

Committee Report

Item 7A

Reference: DC/19/01947

Case Officers: Vincent Pearce

Ward: Haughley, Stowupland and Wetherden

Ward Member: Councillor Rachel Eburne & Councillor Keith Welham

RECOMMENDATION: APPROVE FULL APPLICATION

Application Description

FULL planning application: Erection of 53 dwellings with associated parking, landscaping and access arrangements (This application represents an amendment to the part of the development approved Outline 3112/15 and Reserved Matters DC/18/00097 in so far as: whilst it relates to 53 dwellings, 34 of these represent dwellings that have previously been approved and permission for a further 19 dwellings is being sought. In accommodating the additional 19 dwellings the layout of the remaining 34 units is to be adjusted).

Location

Land at Church Road and Gipping Road, Stowupland, Stowmarket IP14 4BG

Parish: Stowupland

Site Area: 2.8ha

Application Type: FULL

Development Type: Residential; small-scale Major

Development Description: Residential

Applicant: Bloor Homes

Agent: Pegasus Group

Received: 26.04.2019

Expiry: subject to an extension of time

PART ONE – REASON FOR REFERENCE TO COMMITTEE

The application is referred to committee for the following reason:

- i. The application provides for the development of more than 15 dwellings.

PART TWO – BACKGROUND AND APPLICATION DETAILS

1.0 Site and Surroundings

- 1.1 The site is formed within a wider irregular shaped parcel of land that extended to 10.9 Ha. With a frontage of approximately 190m. to Church Road and 170m. to Gipping Road. [please see figure 1 [a & b] below.
- 1.2 The wider site [blue edged area below] benefits from planning permissions for residential development as reported in section 2.0 of this report. The initial phase of development has now been implemented.

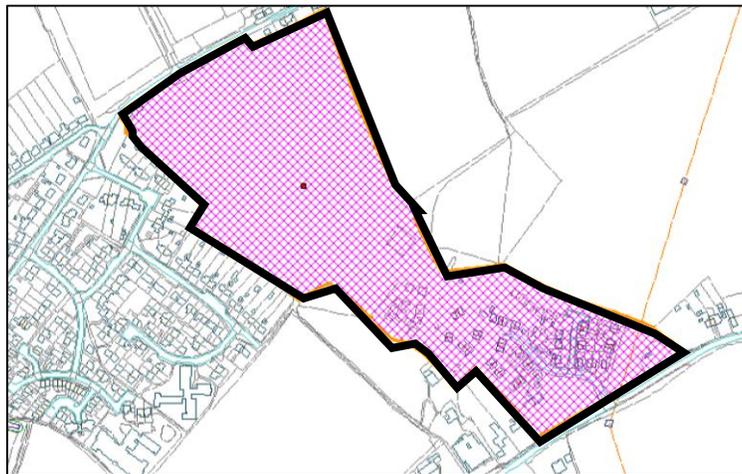
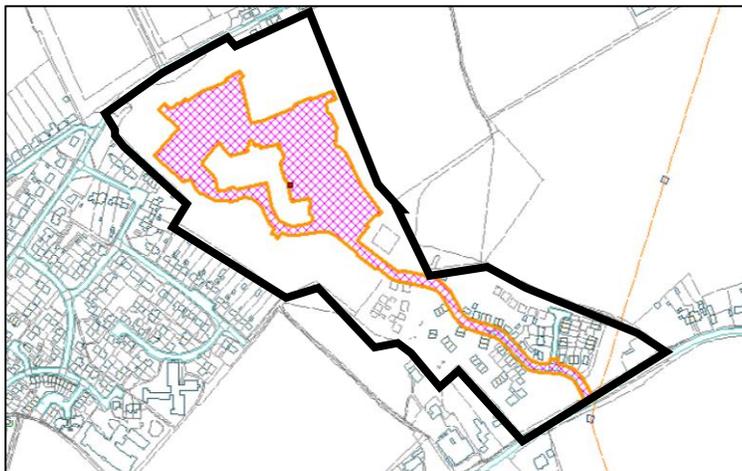


figure 1A: site associated with 3112/15 OUTLINE PP



2.0 Description of Development and Why a New full Applic figure 1B: site - DC/19/01947

- 2.1 The application now before members is submitted not as a S73 [amendment] of the earlier permission/s but as a new full application because whilst the applicants hope to amend parts of the previously approved layout they also seek permission to increase the overall number of units within the application site by an additional 19 over that previously approved. [a 19% increase in units within the area involved]
- 2.2 This means the basic composition of the current application is materially different to that previously approved and requires a fresh planning application [in this case full].
- 2.3 The merits of the current proposal are therefore, as with all applications, required to be judged on their own planning merits. That said, Members are advised that the previous approvals continue to represent a significant material planning consideration.

3.0 Key Issues

- 3.1 In considering the merits of the latest proposal Members will want to consider – To what extent...
- (i) have relevant material circumstances changed since the applications were last considered; and,
 - (ii) do these [if changes are identified] materially affect consideration of the merits of the latest proposal; and,
 - (iii) any new harm identified can be appropriately mitigated; and,
 - (iv) the proposal remains sustainable and acceptable in all other respects; and,
 - (v) does the uplift in the number of units trigger fresh requirements for additional S106 mitigation.

4.0 Relevant Planning History / Application Background and Details

- Outline application for residential development of up to 175 dwellings with access, landscape, open space and associated infrastructure. All matters to be reserved with the exception of the main site access. [ref:3112/15] REFUSED Outline planning permission 26 November 2015.

GRANTED ON APPEAL: 25 May 2016

- Submission of Phase 2 Details under Outline Planning Permission. Approval of reserved matters (appearance, landscaping, layout and scale) pursuant to outline planning permission 3112/15 for Phase 2 comprising of 100 dwellings, estate roads, footpaths, parking, garaging, open space, play area, landscaping, and ancillary works consent. [ref:DC/18/00097]

APPROVED 10 April 2018.

- Non-material amendment [ref: DC/18/05271]

AGREED 14 February 2019

PART THREE – POLICIES AND CONSULTATION SUMMARY

5.0 Planning Policy Context

5.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that applications under the Planning Acts be determined in accordance with the development plan, unless material considerations indicate otherwise. Strictly speaking, that direction is of greater relevance to the determination of applications for planning permission; however, it is considered appropriate that the development plan be the starting point in determining the appropriateness of the reserved matters detail that has been submitted and is no less relevant in that respect.

5.2 Development Plan

5.2.1 The Development Plan comprises the following:

- Mid Suffolk Local Plan 1998
- Mid Suffolk Core Strategy 2008
- Mid Suffolk Focused Review Core Strategy 2012

- Stowmarket Action Area Plan 2013 [Defines Stowupland as a key service centre within the AAP boundary]

5.2.2 Within the current development plan, those policies considered to be most important for the determination of this reserved matters application and its associated details are as follows:

GP1: Design and layout of development

H13: Design and layout of residential development

H14: A range of house types to meet different accommodation needs.

H15: Development to reflect local characteristics.

H16: Protecting existing residential amenity.

T9: Parking standards.

T10: Highway considerations in development.

T11: Facilities for pedestrians and cyclists.

5.2.3 The Council is currently in the process of preparing a new Joint Local Plan with the Mid Suffolk District Council. The National Planning Policy Framework (NPPF) identifies that decision-takers may give weight to relevant policies in emerging plans according to their stage of preparation, the extent to which there are unresolved objections to relevant policies, and their degree of consistency with national policies. The plan-making process in this instance is at a very early stage and is therefore not weighed as a determinative consideration in this instance.

5.3 Stowupland Neighbourhood Development Plan [SNDP] [Adopted June 2019]

5.3.1 This is a new and relevant material planning consideration that must now be taken into consideration. It has been Adopted and therefore now carries significant weight. This was not the case when earlier proposals were being considered.

5.3.2 The following policies within the SNDP are considered the most relevant to the issues raised by this application:

Policy SNP1: Strategy for Sustainable Growth

Policy SNP2: Land between Church Road and Gipping Road

Policy SNP5: Affordable Housing

Policy SNP7: Settlement Boundaries

Policy SNP13: Public Rights of Way

Policy SNP14: Quality of Development, Resource Efficiency and Design Considerations

5.4 The National Planning Policy Framework

5.4.1 The NPPF of February 2019 contains the Government's planning policies for England and sets out how these are expected to be applied. The policies contained within the NPPF are a material consideration and should be taken into account for decision-taking purposes. Those of most relevance include:

- paragraph 122:

“Planning policies and decisions should support development that makes efficient use of land, taking into account:

- a) the identified need for different types of housing and other forms of development, and the availability of land suitable for accommodating it.....
- e) the importance of securing well-designed, attractive and healthy places.”

- Section 12. Achieving well-designed places, incorporating:

- paragraph 124:

“ The creation of high-quality buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and

work and helps make development acceptable to communities. Being clear about design expectations, and how these will be tested, is essential for achieving this. So too is effective engagement between applicants, communities, local planning authorities and other interests throughout the process.”

- paragraph 125:

“Plans should, at the most appropriate level, set out a clear design vision and expectations, so that applicants have as much certainty as possible about what is likely to be acceptable. Design policies should be developed with local communities so they reflect local aspirations and are grounded in an understanding and evaluation of each area’s defining characteristics. Neighbourhood plans can play an important role in identifying the special qualities of each area and explaining how this should be reflected in development.”

- Paragraph 127:

“Planning policies and decisions should ensure that developments:

- a) will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;
- b) are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;
- c) are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities);
- d) establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit;
- e) optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks; and
- f) create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users⁴⁶;

and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.”

- paragraph 130.

“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, taking into account any local design standards or style guides in plans or supplementary planning documents. Conversely, where the design of a development accords with clear expectations in plan policies, design should not be used by the decision-maker as a valid reason to object to development. Local planning authorities should also seek to ensure that the quality of approved development is not materially diminished between permission and completion, as a result of changes being made to the permitted scheme (for example through changes to approved details such as the materials used).”

5.4 Other Considerations

5.4.1 The following documents are also considered as material and especially applicable to this proposal by officers:

- Suffolk County Council - Suffolk Guidance for Parking (2014), adopted 2015.

5.4.2 On the 6th March 2014, a number of Ministerial planning circulars were cancelled by central Government and were replaced by the Government’s online national Planning Practice Guidance (PPG). The guidance provided is advice on procedure rather than explicit policy; however, it has been taken into account in reaching the recommendation made on this application.

5.4.3 The PPG is an online reference as ‘living document’ and is available at the following internet address:
<https://www.gov.uk/government/collections/planning-practice-guidance>.

5.4.4 The relevant policies referred to above can be viewed online. Please see the notes attached to the Schedule.

6.0 Consultations and Representations

Stowupland Parish Council OBJECTED [May 2019] to the application on the following reasons:

1.

“The application is contrary to condition 5 placed on the development by the Government Planning Inspector when he allowed the appeal. (Condition 5 The development hereby permitted shall comprise no more than 175 dwellings.) The Inspector states that the reason for the condition is A restriction is placed on the total number of dwellings in the interests of maintaining a reasonable density similar to other parts of Stowupland.

These additional 19 dwellings are not included the Mid Suffolk 5 year housing supply. Delete and replace by MSDC now has a 5 year supply of housing land and these additional 19 dwellings are not needed.

Officer comment:

The Parish Council rightly commented in May that MSDC could demonstrate that it had a 5 Year Housing Land Supply [5YHLS]. That remains the case. However it is also right to say that certain policies within the Adopted Development Plan for Mid Suffolk have been held to be out of date and therefore the question arises: To what extent must the Council now exercise the tilted balance described in Paragraph 11 of the NPPF. That is something that will be considered in the conclusion of this report. It is also right to say that where two [or more] relevant Adopted Plans are required to be taken into account it is the most recently Adopted one that take precedence. In this case it is the SNDP 2019. [until such time as and when the BMS Joint Local Plan is Adopted.

Members will also be aware that whilst the Council can now demonstrate that it has a 5YHLS supply it is now also monitored in terms of its delivery record in respect of new dwellings being built out. Historically Mid Suffolk has seen lower than required delivery rates despite having significant numbers of units with planning permission. Again, this will also be a factor in the consideration of the application.

Members are therefore advised that the position may not be as clear cut as stated by the Parish Council in terms of there being 'no need' for a further 19 dwellings. The acid test at appeals has always been and continues to be 'What is the significant harm that arises as a result' [It is not enough to say that it is contrary to policy if no material harm can be identified]

2.

This is contrary to the Stowupland Neighbourhood Plan which is at an advanced stage and goes to referendum on 6th June 2019.

Officer comment:

The site is now included in the SNDP for residential development under policy SNP2 but the number of units will, exceed to total number described in that policy

3.

The Parish objects to the number of bungalows being reduced from 40 to 33. We feel it is necessary to have new bungalows in the village for older people to downsize to or move to somewhere with no stairs."

Officer comment:

The report to Committee in respect of the previous Reserved Matters number stated that there were to be 30 bungalows. [rather than the 40 referred to by the Parish Council. The current proposal now includes 33 bungalows and so there has actually been an increase of 3 within the red line area. Perhaps the Parish Council is looking at the entire site but their statement is incorrect as it relates to the current application site

BMSDC Sustainability Officer:

"We are very pleased to see the applicant committing to an energy and carbon reduction beyond Part L. Although it is not using renewables as per the original condition we are satisfied that the proposals will achieve the same result.

We cannot find reference to electric vehicle charging, as per Suffolk CC parking guidance all residential property must have access to charging facilities, we suggest that all plots have the appropriate wiring, trunking, fuses etc installed during construction to allow the connection of a charge point in the future."

BMSDC Contaminated Land Officer:

Has "no comment to make"

BMSDC Communities:

“The current submission provides an open space (The Green) that has no recreation value beyond visual attraction and place to walk and sit.

As referenced by the Parish Council response, they are committed to ensure that any new play provision within the village, is strategically planned to ensure it complements existing provision and meets any known deficits. In general there is a need for "adventure style provision" particularly attractive to juniors and older children as there is already good provision for toddlers and smaller children at the nearby New Green area.

It is therefore a requirement that such provision is included in the later phases and takes advantage of the woodland area as well as considering what is appropriate to enhance the primary school children's access to appropriate play provision.

This approach is articulated within the Parish's Neighbourhood Plan, which is nearly [sic] completion and adoption.”

BMSDC Public Realm:

Make the following observations: “ The Public Realm team note that there is very limited public open space within this development but understand that a current meadow to the north of the site is to be converted to public open space under parish ownership as part of this overall site development. The Local Play area should be of a standard to accommodate the range of children likely to be living on this estate in the future.

I do find the choice of species indicated for the woodland planting area to be inappropriate for this location. Horse Chestnut, Beech and Rowan are not typical species of local woodlands and Laurel (*prunus laurocerasus*) is totally inappropriate for a woodland mix. It will dominate and smother the other species as it grows. It is non native and has limited wildlife value. Hazel and Spindle would be far more appropriate in this location, reflecting the native hedgerows of the area. I believe more thought should be given to the choice of species and a more appropriate planting mix submitted.”

BMSDC Heritage:

We are disappointed to see that the proposed layout and Landscaping scheme include a wide access in the 'green belt' along the Gipping Road frontage. At paras 27-28 the Inspector summarised the detailed Inquiry proceedings on the impact of the proposal on the approaches to Columbine Hall (listed GII*). His conclusions rest on the continuous green planted buffer along the northern boundary of the site as shown in layout revision

Q, to which he gave considerable weight. The impact of the wide gap now shown would undermine the mitigating effect of the buffer as shown in rev Q, making the presence of the housing obvious and intrusive at this point, contrary to the approved scheme.

Earlier schemes at application stage included an access on Gipping Road which was ruled out on various grounds not related to heritage. We would query whether the access is in fact necessary, and if it is, we would ask for the layout to be amended so that it has a baffle effect, not giving direct views of the built development from the road.

Historic England:

“We do not wish to offer any comments”

BMSDC Arboricultural Officer:

No comment to make

SCC Highways:

“I have examined the highways technical note and accept that the additional traffic generated will have a minimal effect on the highway. The revised layout conforms with the SCC Guidance for Parking.

However, I feel the additional residential population will exacerbate an issue where pedestrians cross Gipping Road to utilise the new footway, provided in accordance with the previous permission. Due to existing vegetation at the crossing point it has not been possible to achieve the minimum recommended visibility for a 60 mph speed limit.

Therefore, we request a S106 contribution of [10,000 to allow an extension of the 30mph speed limit, to include this crossing point, in the interest of highway safety.

Provided this additional S106 contribution is acceptable we have no objection to the application.

Notice is hereby given that the County Council as Highway Authority recommends that any permission which that Planning Authority may give should include a condition requiring provision of proposed manoeuvring and parking areas”

Highways England:

“Offers no objection”:

SCC Archaeology:

No comment to make as previous permission resulted in completed archaeological investigations

SCC Fire & Rescue:

Standard response requiring hydrants.

SCC Floods & Water:

“We propose the following condition in relation to surface water drainage for this application.

1. The strategy for the disposal of surface water, Flood Risk Assessment (FRA) (dated May 2017, ref: E3657-FRA-0517-Rev3) and technical note 3(dated 27th March 2019, ref: E3657/TN3/LGH/27032019) shall be implemented as approved in writing by the local planning authority. The strategy shall thereafter be managed and maintained in accordance with the approved strategy.

Reason: To ensure that the principles of sustainable drainage are incorporated into this proposal, to ensure that the proposed development can be adequately drained

2. Within 28 days of the completion of the last dwelling details of all Sustainable Drainage System components and piped networks have been submitted, in an approved form, to and approved in writing by the Local Planning Authority for inclusion on the Lead Local Flood Authority’s Flood Risk Asset Register.

Reason: To ensure that the Sustainable Drainage System has been implemented as permitted and that all flood risk assets and their owners are recorded onto the LLFA’s statutory flood risk asset register as per s21 of the Flood and Water Management Act 2010 in order to enable the proper management of flood risk with the county of Suffolk “

Natural England:

Refers to their standing advice rather than making any specific comments.

Place Services - Ecology:

Suggest additional conditions requiring:

- a revised Soft Landscape Plan / Landscape and Environmental Management Plan;
- the recommended ecological addendum; or a Biodiversity Enhancement Strategy, secured prior to slab level as a separate condition

Anglian Water:

Recommends that in the event of planning permission being granted conditions be attached to require further details of...

Foul water:

- . Feasible drainage strategy agreed with Anglian Water detailing the discharge solution including:
 - . Development size
 - . Proposed discharge rate (Should you require a pumped connection, please note that our minimum pumped discharge rate is 3.81/s)
 - . Connecting manhole discharge location (No connections can be made into a public rising main)
 - . Notification of intention to connect to the public sewer under S1 06 of the Water Industry Act (More information can be found on our website)
 - . Feasible mitigation strategy in agreement with Anglian Water (if required)

Surface water:

- . Feasible drainage strategy agreed with Anglian Water detailing the discharge solution, including:
 - . Development hectare size
 - . Proposed discharge rate (Our minimum discharge rate is 51/s. The applicant can verify the site's existing 1 in 1 year greenfield run off rate on the following HR Wallingford website -<http://www.uk-suds.com/drainage-calculation-tools/greenfield-runoff-rate-estimation> . For Brownfield sites being demolished, the site should be treated as Greenfield. Where this is not practical Anglian Water \M)uld assess the roof area of the former development site and subject to capacity, permit the 1 in 1 year calculated rate)
 - . Connecting manhole discharge location
 - . Sufficient evidence to prove that all surface water disposal routes have been explored as detailed in the surface water hierarchy, stipulated in Building Regulations Part H (Our Surface Water Policy can be found on our website)

NHS:

no comment to make

Neighbours:

3 Objections have been received:

[a]

- “- Conflict with local plan
- Development too high

- Inadequate Access
- Inadequate parking provision
- Inappropriate in a Conservation Area
- Over development of site

Comment: I oppose the idea of more houses on this current development. This seems to be a case of how many more dwellings can we fit into a development, which currently, some thought has gone into the space allowed between properties. Access will be an issue, as is the theme of flats on the development. I strongly oppose this idea as also will anger local residents further, who were quite vociferous in their opposition to the current site being built on for housing.”

[B]

“- Affects Local Ecology/Wildlife

- Building Work
- Development too high
- Drainage
- General dislike of proposal
- Increase in Anti-Social Behaviour
- Increase in Pollution
- Increased Traffic/Highways Issues
- Loss of Open Space
- Loss of Outlook
- Loss of Privacy
- More open space needed on development
- Overlooking
- Strain on existing community facilities

Comment: All of the above. We were told by Bloor homes that they were going for a third phase and were pulling out of Stowupland as the village couldn't support more houses. I feel like this was a deliberate misrepresentation before we purchased our house. The wildlife on the fields opposite is amazing but already the ducks have left as have the coots. The playground is delayed by 12 months so children are playing in the fields. The outlook from our property will be ruined and this will ultimately affect a resale value. Something we were not made aware of at purchase. We are already living on a building site which we thought was time limited. The dust and pollution from the lorries is high and there is a health and safety risk every time a new family moves in. We moved locally so already had schools and health services in place but Stowmarket is already under pressure for medical services and school places. I don't see how Stowupland can cope with more houses alongside the other developments that I understand have been given the green light.

I urge you to come and see what the impact will be. Please.”

[C]

"I would like to strongly oppose the extended planning application for additional houses on the land between Church Road and Gipping Road. We live directly opposite the current building site, which we previously opposed and now have to live with increased traffic problems getting in and out of our driveway, pollution, mud entering our driveway from the building site - particularly on rainy days and ruining our driveway - among many other concerns relating to the new build site, which are constantly ignored by all to whom I complain.

My main concern is that in requesting additional houses I do not see how this can be justified when the original plans for the current site were put in at 195 houses and rejected straight away as too many for the village. It did shock us at the time that the marginally lower number of 175 houses was then approved. However, this outlines that the village community, structure and road system would not be able to cope with yet more increase in population. The village is already being increased by a lot and yet more houses would be overload. Even new residents living in the new housing estate are opposed to any more houses being added as access will all come through the front of the estate on to Church Road, which has already seen a large increase in the number of vehicles using it, besides the usual factors of there being no school or doctors surgery places available for some residents already living in the area, let alone more.

I do hope that the council will make the correct decision for the village this time round."

PART FOUR – ASSESSMENT OF APPLICATION

7.0 Decision-Taking Context

7.1 The site already benefits from a combination of outline planning permission and reserved matters approval. The present application broadly reflects the character of the development already consented although it does involve an overall increase in units of 19. This represents 19% over the previously approved reserved matters total [100 units] or 10.8% of the outline total [175 units]

7.2 The acceptability of principle and detailed nature of the development currently under construction having been established means that the material considerations now before Members are relatively limited.

7.3 Layout and Design

7.3.1 The revised layout incorporating an additional 19 units is acceptable from an urban design perspective and raises no objection from SCC Highways in terms of highway safety/capacity arising from the development itself. It is however noted that SCC Highways have requested an additional £10,000 via S106 to undertake highway widening works to overcome a problem that has arisen from an adjacent hedge obstructing a splay. This is considered reasonable as it will ensure that the visibility splay issue is resolved and this will benefit the occupiers of the additional 19 units [as well as others on the new estate]. This is a reasonable response to an issue that has arisen and that made impede the addition of units.

7.3.2 The house types are reflective of those previously approved and are therefore acceptable.

7.4 Mix

7.4.1 There is a commensurate percentage increase in the number of affordable housing units within the current scheme to reflect the uplift in overall numbers and these will need to be secured by way of a S106 Agreement.

Total uplift in number = 19

Total uplift in AH units = 7

Seven is 36.8% of 19 [35% would result in 6.65 units and so the number of affordable units has been rounded to the closest whole number]

table follows [figure 2]

	[RM]	[F]	+ or -		AR [RM]	AR [F]	ARSO [RM]	ARSO [F]	OM [RM]	OM [F]
size	4	4	n/c	1 bed flats	4	4				
	12	12	n/c	2 bed flats	12	12				
	13	19	+6	2 bed bungalows	7	12		2	6	5
	17	14	-3	3 bed bungalows					17	14

	8	12	+4	2 bed houses	2	2	6	6		4
	17	37	+20	3 bed houses	2	2	2	2	13	33
	29	21	-8	4 bed houses					29	21
Total	100	119			27	32	8	10	65	77
Change						+5		+2		+12

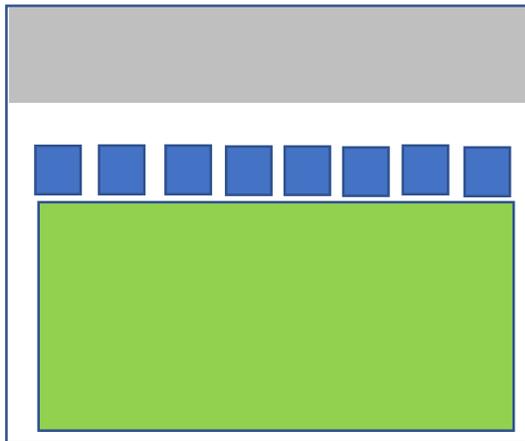
figure 2: Comparison of Mix between approved Reserved Matters and current proposal

- 7.4.2 Overall there will be an overall increase in the number of 2 bedroom bungalows, 2 bedroom houses and 3 bedroom houses and a reduction in the number of 3 bedroom bungalows and 4 bedroom houses. The proposed mix remains very broad and the change in the number of 3 bedroom houses within the open market sector reflects market demand and what is currently selling well in the District. Providing more mid-sized units is welcomed because this suggests that Bloor Homes will deliver the units rather than resist building larger units that are not selling as well. This is good for MSDC delivery rates.
- 7.4.3 The increase in units does not result in sub-standard garden or parking provision.
- 7.4.4 There also remains access to open space within the scheme even though the large main area of open space is to be provided by S106 on adjacent land.
- 7.4.5 The additional 19 units have been made possible by changing larger house types for one's with a smaller footprint which has effectively freed up space within the layout to add 19 units with little or no overall impact on the appearance and character of the development.
- 7.4.6 The Parish Council's objection to straying from the appeal Inspector's decision limit [by condition] of no more than 175 units is noted as is the reason the Inspector added such a condition: that being to maintain a similar density to that found elsewhere in Stowupland. In crude terms the density increases from 35.7dph to 42.5dph. This remains at the lower end of what the Government considers within a range that encompasses significantly higher densities. The key here that the slight increase in density does not alter the overall character and/or

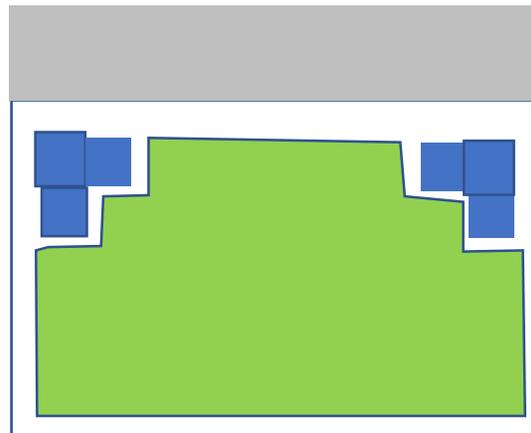
design previously approved as appropriate in this Stowupland setting. It also represents the economic use of land as advocated by the NPPF paragraph 122.

7.4.7 It is difficult to demonstrate that such a modest increase in density will result in a character of development that doesn't already match that previously approved. Members must remember that density based on dwellings per hectare is a very blunt tool for gauging development impact and has its limitations especially when we are talking about such small differences.

7.4.8 A simple way of illustrating this is shown below where example A looks to be at a higher density than B in terms of being less spacious until you know more about the schemes. They are in fact the same based on dwellings per hectare.



A: 8 x 2 storey units on 0.25ha = **32dph**



B: 8 x flats in two buildings with 2 per floor in each 2 storey building on 0.25ha = **32dph**

figure 3: An illustration of why density can be seen as a relatively blunt tool

7.5 Neighbourhood Plan

7.5.1 It is perfectly understandable that Stowupland Parish Council is objecting to the proposal on the basis that it is in their view contrary to the Adopted Stowupland Neighbourhood Development Plan. It is one of the first in the District to be Adopted and here we have what appears to be a challenge before the ink is even dry on that document.

7.5.2 Here policy SNP2 is most relevant.

Policy SNP2: Land between Church Road and Gipping Road

- Land between Church Road and Gipping Road Land is allocated for approximately 175 dwellings between Church Road and Gipping Road within the extended Stowupland settlement boundary and as shown on Map 4.

Officer comment:

An additional 19 units will take the total number of units to 194. It can be argued that this is approximately 175. [10.8% increase]. However, if this is considered to be playing with words Members will note that the policy states the allocation to be 175 units which reflects the planning permission and so there is no surprise there. The policy then sets out criteria against which to judge development on the site which then provides a benchmark against which to assess the merits of any new proposal that includes an uplift in unit numbers.

7.5.3 Any development proposals on site SNP2 should:

- exclude any built development from a strip 30m deep from the site boundary where it adjoins Church Road to respect the wide set-back from the road characteristic of development in the area;

officer comment:

not relevant to proposal currently before Committee

- include a pedestrian link to Gipping Road in the north-western corner of the site to facilitate good pedestrian links to bus stops and other services and facilities in the village;

officer comment:

not relevant to proposal currently before Committee

- include an equipped play area;

officer comment:

Development will include equipped play

- include a wide margin between the northern boundary of development and Gipping Road planted as a woodland belt using native species;

officer comment:

not relevant to proposal currently before Committee

- ensure that none of the dwellings in an area 50m deep from the woodland belt (required in criterion (d) above) shall have any eaves higher than ground floor wall plate level or a 'mansard' style roof, and otherwise exceed two storeys in height to maintain a rural undeveloped setting for the entrance and approach to Columbine Hall and the character and setting of the nearby small traditional cottages on Gipping Road;

officer comment:

Concern expressed by both the Parish Council and the Heritage team about the lack of a woodland belt along the Gipping Road frontage to the site are acknowledged and shared. It is therefore recommended that the S106 Agreement required to secure the affordable housing is expanded to require the woodland planting regime envisaged by the Inspector, the Parish Council and the Heritage Team.

- protect and, wherever possible, enhance existing rights of way through the site and take every available opportunity to increase and improve links with the wider network in the parish.

Where changes to the existing network are necessary to accommodate development, mitigating measures will be needed to ensure that the network is not adversely affected.

officer comment:

No new implications arise

- 7.5.4 Judged against these criteria and with the S106 requirement in respect of woodland planting the current proposal raises no matters that are contrary to policy SNP2 largely because the red line sits within the wider original site and has no boundaries on the edge of the wider site
- 7.5.5 The proposal satisfies SNP1 in so far as the developer is effectively infilling spaces within an approved major development by adjusting the layout of the scheme.
- 7.5.6 SNP 5 is satisfied because the uplift in unit numbers is accompanied by a pro-rata increase in the number of affordable units to meet the Council's policy of 35%
- 7.5.7 The proposal is within the settlement boundary defined by SNP7.
- 7.5.8 There are no new footpath implications [SNP13]
- 7.5.9 The quality of development will match that previously approved [SNP14]

8.0 Delivery

- 8.1 It is the Government's intention to significantly boost the supply of new homes. That cannot displace the primacy of the development plan; however, it is a material consideration for Members to take into account, alongside the policies contained within the NPPF, when considering the principle of new housing applications. Further, the thrust of governmental policy and supporting guidance is aimed at ensuring that sites are brought forward as quickly as possible and that it is incumbent to demonstrate that this can be achieved.
- 8.2 Officers have agreed a Statement of Common Ground (SCG) with Bloor Homes in order to understand their anticipated lead-in and build-out rates for the site and for the purposes of compiling the 'clear evidence' of delivery necessary to support housing land supply projections in accordance with the NPPF and supporting PPG.
- 8.3 Bloor Homes will continue to build out this scheme and will then look to move on to other projects in the District

- 8.4 Whilst not a consideration that is held up as being material to the determination of this application, it is nevertheless helpful to note that the applicant is committed to the delivery of these units and at an expeditious rate such that it would make a meaningful contribution to the housing land supply of the district within the five-year period.

PART FIVE – CONCLUSION

1. This application represents another major step forward in boosting housing delivery across the District.
2. Whilst there will no doubt be many in Stowupland who regret the level of development previously approved, the application submitted here is considered acceptable for the reasons set out. The additional 19 units cannot be shown to result in harm sufficient to warrant refusal
3. The Council can demonstrate that it has a 5YHLS. The view expressed by the Parish Council about there being no need, in their view, for further housing is understood but as explained earlier changes to the NPPF in 2019 now mean that the Council will be judged on the level of housing delivery being actually experienced rather than a theoretical land availability. In this respect housing delivery needs to be accelerated.
4. Bloor Homes are committed to completing this development in as short a time as possible and progress is ongoing. These units will be available in the short-term and will therefore make an important contribution to overall housing delivery in the near term. Members will now be familiar with the fact that the 5YHLS and delivery position of the Council is reviewed annually and as the 5YHLS currently stands at 5.06 years as an adopted published position any slippage could adversely impact the Council's position.
5. Members will also be familiar with the fact that a number of key policies within the Adopted Development Plan have been held to be out of date and therefore there is potential for the tilted balance to apply [paragraph 11 NPPF]. That said the Stowupland Neighbourhood Plan is so new that it represents 'up to date' policy of significant relevance and attracts significant weight. The proposal itself is in accordance with the SNP as described earlier in some detail. Therefore, the

proposal complies with the development plan when taken as a whole and should be permitted without delay in accordance with local and national policy. This is what the presumption in favour of sustainable development means in such circumstances.

6. In the absence of any justifiable or demonstrable material consideration indicating otherwise, it is considered that the proposals are therefore acceptable in planning terms and that there are no material considerations which would give rise to unacceptable harm.

7. A positive recommendation to Members is therefore given below.

RECOMMENDATION

That:

(1)

subject to the receipt of an appropriate unilateral undertaking from the applicant securing

- **a £10,000 contribution towards additional highway works to improve visibility splays where adjacent hedging now obstructs visibility [as described by SCC in its comments]; and,**
- **affordable housing in line with Council policy; and,**
- **such appropriate Deed/s of variation to ensure previously secured planning gain is protected should this new permission be approved and the development implemented**

then;

(2)

Delegated authority be given by the Committee to the Acting Chief Planning Officer to approve the application subject to planning conditions, drafted to the satisfaction of the Acting Chief Planning Officer, including:

- Approved Plans and Details
- Further details of materials to be submitted
- External glazing bars and window reveals
- No grp canopies
- Electric charging points in garages
- As required by Place Services
- As required by SCC, where necessary.
- As required by SCC Floods and Water
- As required by AW