seek authority to pursue negotiations in order to secure the optimum possible contributions to infrastructure subject to viability.

RECOMMENDATION

That Committee express a view whether they would be 'minded to' grant planning permission subject to ongoing negotiation and viability assessment to secure community benefits based on the following heads of terms to a Section 106:

- Affordable housing
- OSSI
- SCC Infrastructure

And that such permission be subject to the following conditions:

- 3 year time limit
- Highways access and layout
- External lighting details
- Samples of materials
- Scheme of hard and soft landscaping including planting to rear of site
- Contamination
- Parking
- Phasing
- Scheme of sustainability measures during construction and occupation
- Details of surface water drainage

Philip Isbell
Corporate Manager - Development Management

Mark Pickrell
Planning Officer

APPENDIX A - PLANNING POLICIES

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

Review

Cor4 - CS4 Adapting to Climate Change

Cor5 - CS5 Mid Suffolks Environment

CS SAAP - Stowmarket Area Action Plan

CSFR-FC1 - PRESUMPTION IN FAVOUR OF SUSTAINABLE DEVELOPMENT

CSFR-FC1.1 - MID SUFFOLK APPROACH TO DELIVERING SUSTAINABLE DEVELOPMENT

2. Mid Suffolk Local Plan

GP1 - DESIGN AND LAYOUT OF DEVELOPMENT

CL8 - PROTECTING WILDLIFE HABITATS

CL2 - DEVELOPMENT WITHIN SPECIAL LANDSCAPE AREAS

SC4 - PROTECTION OF GROUNDWATER SUPPLIES

H17 - KEEPING RESIDENTIAL DEVELOPMENT AWAY FROM POLLUTION

H13 - DESIGN AND LAYOUT OF HOUSING DEVELOPMENT

H14 - A RANGE OF HOUSE TYPES TO MEET DIFFERENT ACCOMMODATION NEEDS

H15 - DEVELOPMENT TO REFLECT LOCAL CHARACTERISTICS

H7 - RESTRICTING HOUSING DEVELOPMENT

E4 - PROTECTING EXISTING INDUSTRIAL/BUSINESS AREAS

E6 - RETENTION OF INDIVIDUAL INDUSTRIAL AND COMMERCIAL SITES

T10 - HIGHWAY CONSIDERATIONS IN DEVELOPMENT

T9 - PARKING STANDARDS

3. Planning Policy Statements, Circulars & Other policy

NPPF - National Planning Policy Framework

SPD-OSSI - Open Space & Social Infrastructure

APPENDIX B - NEIGHBOUR REPRESENTATIONS

Letters of representation have been received from a total of 2 interested parties.

The following people **objected** to the application

The following people **supported** the application:

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