

Committee Report

Item No: 7A

Reference: DC/19/02299

Case Officer: Daniel Cameron

Ward: Stonham.

Ward Member/s: Cllr Suzie Morley.

RECOMMENDATION – GRANT FULL PLANNING PERMISSION WITH CONDITIONS

Description of Development

Full Planning Application - Erection of 46 dwellings, sport pitches and a sports community building with associated access improvements, parking, play space, infiltration basin and landscaping.

Location

Land South of The Street, Stonham Aspal, Suffolk, IP14 6AN

Expiry Date: 31/01/2019

Application Type: FUL - Full Planning Application

Development Type: Major Small Scale - Dwellings

Applicant: Mr DJ And Mr CJ Tydeman And Capel Properties Ltd

Agent: Patrick Allen Ltd

Parish: Stonham Aspal

Site Area: 4.12 ha.

Density of Development: 11 dwellings per ha.

Net Residential Site Area: 1.82 ha.

Net Density of Development: 25 dwellings per ha.

Details of Previous Committee / Resolutions and any member site visit: None

Has a Committee Call In request been received from a Council Member (Appendix 1): No

Has the application been subject to Pre-Application Advice: No, although informal advice was offered with regards to the community building and the format of the application.

PART ONE – REASON FOR REFERENCE TO COMMITTEE

The application is referred to committee for the following reason:

The application is a major application and proposes residential development for 15 or more dwellings

PART TWO – POLICIES AND CONSULTATION SUMMARY

Summary of Policies

NPPF - National Planning Policy Framework
NPPG - National Planning Practice Guidance
FC01 - Presumption in Favour of Sustainable Development
FC01_1 - Mid Suffolk Approach to Delivering Sustainable Development
FC02 - Provision and Distribution of Housing
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
CS09 - Density and Mix
GP01 - Design and layout of development
HB01 - Protection of historic buildings
HB14 - Ensuring archaeological remains are not destroyed
H04- Proportion of Affordable Housing
H07 - Restricting housing development unrelated to needs of countryside
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
RT01 – Sports and recreation facilities for local communities
RT02 – Loss of existing sports and recreation facilities
RT04 – Amenity open space and play areas within residential development

Neighbourhood Plan Status

This application site is not within a Neighbourhood Plan Area.

Consultations and Representations

During the course of the application Consultation and Representations from third parties have been received. These are summarised below.

A: Summary of Consultations

Town/Parish Council (Appendix 3)

Stonham Aspal Parish Council

At the meeting on 11th June, the members of Stonham Aspal Parish Council agreed to object to the planning application for 46 dwellings, sports pitches and sports community building on land south of The Street, Stonham Aspal.

Although members felt that the planning application had been extremely well thought out, that the location was preferable to others put forward for development, it provided the right mix of properties, and that the additional facilities would be a benefit to the community they are objecting on the same basis as they have other recent applications.

Stonham Aspal is currently designated a secondary village where infill housing developments are considered appropriate. This however is a major development which would represent an increase of c.20% in the number of properties in the village. This is on top of applications for 15-20 houses already approved and another 36 currently under consideration. This scale of development would alter the identity of the village for the worse. The application is out of keeping with the current local plan and approval would set a precedent and change the status of the village leaving it open to further detrimental development.

There is concern over the sustainability of the development. With current school, medical and transport facilities being inadequate to cover the needs of the additional 46 households.

The increase in traffic on an already busy road (which is likely to be impacted heavily by commuter traffic for Sizewell C) is of great concern. There was suggestion that CIL money could be used to alleviate some of the safety issues caused by this, however the road is narrow as are the footpaths and there is no possibility of widening them.

The development is also positioned outside of the village envelope and as MSDC has their 5-year land supply it is not a necessity to erode these boundaries.

There are also some concerns over the safety of the entrance to the development on a bend where there is limited visibility in an area where speeding is common.

In addition, the development would impact on at least two listed / properties of historic value namely Cheevers Farm and Ponds Cottage.

On a separate matter, it became apparent during the meeting that a number of households opposite and adjacent to the site had not been contacted with regard to the application and only became aware because of the Parish Council Meeting. There were also concerns about when the site notice had actually been put up which led the council members to question the validity of the consultation period. A separate letter will be sent to the planning department on this matter.

National Consultee (Appendix 4)

Anglian Water

Anglian Water confirm the presence of assets or adopted assets close to the development and further confirm sufficient capacity at the nearest wastewater treatment plant to cope with the additional housing proposed within the scheme. They also confirm that capacity within the sewerage system exists for these additional dwellings.

Natural England

Natural England has no comments to make on this application.

Sport England

Sport England raises no objection to this application which is considered to broadly meet exception E5 of our adopted Playing Fields Policy, subject to conditions relating to pitch specification, and further approval of the internal layout of the sports/community building.

County Council Responses (Appendix 5)

SCC - Archaeological Service

This site lies in an area of archaeological potential recorded on the County Historic Environment Record, on the edge of the original extent of the medieval Stonham Aspal Green (SAL 029). This was a focus for medieval and post-medieval occupation, as reflected by the surviving historic buildings and moated sites which still surround it. Scatters of Roman and medieval finds have also been recorded in the vicinity of the proposed development area (SAL 044 and 054). As a result, there is high potential for the discovery of below-ground heritage assets of archaeological importance within this site, 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 in order 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.

SCC - Development Contributions

School transport contribution - 8 secondary-age pupils are forecast to arise from the proposed development. Developer contributions are sought to fund school transport provision for a minimum of five years for secondary-age pupils. Annual school transport cost per pupil is £960. Therefore, contribution is £960 x 8 pupils x 5 years = £38,400, increased by the RPI. This contribution will be held for a minimum period of 10 years from the first occupation of the final dwelling.

SCC - Fire & Rescue

Hydrants are required for this development.

Access to buildings for fire appliances and firefighters must meet with the requirements specified in Building Regulations Approved Document B, (Fire Safety), 2006 Edition, incorporating 2010 and 2013 amendments Volume 1 - Part B5, Section 11 dwelling houses, and, similarly, Volume 2, Part B5, Sections 16 and 17 in the case of buildings other than dwelling houses. These requirements may be satisfied with other equivalent standards relating to access for firefighting, in which case those standards should be quoted in correspondence.

Suffolk Fire and Rescue Service also requires a minimum carrying capacity for hard standing for pumping/high reach appliances of 15/26 tonnes, not 12.5 tonnes as detailed in the Building Regulations 2000 Approved Document B, 2006 Edition, incorporating 2010 and 2013 amendments.

Suffolk Fire and Rescue Service recommends that fire hydrants be installed within this development on a suitable route for laying hose, i.e. avoiding obstructions. However, it is not possible, at this time, to determine the number of fire hydrants required for firefighting purposes. The requirement will be determined at the water planning stage when site plans have been submitted by the water companies.

SCC - Flood & Water Management

The submitted documents have been reviewed and we recommend approval subject to conditions.

SCC – Highways – Initial Comments

Notice is hereby given that the County Council as Highways Authority recommends a holding refusal on this permission for the following reasons:

The access is directly opposite Doe Fields junction. This proposal is unacceptable as this in effect creates a crossroads. DMRB TD41/95 states 'Cross road situations are undesirable, and it would be better to ensure accesses are staggered. The implications and accident risk for right turning traffic into and out of the access shall always be taken into account'. Although this document is developed principally for Trunk Roads, SCC as the highway authority apply this standard with roads with similar characteristics to trunk roads; it sets a standard of good practice. The annual average daily traffic (AADF) indicates over 12000 vehicles a day use the A1120 and is part of the strategic highway network and on the Suffolk Lorry Route network (1700 HGV/day). Although it can be argued the A1120 has sufficient capacity for the additional vehicles from the proposed site, it still remains the access directly imposes a number of turning movements on this junction. We have some concerns regarding the mixed recreational/residential development on this site using a single access; the impact on the residential development from vehicles parking/visiting the sports facilities and pavilion with regard to conflict and impact on pedestrians (primarily children), cyclists and residential traffic. We suggest the access for each types of development are separate.

The unmarked bus stops on The Street are affected by the proposal and new locations are to be shown giving full details including raised kerbing and shelters to encourage new residents to use public transport.

The parking places for Plots 20 - 25 are all at the back of the dwellings; experience has shown that residents tend to park as close as possible to the entrance of their house. Therefore, it is considered the parking allocation is not 'convenient' and may lead to parking on footways, verges and service strips. At present, we would recommend that permission for the application be refused unless the above points can be addressed and we look forward to receiving further information.

SCC – Highways – Updated Comments

The parking provision for Plots 1,2, 23 and 24 need to be redesigned as vehicles will be reversing on the bend close to access into the site.

Improvements to the nearest bus stops are required to assist new residents in making use of the bus services. These bus stops benefit with improvements, including wheelchair accessible kerbs. Ideally, these works could be carried out under a S278 agreement with SCC however, if not, the county may consider a CIL contribution for these improvements by requesting £6,000 towards these works.

Should the above be forthcoming, the Highway Authority could support the proposed development subject to conditions.

SCC – Highways – Final Comments

Following revisions made in response to our earlier comments, notice is hereby given that the County Council as Highway Authority recommends that any permission which that Planning Authority may give should include the conditions shown below:

The parking provision for Plots 1,2, 23 and 24 need to be redesigned as vehicles will be reversing on the bend close to access into the site.

Improvements to the nearest bus stops are required to assist new residents in making use of the bus services. These bus stops benefit with improvements, including wheelchair accessible kerbs. Ideally, these

works could be carried out under a S278 agreement with SCC however, if not, the county may consider a CIL contribution for these improvements by requesting £6,000 towards these works.

SCC - Travel Plan Co-ordinator

Thank you for consulting me about the proposed development at Land South of the Street in Stonham Aspal. Having reviewed the documents, I have no comment to make, as the existing sustainable transport infrastructure is limited for commuting purposes, in addition to the development being too small to justify a Travel Plan in accordance with national planning guidance.

Internal Consultee Responses (Appendix 6)

Arboricultural Officer

I have no objection in principle to this application subject to it being undertaken in accordance with the measures outlined in the accompanying arboricultural report, an appropriate condition should be used for this purpose. The loss of a small section of hedgerow will have negligible impact within the wider landscape. However, the proximity of proposed dwellings to vegetation along the southern boundary is a cause for concern, particularly due to the orientation of this relationship, which seems unlikely to be resolved sufficiently with pruning. Further consideration should be given to this element of the design.

Communities (Major Development)

I have had initial discussions with the Football Club who confirm that they have been fully consulted on the proposal and support its provision.

I note that the Football Club are taking on the responsibility for the management and repair of the whole site including the car park, recycling area and play area and that these elements have been considered in regard to the proposed lease.

I have had initial discussions with the Parish Council and note their support of the sporting/community element of the project within their consultation response. However, I would wish to see some form of "reassurance" to the Parish Council that the site, although predominantly for Football Club activity, is effectively publicly accessible i.e. for the play area, recycling access etc... to be accessible at all times, save on such occasions that a formal sports event may warrant reasonable restriction.

It should also reflect that the community should have due regard to ensuring the sports pitches are fundamentally for sporting use and therefore necessarily controlled at times either through management or physical access to ensure they are maintained for sporting use as required. This may warrant a Community Use Agreement (CUA) to articulate this. I do not see any reference to any detail concerning the use/times of the floodlit training area.

I note Sport England's concerns which although have been addressed re the pitch sizing, I await their assessment as to the suitability of the proposed changing provision against their "guidelines". Overall, the proposal will be a benefit to both local football and the wider community subject to ensuring the various details are duly finalised.

Heritage Team

The Heritage Team considers that the proposal would cause a medium level of less than substantial harm to the significance of Ponds Cottage, and a low level of less than substantial harm to the significance of Chevers Farm because of the detrimental impact that the proposed development would have on their settings.

Place Services – Ecology

No objection subject to securing biodiversity mitigation and enhancement measures.

We have reviewed the Ecological Survey Report (MHE Consulting Ltd, April 2019) and Great Crested Newt Survey Report (MHE Consulting Ltd, November 2019), supplied by the applicant, relating to the likely impacts of development on designated sites, protected species and Priority species & habitats.

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.

Planning Policy

No response.

Public Realm

The Public Realm Team note and welcome the provision of a small play area to the rear of the new housing development and the provision of updated sports facilities for the village.

The Team welcomes the planned arrangement that the football club would be responsible for the future management and maintenance of the play equipment and the surrounding open space. It would be advisable to include both dog waste and litter bin provision as part of the design of the open space/football pitches as these will undoubtedly attract local dog walkers.

Strategic Housing

This is an open market development and based on 46 units should offer 16 affordable housing units = 35% policy compliant position.

Therefore, the proposal is to build 4 affordable housing dwellings this will make the development uncompliant with the Council's affordable housing policy.

B: Representations

At the time of writing this report at least 12 letters, emails and online comments have been received in response to the application. It is the officer opinion that this represents 9 objections, 1 support and 2 general comments. A verbal update shall be provided as necessary should additional comments be made.

Objection comments are summarised below:

- Impacts on local ecology and green space;
- Increased traffic through the village and use of the junction;
- Perceived increase in crime;
- New facilities will be run through the football club and will not be accessible or of benefit to the wider community;
- Lack of community consultation from the football club;
- Lack of facilities to support the residential dwellings;
- Increase in housing numbers within Stonham Aspal, village would grow by 25%;
- Affordable housing offered is not in keeping with policy;
- Loss of outlook and privacy for surrounding properties;
- Increase in disturbance from noise and light pollution;
- Lack of employment opportunities within Stonham Aspal and lack of sustainable transport options;
- Limited visibility towards the village from the site access;
- Development is outside the established settlement boundary; and
- Brownfield sites should be prioritised over this one.

The comment of support noted the following:

- Application appears sensitive to the needs of the village;
- It would support the football club, improving their facilities;
- Variety of housing appears to reflect what is required within the village; and
- CIL monies could be utilised to offset issues with infrastructure.

Neutral comments added the following points:

- Footpath 36 runs through the application and alterations to it would require a separate legal alteration to its route.

(Note: All individual representations are counted and considered. Repeated and/or additional communication from a single individual will be counted as one representation.)

PLANNING HISTORY

REF: DC/19/02299	Full Planning Application - Erection of 46 dwellings, sport pitches and a sports community building with associated access improvements, parking, play space, infiltration basin and landscaping.	DECISION: PDE
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PART THREE – ASSESSMENT OF APPLICATION

1. The Site and Surroundings

- 1.1 The application site is located within the village of Stonham Aspal, on the southern side of the A1120. It comprises the existing sports ground and car park serving Stonham Aspal Football Club and extends south into agricultural land. The site itself is uniformly level and is laid to grass with the exception of the car park. A public right of way crosses the site.
- 1.2 The application site is outside of the established settlement boundary of Stonham Aspal as set out within the adopted Development Plan but does form part of the housing allocations brought forward within the emergent Joint Local Plan.
- 1.3 Residential development is noted to the immediate north, east and north-west of the application site, while further agricultural fields extend to the west and to the south. A hedgerow extends along part of the northern and western boundary of the site, while denser planting exists on the eastern 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. A number of listed buildings lie in the vicinity of the application site and will be identified within Section 9 of this report. The site is in Flood Zone 1.

2. The Proposal

- 2.1 The application is formed of two elements. The first comprises the creation of one full sized and one junior sized football pitches, a training area, play area, sport/community building, car park (30 spaces), re-siting of the recycling facility and infiltration basin. The second part comprises the access road to the site and 46 new residential dwellings which break down to:
 - 2 x 1 bed bungalows;

- 4 x 2 bed houses;
- 6 x 2 bed bungalows;
- 20 x 3 bed houses; and
- 14 x 3 bed bungalows.

- 2.2 The site is arranged around one single point of access from the A1120 which is proposed to run through the middle of the site and connect to the sports facilities. Residential properties are arranged to both the north and south of the proposed access road. The development phasing plan submitted with the application shows that an element of the residential development would be provided as a first phase of development to comprise 19 dwellings. Following this, the sports facilities would be provided before the remainder of the housing. If approved, this phasing plan would be secured by condition as well as within any Section 106 Agreement to ensure that only the development necessary to fund the sports facilities were built and occupied prior to the delivery of those facilities.
- 2.3 The application proposes 117 total parking spaces, 30 of which are to serve the football club and sports/community building, the remainder are provided for the use of the proposed 46 residential dwellings and are provided via a mix of garages and driveways. The parking offered complies with the adopted Parking Standards.
- 2.4 The entire site measures 4.12 ha in size, however, the area proposed for the first element of the development utilises some 2.3 ha of this. Therefore, the remaining 1.82 ha comprises the developable area for the residential element of the application. This gives a density per hectare of 25.
- 2.5 The residential element of the development proposes dwellings of no more than two storeys in height, although a good proportion of the proposed dwellings are single storey. The sport/community building is also proposed to be single storey in height. Two storey properties are proposed along the frontage of the site to the A1120 and sporadically along the access road, with single storey bungalows predominant within the site.
- 2.6 Each proposed residential property is served by a good-sized private amenity area and a separate play area is to be provided as part of the sports facilities to be developed as part of the application.
- 2.7 The footpath that currently crosses the site is intended to be diverted to match the route of the footpaths to be provided within the site and to ensure that they do not cross any of the sports pitches or through proposed gardens, the ultimate route of the footpath through the site would remain. The applicants are aware of the separate legal processes that are required for the stopping up and diversion of a public footpath and are further aware that grant of planning permission will not ensure approval to stop up or divert a public right of way.
- 2.8 Back to back distances within the site are shown from plan to be at least 20m.
- 2.9 Facing materials are proposed as brickwork, cream render and timber boarding.

3. The Principle of Development

- 3.1 The starting point for any planning decision is the development plan, as identified in Section 38(6) of the Planning and Compulsory Purchase Act 2004. Determination of any application must be made in accordance with the plan unless material considerations indicate otherwise. A key

material consideration regarding the principle of development is the National Planning Policy Framework (NPPF) 2019.

- 3.2. For the purposes of the application at hand, the following documents are considered to form the adopted Development Plan:
- National Planning Policy Framework (NPPF, 2018)
 - National Planning Practice Guidance (NPPG, 2014)
 - Mid Suffolk Core Strategy Focussed Review (2012)
 - Mid Suffolk Core Strategy (2008)
 - Mid Suffolk Local Plan (1998)
- 3.3 Mid Suffolk benefits from a five-year housing supply. There is no requirement for the 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.
- 3.4 The NPPF requires the approval of proposals that accord with an up to date development plan without delay, or where there are no policies, or the policies which are most important are out of date, granting permission unless the NPPF policies provide a clear reason for refusal, or adverse impacts of doing so would demonstrably outweigh the benefits. The age of policies itself does not cause them to cease to be part of the development plan or become "out of date" as identified in paragraph 213 of the NPPF. Significant weight should be given to the general public interest in having plan-led decisions even if the particular policies in a development plan may be old, and weight can be attributed to policies based on their compliance with the requirements of the NPPF.
- 3.5 Policy CS01 of the Core Strategy identifies a settlement hierarchy as to sequentially direct development, forming part of a strategy to provide for a sustainable level of growth. The Policy identifies categories of settlement within the district, with Towns representing the most preferable location for development, followed by the Key Service Centres, Primary then Secondary Villages. The countryside is identified as the areas outside of those categories of settlement referred to above.
- 3.6 Stonham Aspal is identified within policy CS01 as a Secondary Village, this is qualified as a village unsuitable for growth but capable of appropriate infill development for local needs only. For the purposes of this policy, the application site lies outside of the established settlement boundary and as such, is classified as countryside.
- 3.7 Policy CS02 of the Core Strategy restricts development in the countryside to a number of defined categories. These categories include recreational facilities, however, explicitly excludes the development of market housing, such that this element of the application is considered to be contrary to this adopted policy. Consequently, it is also considered to be contrary to the provisions of Local Plan policy H07.
- 3.8 With regards to the provision of the sports facilities, Local Plan policies RT01 and RT02 are applicable. RT01 gives support to the development of recreational facilities to serve local community needs, while RT02 requires that where development will lead to the partial or total loss of existing recreational facilities, suitably located replacement facilities will be provided. With regards to this aspect of the development, it is not considered that the application would be in conflict with the adopted Development Plan as, while it utilises some of the existing site to provide housing, it is also intended to provide significantly improved sports facilities in the form of all-

weather pitches and an improved clubhouse. Paragraph 97 of the NPPF is reflective of RT02 in particular seeks to protect sports facilities from development unless alternative provision is provided.

- 3.9 However, this is not the case when considering the exceptional circumstances test set out within Policy CS02 and which applies to all land outside the settlement boundary, as does saved Policy H07. This blanket approach is not consistent with the NPPF, which favours a more balanced approach to decision-making. The NPPF does contain a not dissimilar exceptional circumstances test, set out at paragraph 79, however it is only engaged where development is isolated. The definition of isolation with regards to this policy has been shown within court judgements to relate to physical isolation, only. Given the proximity of this application to residential development to the north, east and north-western boundaries, the application site cannot be considered to be physically isolated. Therefore, paragraph 79 is not engaged.
- 3.10 Having regard to the advanced age of the Mid Suffolk settlement boundaries and the absence of a balanced approach as favoured by the NPPF, the statutory weight attached to the above policies is reduced as required by paragraph 213. The fact that the site is outside the settlement boundary is therefore not a determinative factor upon which the application turns.
- 3.11 The presumption in favour of sustainable development and the need for a balanced approach to decision making are key threads to Policy FC01 and FC01_1 of the Core Strategy and are also the most recent elements of the Mid Suffolk development plan, adopted in 2012. Policy FC01_1 however is not considered up to date as it does not allow for the weighing of public benefits against heritage harm, a key tenet of the NPPF as set out at paragraph 196.
- 3.12 Therefore, while the Council can demonstrate a five-year housing land supply, it cannot be shown that the adopted policies of the Council carry sufficient weight to be determinative to this application. Paragraph 11d) of the NPPF is therefore relevant, it requires that where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:
- i. the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed;
 - ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.
- 3.13 The aim of the NPPF, the delivery of sustainable development, remains unchanged. The three dimensions of sustainable development, in the context of the proposed scheme, are assessed in detail below.
- 3.14 *Economic Dimension* – The provision of 46 dwellings would give rise to employment opportunities during the construction phase of the development owing to the scale of the development proposed. The New Anglia ‘Strategic Economic Plan’ (April, 2014) acknowledges that house building is a powerful stimulus for growth and supports around 1.5 jobs directly and 2.4 additional jobs in the wider economy for every home built. There would also be some economic benefit to the services and facilities within Stonham Aspal, however, it is considered that the long-term economic benefits of the development will likely be directed further afield given that Stonham Aspal boasts a narrow range of services and facilities.
- 3.15 *Social Dimension* – The delivery of additional housing within the district is recognised as a benefit of the application. While the Council can demonstrate a five-year housing land supply position, this cannot be read as a cap on development. The delivery of a low level of affordable housing is

also read as benefit of the application, however, this is also considered to be marginal given the fact that scheme cannot support a policy compliant level of affordable housing.

- 3.16 The benefits of the new, improved facilities to the football club is also read as a social benefit of the application. The current facilities are not considered by the club to be suitable for their needs and this application would deliver more modern facilities for their use, albeit one which reduces the number of pitches available to the club. The submitted phasing scheme ensures that it is not possible for the developer to build out the full number of dwellings without delivering the sports facilities.
- 3.17 Reservations with regards to the capability of local services to cope with the additional dwellings are noted, however, it is a well-established industry practice that CIL contributions are used to ensure existing infrastructure capacity is enhanced to accommodate additional demand.
- 3.18 *Environmental Dimension* – The site is located in the countryside in policy terms, as it is outside the settlement boundary however, the site has a strong functional relationship to the village and is not considered isolated in a functional sense. It is close to a small range of facilities, as well as connections to the wider transport network with bus services within walking distance of the site.
- 3.19 Harm to the settings of the nearby listed dwellings is noted. The level of harm is identified as being a medium level of less than substantial harm as the application is considered to erode the character of a number of listed buildings by bringing built form closer to them. This impact of the proposal is further considered in the relevant section below and the overall benefits and impacts balance weighed in the conclusion.
- 3.20 With regards to the emergent Joint Local Plan, Stonham Aspal is identified as a core village, while the residential element of the application site is identified for housing growth with the site forming allocation LA076 to accommodate approximately 35 dwellings. The Joint Local Plan is not sufficiently advanced to carry more than a limited amount of material weight; however, it does indicate the direction of travel anticipated for Stonham Aspal. That being said, the Parish Council have confirmed that they are in discussions with the Council's Planning Policy team regarding the positioning of Stonham Aspal within the Joint Local Plan.

4. Nearby Services and Connections Assessment of Proposal

- 4.1 Stonham Aspal is served by a modest range of facilities including primary school, pre-school, village hall, church, tennis and basketball court, and village shop, all of which are accessed from the A1120 and are within 800m of the application site. It is considered that these could be accessed on foot given the presence of the existing footpath network within Stonham Aspal, although it is accepted that this is not a continuous path and so to do so would involve crossing the A1120. That being said, along its run through the village, a 30mph speed limit is imposed. It should also be noted that the nature of services offered at the Village Shop are limited to its market niche. The area is also served by a farm shop 1.8 miles away from the application site, accessed from Scott's Hill. It is not considered that this would be accessed on foot as there is no footpath provided after turning onto Scott's Hill, although it is considered to be within a distance that is achievable by bicycle.
- 4.2 Stonham Aspal sits along the 114 and 115 service routes, with stops for both located adjacent to Pound Corner and the Ten Bells. Both can be accessed utilising the same walking route within the village as described above. The services provide connections between Diss and Ipswich and Mendlesham to Ipswich. The frequency of the 114 offers six services daily while the 115 offers only two services daily, with neither operating on a Sunday.

- 4.3 A range of services is also offered at Stonham Barns, located 600m to the east of the site along the A1120, however, no footpath access to these services is available, such that walking to them is considered to be intimidating to pedestrians, especially considering the speed of traffic on part of the A1120 closest to Stonham Barns is raised to the National Speed Limit and would make crossing dangerous.
- 4.4 The Transport Statement submitted in support of the application shows that while a number of facilities are not within a 5km distance of the site, they are accessible by public transport. The statement also shows 2011 Census data indicating that the majority of journeys from Stonham Aspal are made by private motor vehicle.

5. Site Access, Parking and Highway Safety Considerations

- 5.1 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. Saved Policy T10 is therefore attached substantial weight.
- 5.2 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.
- 5.3 Consultation with the Highway Authority has seen the access go through a number of alterations and amendments; however SCC have confirmed that they are now content with the proposed access.
- 5.4 A number of third-party representations highlight speeding along the existing road network and a concern for safety of road users. The submitted Transport Statement indicates two incidents within the past five years close to the site. One close to the junction of the A1120 with Crowfield Road, and the other past the junction of the A1120 with East End Road. The collision data available shows these to be caused by driver error.
- 5.5 It is considered that the incidents were not linked and were not related to the highway layout or conditions of the A1120. There is therefore no reason to consider whether improvements to the wider highway network are required. This position has been confirmed through consultation with the Highway Authority.

6. Design and Layout

- 6.1 As previously mentioned, the scheme is formed of two parts, the residential element and the recreational element, with the residential properties arranged closer to the A1120 and the recreational facilities within the southern portion of the application site. Both are accessed from the A1120 and make use of the same access road.
- 6.2 The residential element proposes a mix of bungalows and two-storey houses which have been designed to mirror both traditional and contemporary vernacular architecture apparent within Stonham Aspal. The submitted Design and Access Statement highlights the high-quality design

running through the proposed residential development and notes a number of characterful features.

- 6.3 The proposed community/sports building is more utilitarian, reflecting its requirement to meet the needs of the various teams and groups making use of it, but is not unpleasant.
- 6.4 Given the above, it is considered that the proposed design of the scheme is acceptable and would meet the requirements of adopted policy GP01.

7. Landscape Impact, Trees, Ecology, Biodiversity and Protected Species

- 7.1 Policy CS5 of the Core Strategy seeks to protect and conserve landscape qualities taking into account the natural environment and the historical dimension of the landscape as a whole rather than concentrating solely on selected areas, protecting the District's most important components and encouraging development that is consistent with conserving its overall character.
- 7.2 Paragraph 170 of the NPPF states that the planning system should contribute to and enhance the natural and local environment by protecting and enhancing valued landscapes, geological conservation interests and soils.
- 7.3 The site does not lie within, nor near any landscape designation. The site is open, and while it possesses a number of sports pitches and associated buildings, contributes in small part to the rural setting of the village. The eastern side of the site is heavily treed and provides a strong backdrop to a number of the listed buildings close to the site.
- 7.4 The development will result in an urbanising effect and loss of rural character owing to its scale, this is inevitable with an undeveloped, open site. However, it is flanked on a number of sides by existing residential development and will serve to provide a street frontage to this section of the village, which would allow the site to appear less visually intrusive.
- 7.5 The section of the development within the agricultural land will be less intrusive, retaining the open character of the landscape at this point. A scheme for landscaping is sought to be secured by condition to provide appropriate mitigation in this regard.
- 7.6 Comments made by the Council's Arboricultural Officer are noted, and tree protection can be secured by way of planning condition to ensure that the existing landscaping will be retained through development. Alteration to the layout of the residential dwellings has amended the relationship of the proposed dwellings to the southern boundary, such that the trees along that boundary would come under less pressure.
- 7.7 Regulation 9(3) of the Conservation of Habitats and Species Regulations 2017 (Implemented 30th November 2017) provides that all "competent authorities" (public bodies) to "have regard to the Habitats Directive in the exercise of its functions." An ecology report supports the application which has been reviewed by Council's Ecology Consultant. The report concludes the development would not adversely impact any statutory or non-statutory designated sites of nature conservation in the vicinity of the site. This has been assessed by the Council's Ecology Consultant who confirm the report's findings.
- 7.8 A number of conditions are recommended to secure the mitigation of the impacts of the development as well as secure the enhancement of the site such that net gains for biodiversity are achieved.

- 7.9 It has been considered that no criminal offence under the 2017 Regulations against any European Protected Species is likely to be committed and moreover, that the report gives the likely certainty over the ecological impacts of the development.

8. Land Contamination, Flood Risk, Drainage and Waste

- 8.1 The application is supported by a comprehensive Geoenvironmental assessment which includes recommended remediation measures. It concludes that additional testing for the residential site should be secured by way of planning condition given the sensitivity of the end use of the properties. This is considered to be a reasonable approach and in line with the requirements of Policy H17 to keep residential dwellings away from sources of pollution.
- 8.2 The site lies within Flood Zone 1, although is of sufficient size to require consideration of surface water drainage provisions. The submitted Flood Risk Assessment has been revised in consultation with Suffolk County Council's Flood and Water Management Team and is now agreed. The conditions are standard for the scale of development proposed and are supported to ensure flood matters are adequately resolved in collaboration with SCC Flood and Water. There is no reason to withhold planning consent on flood or drainage grounds.

9. Heritage Issues

- 9.1 Policy HB1 of the Local Plan seeks to protect the character and appearance of buildings of architectural or historic interest, particularly protecting the settings of Listed Buildings. Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 states that special attention shall be paid to the desirability of preserving or enhancing the character or appearance of a Listed Building or its setting.
- 9.2 Consultation with the Council's Heritage Team notes impacts arising from the proposed development on a number of listed buildings. These are identified as Ponds Cottage (located adjacent to the site at its north-west corner), Garden Cottage (located across the A1120 to the north east of the site), Chevers Farmhouse and Chevers Farm Barn (both located to the east of the site). All four are listed at Grade II.
- 9.3 Comments received from the Council's Heritage Team notes that at present the site allows for uninterrupted visual connections between the four listed buildings, and in particular would surround Pond Cottage with built form, resulting in the loss of the last of its historic setting. There would also be harm to the setting of Chevers Farmhouse and Chevers Farm Barn, which would be connected to the rest of the built-up area of Stonham Aspal. The Heritage Team concludes that this would lead to the creation of a medium level of less than substantial harm to the heritage assets.
- 9.4 Paragraph 196 of the NPPF requires that levels of less than substantial harm to designated heritage assets be weighed against the positive public benefits of the scheme bearing in mind that the NPPF also gives great weight to the preservation of a heritage asset.
- 9.5 With regards to the public benefits offered by the application, these extend to the provision of additional housing within the district, together with the provision of a modest amount of affordable housing and the improvements offered to the sports ground which would secure the future of the football club. In weighing these benefits, it is considered that they offer ample justification for the identified level of harm.

- 9.6 Local Plan Policy HB14 seeks to protect archaeological sites. The policy contemplates a conditional approach where it provides for the excavation and recording of archaeological remains. The County Archaeological Service (CAS) notes the site lies in an area of archaeological potential with high potential for the discovery of below-ground heritage assets of archaeological importance.
- 9.7 The CAS notes there are no grounds to consider refusal of permission and it recommends standard planning conditions. Officers concur with the recommended approach and consider it consistent with Policy HB14.

10. Impact on Residential Amenity

- 10.1 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.
- 10.2 There is sufficient intervening distance and planting to ensure that the neighbouring dwellings to the site will not have their existing levels of amenity adversely affected while the site layout avoids such issues between the proposed dwellings.

11. Planning Obligations and Community Infrastructure Levy

- 11.1 Representations from Suffolk County Council note their requirements for contributions to be secured under a Section 106 Agreement. These include:
- £38,400 for secondary school transport costs; and
 - £6,000 for improvement works to the nearest bus stop.
- 11.2 Further ongoing management and maintenance requirements for the open space will also be secured under the terms of the agreement as would the provision of the affordable housing offered as part of the application. This should include details of the accessibility of the facilities within the site (recycling centre and play space) ensuring that these can be accessed at all times unless access should reasonably be restricted due to football events and should also secure an element of community access to the facilities.
- 11.3 Comments from the Council's Strategic Housing team are noted. The four affordable housing units offered is not compliant with the Council's adopted policy, which would require the provision of 16 dwellings. The applicants have submitted an Economic Viability Analysis of the scheme which concludes that delivering a policy compliant level of affordable housing would not be economically viable when considered against the additional works that the scheme is providing for the football club. The study concludes that a scheme which omitted affordable housing completely would be marginally viable. Given the conclusions of the report, the modest amount of affordable housing offered is considered to be acceptable. Phasing of the development is therefore secured by means of S106 agreement to ensure that the benefits with regards to the delivery of the sports building are secured at an early stage of the development.
- 11.3 The development would also generate Community Infrastructure Levy (CIL) for the new residential floorspace created.
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PART FOUR – CONCLUSION

12. Planning Balance and Conclusion

- 12.1 The policies most important for determining the application; CS1, CS2, H7 and FC1.1, are out-of-date when compared to the provisions of the NPPF. The weight to be attributed to them is therefore reduced in accordance with the direction of paragraph 213 of the NPPF. Irrespective of Council's five-year housing supply position, the default 'tilted balance' position identified in paragraph 11(d) of the NPPF is engaged.
- 12.2 Stonham Aspal is acknowledged as being a Secondary Village within the adopted Development Plan, however, indications within the emergent Joint Local Plan show its status being upgraded to a Core Village. Further, the application site is allocated for housing within the emergent Joint Local Plan.
- 12.3 The site is well related to Stonham Aspal and the range of facilities contained within it. That being said the range of facilities is not thought sufficient to adequately meet the needs of the future residents such that same day to day needs would likely have to be met within the surrounding area. The submitted Transport Statement shows that connection to facilities and services within the wider area could be achieved through public transport routes.
- 12.4 There are compelling social and economic benefits associated with the scheme, extending beyond the normal provision of homes or support for the delivery of the Council's housing land supply. The scheme also seeks to upgrade and modernise the facilities available to Stonham Aspal Football Club, while comments relating to the membership of the club are noted, it nevertheless remains a valuable community facility for Stonham Aspal and the surrounding villages.
- 12.5 The development is well located spatially, within walking distances of the small range of facilities within Stonham Aspal. CIL contributions stemming from the development will be utilised to ensure that existing infrastructure capacity is enhanced to meet additional demand created by the future residents.
- 12.6 The heritage harm created to the setting of Pond Cottage as well as Chevers Farmhouse and Chevers Farm Barn is acknowledged, however, it is considered that the public benefits of the scheme are sufficient to counter this identified harm. While amendments suggested by the Heritage team in order to reduce the level of harm created are noted, this does not avoid the conclusions of the submitted viability report that shows that the scheme is only marginally viable at current densities. Altering built form on the site would either, reduce the viability of the site harming its ability to deliver the facilities for the football club, lead to an increase in the size of dwellings creating a scheme less in keeping with the surrounding character of the area, or providing housing unreflective of the wider housing need within Stonham Aspal.
- 12.7 Therefore, the less than substantial harm caused by the development is noted and considered to be countered by the benefits offered by the application. It is not considered that the adverse impacts resulting from the development would significantly or demonstrably outweigh the identified benefits. In accordance with paragraph 11d) of the NPPF, in this situation, the recommendation is to grant planning permission subject to the completion of a Section 106 Agreement.

RECOMMENDATION

- (1) **Subject to the prior agreement of a Section 106 Planning Obligation on appropriate terms to the satisfaction of the Chief Planning Officer to secure:**
- Affordable housing as set out within the submitted documents being secured;
 - Contributions identified by Suffolk County Council for the transport of secondary school aged pupils being secured;
 - Securing the proposed phased build out programme identified in the submitted documents;
 - Transfer of facilities to Stonham Aspal Football Club; and
 - To ensure ongoing management and maintenance of the open space and play areas within the site.
- (2) **That the Chief Planning Officer be authorised to GRANT Planning Permission upon completion of the legal agreement subject to conditions as summarised below and those as may be deemed necessary by the Chief Planning Officer:**
- Standard time limit for commencement (three years);
 - Development to be provided in accordance with the submitted phasing plan;
 - Development to proceed in accordance with the approved drawings;
 - Construction Method Statement to be agreed over construction working times, delivery routes to site, wheel washing and dust suppression, etc;
 - Outline of sustainability measures to be utilised during construction and incorporation of renewable energy and sustainability measures into use of dwellings;
 - Additional detail to be provided for Sports England regarding internal layouts of the community/sports building and additional detail over the specifications of the playing fields;
 - Addition detail to be provided with regards to the floodlit training area including details of floodlights which should include a light spill diagram as well as hours of operation;
 - Pre-commencement archaeological investigation of the site and submission of a report detailing any finds to the Archaeological Service;
 - Provision of hydrants within the site for the purposes of firefighting;
 - Conditions deemed necessary by Anglian Water and Suffolk County Council's Floods and Water Management team to deal with foul and surface water drainage on the site;
 - Conditions deemed necessary by the Highways Authority relating to the access road as well as estate roads and footpaths within the site, including provision of vehicle charging points;
 - Protection for existing trees and hedgerows on site;
 - Provision of landscaping details and implementation of said agreed details;
 - Ecology conditions to secure mitigation of impacts during development and enhancement of the biodiversity offer of the site (including provision of bird and bat boxes).
- (3) **And the following informative notes as summarised and those as may be deemed necessary:**
- Pro-active working statement;
 - Highways note; and
 - Land contamination note.

- (4) That in the event of the Planning obligations or requirements referred to in Resolution (1) above not being secured and/or not secured within 6 months that the Chief Planning Officer be authorised to refuse the application on appropriate ground**