

## **Committee Report**

**Item 7D**

**Reference:** DC/19/01343

**Case Officer:** Mark Russell

**Ward:** Stradbroke & Laxfield

**Ward Member:** Julie Flatman

---

## **RECOMMENDATION – GRANT OUTLINE PLANNING PERMISSION SUBJECT TO CONDITIONS**

---

### **Description of Development**

Outline planning application (access to be considered) - Erection of 28 dwellings and garages including creation of vehicular access

### **Location**

Land north of the Street Stradbroke Eye Suffolk IP21 5JX

**Parish:** Stradbroke & Laxfield

**Expiry Date:**

**Application Type:** Outline

**Development Type:** Small Scale Major Dwellings

**Applicant:** Mr P Smith

**Agent:** Peter Codling Architects

---

## **PART ONE – REASON 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 more dwellings.

### **Details of Previous Committee/Resolutions and Member Site Visit**

None.

---

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

---

### **Summary of Policies**

NPPF National Planning Policy Framework 2018

Core Strategy Focused Review 2012:

FC01 - Presumption In Favour of Sustainable Development

FC01\_1 - Mid Suffolk Approach to Delivering Sustainable Development

FC02 - Provision and Distribution of Housing

Core Strategy 2008:

- CS01 - Settlement Hierarchy
- CS02 - Development in the Countryside & Countryside Villages
- CS03 - Reduce Contributions to Climate Change
- CS04 - Adapting to Climate Change
- CS05 - Mid Suffolk's Environment
- CS06 - Services and Infrastructure

Mid Suffolk Local Plan 1998:

- GP01 - Design and layout of development
- HB14 - Ensuring archaeological remains are not destroyed
- H13 - Design and layout of housing development
- H14 - A range of house types to meet different accommodation needs
- H15 - Development to reflect local characteristics
- H16 - Protecting existing residential amenity
- H17 - Keeping residential development away from pollution
- T09 - Parking Standards
- T10 - Highway Considerations in Development
- CL08 - Protecting wildlife habitats

Stradbroke Neighbourhood Plan 2016 – 2036 (SNP)

Supplementary Planning Documents:

- Suffolk Adopted Parking Standards (2015)
- Suffolk Design Guide

**Consultations and Representations**

During the course of the application consultation and representations from third parties have been received as follows.

**A: Summary of Consultations**

**Stradbroke Parish Council**

Councillors voted to support this application subject to the requirements of the Stradbroke Neighbourhood Plan Policy STRAD15 being observed.

OFFICER COMMENT – The contents of STRAD15 will be discussed in the “Assessment” section.

**SCC Highways**

No objection subject to standard conditions.

---

## **SCC PROW**

Footpath 47 Stradbroke is recorded adjacent to the north-western boundary of the proposed development area. Whilst we do not have any objections to this proposal, we would like to see direct pedestrian access from the site to the footpath included in the scheme.

## **MSBDC Heritage**

Based on the information submitted with this outline application, the Heritage Team considers that any residential development on this site has the potential to cause a low to medium level of less than substantial harm to the significance of the listed building, because it would suburbanise part of its remaining rural setting.

This is an outline application for the erection of 28 dwellings and garages in the setting of the Grade II listed Street Farm. The heritage concern relates to the effect of the setting of the listed building, which contributes to its significance. Only access is to be considered here, although indicative site plans and elevations have been submitted.

The approach to Stradbroke from the east is very gradual, with only a few modern buildings on the south side of Laxfield Road leading up to the village. Street Farm is a large former farmhouse, which historically stood surrounded by fields near the edge of the historic core of Stradbroke. Late-C20 development connected Street Farm to the built-up area of Stradbroke and now it is the first historic building leading into the core of Stradbroke and the Stradbroke Conservation Area from the east.

The application site is a triangular field to the north-east of Street Farm, with the access to the development proposed opposite Meadows End. This site forms part of the wider setting of Street Farm, providing a rural character to the area and a connection between the listed building and the open countryside to the northeast. As the listed building has been surrounded by modern development on the west and north-west there is value to the application site being undeveloped land.

The indicative site plan shows a landscaped area in the corner closest to the listed building, but most of the site would likely have a distinctly suburban character, which would negatively impact the remaining rural setting of the listed building.

The Heritage Team considers that any residential development on this site has the potential to cause a low to medium level of less than substantial harm to the significance of the listed building, because it would suburbanise part of its remaining rural setting.

*OFFICER COMMENT – The issue of this observation versus the site's allocation within the SNP is discussed in the "Assessment" section.*

## **SCC Flood and Water**

Approve subject to conditions.

## **SCC Archaeology**

This site lies in an area of archaeological potential recorded on the County Historic Environment Record, at the roadside between the medieval settlement of Stradbroke (SBK 037) and the medieval Barley Green (SBK 025). Thus, there is high potential for the discovery of below-ground heritage assets of archaeological importance within this area, and groundworks associated with the development have the potential to damage or destroy any archaeological remains which exist.

There are no grounds to consider refusal of permission to achieve preservation in situ of any important heritage assets. However, in accordance with the National Planning Policy

Framework (Paragraph 199), any permission granted should be the subject of a planning condition to record and advance understanding of the significance of any heritage asset before it is damaged or destroyed.

### **BMSDC Environmental Health - Land Contamination**

No objection subject to condition.

### **SCC Strategic Development**

Education:

Based on existing forecasts, SCC will have surplus places available at the local primary and secondary (ages 11 – 16) schools. However, at the sixth form level there are forecast to be no surplus places so a future CIL funding bid of at least £19,907 (2018/19 costs) will be made.

Pre-school:

From these development proposals SCC would anticipate up to 3 pre-school children arising, at a cost of £8,333 per place.

Libraries:

A CIL contribution of £216 per dwelling is sought i.e. £6,048.

### **BMSDC Strategic Housing**

We recommend a majority of 1 and 2 bedroom affordable dwellings (including bungalows) with a smaller element of 3 beds. A more detailed mix will be provided for any subsequent reserved matters application.

### **Place Services – Ecology**

We are satisfied that there is sufficient ecological information available for determination.

This provides certainty for the LPA of the likely impacts on Protected and Priority species/habitats and, with appropriate mitigation measures secured, the development can be made acceptable. We also support the reasonable biodiversity enhancements, which should also be secured by a condition of any consent.

### **Anglian Water**

There are assets owned by Anglian Water or those subject to an adoption agreement within or close to the development boundary that may affect the layout of the site.

The foul drainage from this development is in the catchment of Eye-Hoxne Rd Water Recycling Centre that will have available capacity for these flows.

The sewerage system at present has available capacity for these flows via a pumped discharge regime. If the developer wishes to connect to our sewerage network they should serve notice under Section 106 of the Water Industry Act 1991. We will then advise them of the most suitable point of connection.

The preferred method of surface water disposal would be to a sustainable drainage system (SuDS) with connection to sewer seen as the last option. Building Regulations (part H) on Drainage and Waste Disposal for England includes a surface water drainage hierarchy, with infiltration on site as the preferred disposal option, followed by discharge to watercourse and then connection to a sewer.

From the details submitted to support the planning application the proposed method of surface water management does not relate to Anglian Water operated assets. As such, we are unable to provide comments on the suitability of the surface water management.

### **Environment Agency**

---

No comments.

**MSBDC Waste Management**

No objection subject to conditions.

**MSBDC Arboricultural Officer**

I have no objection in principle to this application but an updated arboricultural report will be required when a final layout design has been agreed. This should include a Tree Protection Plan and can be dealt with under condition.

**MSBDC Environmental Health**

I can confirm with regard to noise and other environmental health issues that I do not have any adverse comments and no objection to the proposed development.

Due to the location of the development in the village and construction phase having an impact on the amenity of neighbouring premises, however, I would recommend that any approval is conditioned such that prior to works starting a construction management plan is submitted (CMP).

**Natural England**

No comments.

**SCC Fire and Rescue**

No objection.

**Suffolk Constabulary**

I would strongly recommend that an application for Secured by Design (SBD) approval is made for this development.

**B: Representations**

One objection has been received, on the grounds of adverse loss of countryside and highway safety.

---

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

---

### **1.0 The Site and Surroundings**

- 1.1. The triangular site is located on the eastern fringe of Stradbroke, a Key Service Centre in the settlement hierarchy. The subject land is located on the northern side of Laxfield Road and comprises an agricultural field historically in arable use. The 1.9ha site adjoins the settlement boundary on its western side.
- 1.2. Allotments and open countryside are to the north. Open countryside is to the east. Residential development is located to the west (Drapers Hill) and south on the opposite side of Laxfield Road.
- 1.3. Mature hedging and trees exist along the site's street boundary which are to be retained. A sealed footpath extends across the site's frontage, on the property-side of the frontage hedging and trees, which connects to the village centre. A public right of way (footpath 47) extends along the site's north-western boundary.
- 1.4. The site is not in or near an area designated for special landscape significance, e.g. Special Area of Conservation, Special Landscape Area, or AONB. Likewise, the site

is not in or near a Conservation Area. The nearest listed building is to the southwest on the opposite side of Laxfield Road, the Grade II listed Street Farmhouse. The site is in Flood Zone 1.

## **2.0 The Proposal**

2.1 The application seeks outline approval for 28 dwellings. All matters are reserved except access. An indicative layout supports the application which features:

- Single vehicle access point from Laxfield Road, central to the site.
- Significant open landscaped area and attenuation pond to the southwestern corner of the site.
- 10 affordable dwellings
- Single-storey and two-storey properties including a mix of terraced, semi-detached and detached 2, 3 and 4 bedroom dwellings.
- Standard compliant parking provision.
- Proposed sewage pumping station.
- Perimeter landscaping.

## **3.0 Housing Land Supply**

3.1 Mid Suffolk benefits from a five year housing supply. There is no requirement for Council to determine what weight to attach to all the relevant development plan policies in the context of the tilted balance test, whether they are policies for the supply of housing or restrictive 'counterpart' policies, such as countryside protection policies. This said, there is a need for Council to determine whether relevant development policies generally conform to the NPPF. Where they do not, they will carry less statutory weight.

3.2 The development will boost the local housing supply. Even though the district has a five year housing supply, the additional housing stock is an element of the scheme that offers a benefit in the context of the social dimension of sustainable development and attracts some positive planning weight.

## **4.0 Principle of Development**

4.1 The site is allocated in the adopted SNP for residential purposes. The SNP contemplates a likely yield of between 32 and 45 dwellings. Although outside the settlement boundary, the site represents a sustainable location for housing given its excellent pedestrian connectivity to village amenities and low car dependency. This element of the scheme limits environmental harm. Conflict with local policies that seek to restrict development in the countryside, like Policy CS1 and CS2, are afforded very limited weight given these policies do not accord with the NPPF and are deemed out-of-date. For these reasons the principle of developing this edge-of-settlement location for residential purposes is accepted.

4.2 Having regard to the relevant policy context, including the adopted SNP, the key considerations are the effects of the development on landscape and heritage character, residential amenity, highway safety (noting access is not reserved), ecology, archaeology and flood risk.

## **5.0 Landscape and Heritage Character**

- 5.1 Chapter 12 of the NPPF seeks to achieve well-designed places which function well and add to the quality of places by responding to local character but without stifling innovation and change. Policy GP1 states that proposals should maintain or enhance the character and appearance of their surroundings. Policy H15 requires new housing to be consistent with the character of its setting.
- 5.2 The site is not in a Special Landscape Area, Area of Outstanding Natural Beauty, Conservation Area, Visually Important Open Space or any other area of special landscape or townscape designation.
- 5.3 The site is considered capable of accommodating 28 dwellings without appearing cramped or out of keeping with the density of development within the body of the village to the west, noting the SNP nominates a greater development quantum than that being proposed. The development of any undeveloped field will result in a significant character change. The character change will however be relatively localised because of the site's close physical relationship to the body of the village and the low density being brought forward. Moreover, the inevitable character change is contemplated by the allocation of the site for residential development in the SNP.
- 5.4 Design elements that will soften the built form impact on the open countryside include: retention of frontage landscaping serving as a vegetative screen; a considerable open landscaped area to the southwestern corner; a relatively low development density; and generous front setbacks from Laxfield Road. Landscaping, including soft planting, hard boundary treatments and surface materials, will play a critical part in assimilating the development into the countryside and will require careful attention at the 'landscaping' reserved matter stage. Important at this assessment stage is to ensure landscape buffers at the boundaries are incorporated in order to meet SNP Policy STRAD15. It is not necessary or appropriate to impose landscaping conditions on an outline permission and are therefore not recommended.
- 5.5 The nearest designated heritage asset is to the southwest, on the opposite side of Laxfield Road. The Heritage Team considers that the proposal would cause a low to medium level of less than substantial harm to the significance of this Grade II listed building. Officers concur, noting the separation distance, intervening vegetation and proposed open landscaped area between the proposed dwellings and the asset. This relatively limited harm must be weighed in the planning balance.
- 5.6 Paragraph 196 of the NPPF states: "Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal (including, where appropriate, securing its optimum viable use)." In this case our Heritage team has described the harm as a "low to medium level of less than substantial harm."
- 5.7 "Use" is not the consideration here, but the setting is. Given the separation (as detailed above) and given the public benefit of providing towards the District's five-year housing supply, on a site which has been allocated in the SNP (which was made in March 2019, following a referendum), the low level of harm is held to be outweighed and the scheme, therefore acceptable.
- 5.6 Design details, including internal road layout and built form appearance, are elements to be considered at the reserved matters stage. This will include giving careful consideration to the performance of the design detail against SNP Policy STRAD2, which requires development to achieve a high quality of design.

5.7 The PROW Officer's recommendation that the site connect directly with footpath 47 is agreed and it is expected that this be incorporated into the detailed design.

## **6.0 Residential Amenity**

6.1 Saved Policy H13 of the Local Plan seeks to ensure new housing development protects the amenity of neighbouring residents. Saved Policy H16 of the Local Plan seeks to protect the existing amenity of residential areas. Paragraph 127 of the NPPF sets out a number of core planning principles as to underpin decision-taking, including, seeking to secure a high standard of amenity for all existing and future occupants of land and buildings. Policies H13 and H16 are therefore attached significant weight.

6.2 The indicative layout does not raise amenity issues demonstrating it is possible to achieve a good layout in principle. Dwellings are separated from existing western dwellings (Drapers Hill) by the landscaped area and therefore the western amenity interface is well respected. There are no other sensitive amenity interfaces. External and internal amenity considerations will be a focus for the reserved matters application(s). The conditions recommended by the Environmental Health Officer are more appropriately imposed at the reserved matters stage.

## **7.0 Highway Safety and Parking**

7.1 Access is a matter for consideration. Saved Policy T10 of the Local Plan requires the Local Planning Authority to consider a number of highway matters when determining planning applications, including; the provision of safe access, the safe and free flow of traffic and pedestrian safety, safe capacity of the road network and the provision of adequate parking and turning for vehicles. Policy T10 is a general transport policy which is generally consistent with Section 9 of the NPPF on promoting sustainable transport. Its safety focus is also consistent with paragraph 108 of the NPPF which requires development proposals incorporate safe and suitable access that can be achieved for all users.

7.2 Paragraph 109 of the NPPF confirms that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.

7.3 The proposal limits vehicle access to Laxfield Road to a single point only. The Highways Authority does not object to the proposed access arrangement.

7.4 There is ample scope within the site to accommodate parking for each dwelling, as well as visitor parking, which will meet the Suffolk Adopted Parking Standards. Again this is an element of the scheme that will be considered once the design detail has been worked up.

## **8.0 Affordable Housing**

8.1 The scheme proposes 10 affordable dwellings (35%), policy compliant. This element of the scheme can be secured by legal agreement.

## **9.0 Archaeology**

9.1 The County Archaeological Service (CAS) advises that there is high potential for the discovery of below-ground heritage assets at the site. The CAS notes there are no grounds to consider refusal of permission and it recommends standard planning conditions. Officers concur with the recommended approach.

## **10.0 Ecology**

- 10.1 Policy CS5 of the Core Strategy requires development to protect, manage and enhance Mid Suffolk's biodiversity. Regulation 9(5) of the Conservation of Habitats and Species Regulations 2010 (Implemented 1st April 2010) requires all 'competent authorities' (public bodies) to 'have regard to the Habitats Directive in the exercise of its functions.' For a Local Planning Authority to comply with regulation 9(5) it must 'engage' with the provisions of the Habitats Directive.
- 10.2 The ecology consultant agrees with the supporting ecology report and recommends ecological enhancements be secured by condition. Biodiversity values will be enhanced, responding favourably to Policy CS5.

## **11.0 Flood Risk**

- 11.1 The site is in Flood Zone 1. SCC Flood and Water do not object to the scheme subject to standard conditions.

## **12.0 Planning Obligations / CIL**

- 12.1 The application is liable to CIL which would be managed through the standard independent CIL process triggered at the reserved matters stage.

## **13.0 Neighbourhood Plan**

- 13.1 Policy STRAD15 of the SNP states:

*Land to the north of Laxfield Road (approximately 1.9 hectares as identified on the Proposals Map) is allocated for residential development.*

*Proposals will be supported subject to the following criteria:*

- it provides approximately between 32 and 45 dwellings; and*
- it provides a mix of dwellings in accordance with Policy STRAD3; and;*
- the design of dwellings is in accordance with the requirements of Policy STRAD2; and;*
- green open space is provided to serve the new dwellings; and;*
- vehicular access is provided onto Laxfield Road, preferably from multiple access points; and;*
- direct pedestrian access is provided to the footway on the north side of Laxfield Road; and;*
- the existing permissive footpath along the southern boundary of the site is retained and secured as a public right of way in perpetuity, preferably through its adoption; and;*
- there is no development of land at risk of surface water flooding which should instead be used to provide an appropriate drainage solution to serve the needs of the development in accordance with Policies STRAD4 and STRAD5 (and be accompanied by an appropriate management strategy); and;*
- in order to protect the amenity of neighbouring properties and users of the adjacent allotment, landscape buffers are provided on all boundaries of the site which meet the requirement of Policy STRAD2; and;*
- it is served by a sustainable long term solution in respect of electricity provision in accordance with Policy STRAD4*

- 13.2 By way of clarification, STRAD2 relates to design and STRAD3 housing mix. Other than the affordable provision, these matters will be looked at in more detail at Reserved Matters stage.
- 13.3 STRAD4 relates to drainage and utilities provision. The former has been satisfied; regarding the latter, the application is silent on the matter, but in any event this would normally be a matter between the applicant and the statutory undertakers outside of the Planning system.

---

## **PART FOUR – CONCLUSION**

---

### **16.0 Planning Balance**

- 16.1 The site is outside the settlement boundary however conflict with development plan policies that limit development in the countryside is attached very limited weight as these policies are not consistent with the NPPF. Full weight is attached to the SNP. The proposal furthers the SNP, developing an allocated site for residential purposes.
- 16.2 The development offers social benefits, including boosting housing supply and affordable housing provision. Landscape harm is localised given the site's intimate relationship with the body of the village. Heritage harm is deemed only modest and not fatal to the application. Pedestrian connectivity with local services is excellent owing to the edge-of-settlement location, limiting car dependency and environmental harm.
- 16.3 Residential amenity is not unduly compromised, noting an absence of resident objections on this element of the scheme. The Highways Authority does not object to the scheme. There is no evidence to suggest the proposed single access point to Laxfield Road will unacceptably compromise highway safety.
- 16.4 CIL contributions will be used to ensure existing infrastructure capacity is enhanced to meet additional demand, a neutral outcome in the planning balance. Archaeology and drainage matters are adequately managed by planning conditions.
- 16.5 Policy conflicts are limited and where they do occur, relate to out-of-date policies. In any event they are outweighed by the planning benefits. There are no compelling reasons to withhold the grant of outline planning permission. The proposal constitutes sustainable development for which the NPPF carries a presumption in favour and therefore the application is recommended for approval.

### **17.0 RECOMMENDATION**

(1) Subject to the prior agreement of a Section 106 Planning Obligation on appropriate terms to the satisfaction of the Acting Chief Planning Officer to secure:

(a) Affordable housing (Including housing mix as recommended by housing team)

(2) That he be authorised to grant Outline Planning Permission for the erection of 28 dwellings and garages including creation of vehicular access subject to conditions including:

- Standard time limit outline

- Reserved Matters
- Approved Plans
- Highways- access details
- Highways- footway widening, new footway, bus stops improvements and pedestrian crossing point
- Highways - Construction Management Plan
- Surface water drainage scheme
- Details of implementation, maintenance, and management of surface water drainage scheme
- Details of sustainable urban drainage system components and piped networks
- Surface water management strategy
- Programme of archaeological work
- No occupation until archaeological assessment complete
- Unexpected contamination
- Fire hydrant provision details
- Sustainable efficiency measures
- Remove permitted development rights
- Concurrent with reserved matters - Hedgehog Fencing
- Phasing condition
- Market housing mix
- Provision, management and maintenance of public open space

*NOTE – Highways conditions involving estate roads and the provision and retention of manoeuvring and parking areas shall be left to the reserved matters stage as the layout is not yet known.*

#### Notes

Section 38 of the Highways Act 1980

Section 278 of the Highways Act 1980

Scheme of archaeological investigation

(3) That in the event of the Planning Obligations referred to in Resolution (1) above not being secured that the Corporate Manager- Planning for Growth be authorised to refuse planning permission on appropriate grounds.