

**AGENDA ITEM NO** 1  
**APPLICATION NO** 0958/16  
**PROPOSAL** Demolition of existing dwelling and construction of 22no. new dwellings with 18no. parking spaces to the rear. Creation of new vehicle access from Iliffe Way  
**SITE LOCATION** 9 Finborough Road, Stowmarket IP14 1PN  
**SITE AREA (Ha)** 0.19  
**APPLICANT** Havebury Housing Partnership  
**RECEIVED** February 23, 2016  
**EXPIRY DATE** May 25, 2016

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#### **REASONS FOR REFERENCE TO COMMITTEE**

The application is referred to committee for the following reason :

it is a "Major" application for a residential land allocation for 15 or over dwellings

#### **PRE-APPLICATION ADVICE**

1. Pre-application advice was sought by the applicant from Planning, Heritage and Arboricultural Officers.

#### **SITE AND SURROUNDINGS**

2. The application site is situated on the corner of Finborough Road and Iliffe Way. The site currently accommodates a single residential dwelling set back from the Finborough Road frontage and indeed separated by means of a pond, which extends across this site and the neighbouring No. 7 Finborough Road.

There are trees both to the Finborough Road and Iliffe Way frontages, those on Iliffe Way having a Tree Preservation Order and those to Finborough Road protected by the Conservation Area designation of this part of the site.

The neighbouring No. 7 Finborough Road consists of several parts having been redeveloped, to the front, parallel to the existing dwelling on the application site are Orbit Housing Offices, converted from the original dwelling, to the rear of this is a respite care facility and two bungalows.

The surrounding area in respect of Finborough Road is predominantly



residential and forms part of the Stowmarket Conservation Area, and which includes the front part of the application site.

To the south of the site the character of the area varies, this area being used for car parking for access to the supermarket, various shops and the town centre.

The Conservation Area in the vicinity of the site is characterised by a predominantly linear form of development with plots facing the road, being Victorian and early 20th century semi-detached and terraced brick dwellings.

### HISTORY

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

1424/08	Remove one cedar tree.	Raise No Objection 01/05/2008
2226/05	Canopy reduce one yew tree by 50%.	Raise No Objection 14/11/2005
0763/80	Erection of extension to dwelling	Granted 27/08/1980

### PROPOSAL

4. The proposal is to demolish the existing dwelling and construct 22 new dwellings. The properties would be 1 bedroom flats and the proposal would have a predominant frontage to Finborough Road, with a rear projection parallel to Iliffe Way.

The proposal retains the existing site front building line as existing and respecting that at the adjacent No 7 Finborough Road. The trees on the application site and the pond would be retained as part of this proposal.

The proposed building is three storeys high, with varying finished heights due to the roof design. The design breaks the building into four smaller sections, facing onto Finborough Road, using different roof heights, design and materials. The Iliffe Road frontage is also broken up with gable roof elements, the set back of the rear projection element and the use of different materials.

Parking and access from the Finborough Road frontage is removed, enhancing this amenity area, and instead access to the site is from Iliffe Way with undercroft access to parking spaces which are located to the rear of the buildings.

### POLICY

5. **Planning Policy Guidance**



See Appendix below.

## CONSULTATIONS

### 6. **Stowmarket Town Council**

The Town Council opposes the planning application on the following grounds:

- i) That, contrary to planning policy **ENV03**, the design and layout does not respect the characteristic of the sites and the surroundings;
- ii) That, contrary to planning policy **GP1**, the proposal will not maintain or enhance the character and appearance of its surroundings, and will not respect the scale and density of surrounding development;
- iii) That the scale of the housing development will not be consistent with protecting the character of the settlement and landscape setting of the town, contrary to planning policy **H02**;
- iv) That, contrary to planning policy **H13**, the design and layout will not respect the character of the proposal site and the relationship of the proposed development to its surroundings;
- v) That, contrary to planning policy **H13**, the amenity of neighbouring residents would be unduly affected by reason of overlooking and loss of daylight;
- vi) That the proposed new housing will not be consistent with the pattern and form of development in the neighbouring area, contrary to planning policy **H15**;
- vii) That, contrary to planning policy **SB2**, the proposed development will adversely affect the character and appearance of the settlement;
- viii) That planning policy **SB2** states 'The district planning authority will refuse development which does not have a form, scale or character in keeping with the surrounding development'; and
- ix) That planning policy **SB2** states 'inappropriate forms of development will be refused'.

### **Historic England**

First comment received 4th April 2016

No objections to the principle of redevelopment of the site and a more contemporary approach to the design, as an opportunity to enhance the character and appearance of the conservation area, in accordance with



paragraph 137 of the NPPF, we have a number of concerns.

There is no heritage statement or analysis of the character of the conservation area and the impact of the proposed development on its significance.

The National Planning Policy Framework (NPPF) identifies protection and enhancement of the historic environment as an important element of sustainable development and establishes a presumption in favour of sustainable development in the planning system (paragraphs 6, 7 and 14). The NPPF also states that the significance of a heritage asset can be harmed or lost through development within its setting (paragraph 132) and that the conservation of heritage assets is a core principle of the planning process (paragraph 17).

We have considered the development in terms this policy and whilst we would not object to the principle redevelopment of the site, we are concerned that the scale, form, height and pattern of development proposed will result in a degree of harm to the character and appearance of the conservation area in terms of NPPF paragraphs 132 and 134 and would therefore not support the application.

Whilst we have no objections to the principle of redevelopment of the site and would support the aim of enhancing the character of the area, we would recommend that the scheme is reviewed and informed by a detailed understanding of the character of the area and the significance of heritage assets affected in accordance with the principles set out in the NPPF.

We would welcome the opportunity of advising further. Please consult us again if any additional information or amendments are submitted. However, should the Council decide to approve the application in its present form, you should be satisfied that it can be demonstrated that any harm caused to the significance of the conservation area is outweighed by the public benefits of providing housing in accordance with paragraph 134 of the NPPF.

#### **Additional comments following requested details, 31st May 2016**

We acknowledge that there are elements of the proposed development which will enhance the current appearance of the site such as the landscaping treatment to the Finborough Road frontage and we also have no objections to the principle of a more contemporary design approach. Although the Heritage Statement draws attention to other residential redevelopment of a higher density, elsewhere within and adjacent to the conservation area, these are predominantly two storey buildings. We therefore remain concerned that the scale and height of the proposed development at three storeys will introduce an over dominant feature into the street scene and further erode the distinctive historic character of two storey, residential semis and terraces of simple



form, with pitched and hipped roofs, in this part of the conservation area.

We have considered the development in relation to the National Planning Policy Framework (NPPF) and have concluded that it would result in harm to the significance and setting of the conservation area, the character and appearance of which would neither be preserved nor enhanced, in terms of NPPF paragraphs 132 and 134. We are therefore unable to support the application and would recommend refusal.

However, should the Council decide to approve the application in its present form, you should be satisfied that it can be demonstrated that any harm caused to the significance of the conservation area is outweighed by the public benefits of providing housing in accordance with paragraph 134 of the NPPF.

#### **Recommendation**

However, should the Council decide to approve the application in its present form, you should be satisfied that it can be demonstrated that any harm caused to the significance of the conservation area is outweighed by the public benefits of providing housing in accordance with paragraph 134 of the NPPF.

#### **Strategic Housing**

The development proposes 22 new dwellings - all of which are to be affordable homes thus provides 100% affordable housing.

From a housing delivery point of view this application proposes much needed housing.

Approve, subject to securing allocations to affordable units are in accordance with the agreed allocations policy.

Babergh and Mid Suffolk District Housing Market Assessment confirms a continuing need for housing across all tenures and a growing need for affordable housing. The most recent update of the assessment confirms a minimum need for 134 homes per annum.

The units on this proposed development will reflect management practicalities and local housing needs.

#### **Environmental Health**

No objection to the application based on the findings of the Delta Simons report dated January 2015. I would only request that we are contacted in the event of unexpected ground conditions being encountered during construction and that the developer is made aware that the responsibility for the safe development of the site lies with them.

#### **Waste Management**



No objection, subject to increase in size to accommodate four 1100l refuse, four 1100l recycling and a glass 240l bin.

#### **Arboricultural Officer**

Whilst with sensitive precautionary measures this development might be possible without significant damage to the protected trees, I am not satisfied that the relationship of these dwellings to the trees would provide for acceptable living conditions for future occupiers. The proximity, orientation and scale of the development in relation to the trees is likely to result in pressure to fell or ongoing pruning due to loss of light and nuisance from leaf fall and branch shedding. Such requests will be difficult for the Council to resist and would threaten the value and future of the trees and consequently have a detrimental impact to the character and appearance of the local area. As a result I am unable to support the application in its current form.

If you are minded to recommend approval we will require details to demonstrate the feasibility of an appropriate foundation design and no-dig construction avoiding damage to the trees.

#### **SCC Highways**

No objection subject to conditions.

#### **SCC Floods**

No objections to the drainage strategy in principle.

#### **Anglian Water**

No objection subject to condition to ensure surface water strategy implemented prior to hard standing is constructed.

#### **SCC Fire and Rescue**

Access must meet with the requirements specified in Building Regulations Approved Document B.

No additional water supply for fire fighting purposes is required in respect of this application.

#### **SCC Rights of Way**

No comments.

#### **SCC Archaeology**

No significant impact on known archaeological sites or areas with archaeological potential. No objection and no mitigation required.



## LOCAL AND THIRD PARTY REPRESENTATIONS

7. This is a summary of the representations received.

### **Objections: 11**

Number and scale too great for location  
 Loss of light and privacy  
 Out of keeping  
 Impact on highway safety  
 Insufficient parking provision  
 Impact on conservation area

## ASSESSMENT

8. here are a number of considerations which will be addressed as follows.

- Principle of Development
- Design and Layout
- Heritage Assets
- Highway and Access
- Residential Amenity
- Landscape
- Biodiversity
- Environment and Flood Risk

### **• PRINCIPLE OF DEVELOPMENT**

#### National Planning Policy Framework

The National Planning Policy Framework (NPPF) was published on 27<sup>th</sup> March 2012. It provides that the NPPF "*does not change the statutory status of the development plan as the starting point for decision making. Proposed development that accords with an up-to-date Local Plan should be approved, and proposed development that conflicts should be refused unless other material considerations indicate otherwise*".

#### Development Plan

The application site is situated within the settlement boundary of Stowmarket, designated as a Town in Core Strategy Policy CS1. The principle of the provision of residential development within the settlement boundary is considered to be acceptable in principle. As such the proposal is considered to be acceptable in principle subject to detailed compliance with Policies GP1, H3, H10, H13, H14, H15, H16, HB13, CL2, CL8, T9 and T10 of the saved Mid Suffolk Local Plan (1998), Policy CS1, CS3 and CS5 of the Core Strategy (2008) and Policies FC1 and FC1.1 of the Core Strategy Focused Review (2012) and other material considerations.



However paragraph 49 of the NPPF states that:

*"Relevant policies for the supply of housing should not be considered up-to-date if the local planning authority cannot demonstrate a five-year supply of deliverable housing sites."*

Mid Suffolk District Council does not have this housing land supply at this time and as such the relevant policies set out above are not considered to be up to date and on this occasion are not considered to justify refusal in this respect. Indeed paragraph 14 of the NPPF states in this respect:

*"For decision-taking this means:*

*approving development proposals that accord with the development plan without delay; and*

*where the development plan is absent, silent or relevant policies are out of date, granting permission unless:*

*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; or specific policies in this Framework indicate development should be restricted"*

In the light of this the development plan is considered out of date such that the in principle objection on the basis of housing policies does not justify refusal at this time. However, the NPPF nevertheless requires that development be sustainable and that adverse impacts do not outweigh the benefits to be acceptable in principle.

Paragraph 7 of the NPPF sets out three dimensions for sustainable development, economic, social and environmental:

*"an economic role – contributing to building a strong, responsive and competitive economy, by ensuring that sufficient land of the right type is available in the right places and at the right time to support growth and innovation; and by identifying and coordinating development requirements, including the provision of infrastructure:*

*a social role – supporting strong, vibrant and healthy communities, by providing the supply of housing required to meet the needs of present and future generations; and by creating a high quality built environment, with accessible local services that reflect the community's needs and support its health, social and cultural well-being; and*

*an environmental role – contributing to protecting and enhancing our natural, built and historic environment; and, as part of this, helping to improve biodiversity, use natural resources prudently, minimise waste and pollution, and mitigate and adapt to climate change including moving to a*



*low carbon economy."*

The proposal is to develop 22 new dwellings, which would not only add to the supply of housing in the district but support the local economy both in respect of construction and supporting local services. Furthermore the proposal is to provide affordable housing and which Strategic Housing confirm would provide housing for the highest need group on the housing register.

Furthermore the application site is in very close proximity of a wide range of services, such that occupiers need not be reliant on the private motor car and could primarily access services through sustainable means.

In the light of all of the above the proposal is considered to be sustainable development within all three identified strands such that there is a presumption in favour of this proposal, in accordance with the NPPF.

- **DESIGN AND LAYOUT**

The proposal is a three storey building situated on a similar front building line to the existing dwelling and neighbouring No. 7 (Orbit Housing offices). The rearward projection is parallel to Iliffe Way, and set back from this frontage. The result is that whilst the proposal is a relatively large building it respects the layout of the existing site and consequently retains this character of the locality, with particular regards to the set back, building lines and amenity area to the front of the site.

The height of the proposal in the streetscene, having particular regards to the scale of this development and the surrounding Conservation Area is somewhat higher than the neighbouring properties. However, the proposal is not considered to be out of keeping with the character of the locality to warrant refusal in this respect given the Finborough Road frontage properties increase in height to this point from the East, before decreasing as Finborough Road runs West and indeed varying across the locality.

Furthermore the design of the proposal creates a terraced appearance reflecting this character of the locality. This character is further developed by the roof design which provides a break in the bulk of the proposal. This creates a terraced character reflective of the locality such that the proposal is considered to maintain the character and appearance of the locality in this respect. In addition the retention of the frontage space and pond and respect to the front building line is such that the proposal is further considered to maintain the character of the surroundings in this respect. This is of particular importance given the frontage is within the Conservation Area such that it was considered worthy of designation and a part of this area, whilst the remainder is not within the designation.

The proposal, whilst of larger scale than that existing on site, is overall considered to respect and maintain the character and appearance of the



locality in compliance with Local Plan Policy and not to have a detrimental impact to warrant refusal in this respect.

- **HERITAGE ASSETS**

The site lies adjacent to but almost entirely outside of the Stowmarket Conservation Area, with only the immediate frontage of the site within the Conservation Area.

This part of Stowmarket is predominantly residential, and properties in Finborough Road are a variety of ages, types and styles. The buildings in the immediate vicinity of the site are generally large in scale and although predominantly two storey are frequently around 9m-10m in height with the proposal varying between 10m and 11.2m. As such the height of the proposal would in itself not be out of keeping with the immediate locality, and further supports the character with regards to the increasing building heights experienced in Finborough Road up to Iliffe Way from East to West.

The proposal will also be set back around 11 metres from the highway, thereby respecting the existing pattern of development along this part of Finborough Road. This maintains and enhances the site and indeed has particular regards to the part of the site which falls within the Conservation Area boundary. Historic England indeed consider that the are elements of the proposal which will enhance the appearance of the site, including the landscaping to the Finborough Road frontage.

The proposal would form a significant proposal on the corner plot in the streetscene and is adjacent to the Conservation Area. Historic England consider that the proposal would result in harm to the significance of the Conservation Area, as they consider the character and appearance of which would neither be preserved nor enhanced, in terms of NPPF paragraphs 132 and 134.

Following these comments from Historic England the proposal has been amended to reduce the roof height of the eastern part of the Finborough Road frontage to provide a further break in the height and form.

Whilst the proposal is outside the Conservation Area it abuts and forms a corner plot in the streetscene. The proposal is a significant proposal, however the combination of the design, siting, retention of landscaping and enhancements to the frontage is such that the proposal is considered to result in less than substantial harm to the significance of the Conservation Area.

The NPPF paragraph 134 states that *"where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal, including securing its optimum viable use."*



The proposal will provide 22 new affordable dwellings in a highly sustainable location and in a mix to provide housing for the highest need group on the housing register. In the light of this and the harm identified the proposal is considered to result in significant public benefits to outweigh the less than substantial harm to the significance of the Conservation Area, such that refusal is not warranted in this regard.

- **HIGHWAY AND ACCESS**

The proposal removes the current residential access and frontage parking from Finborough Road, such that this is considered beneficial to highway safety given the proximity of the Finborough Road and Iliffe Way junction.

The access to the site from Iliffe Way is considered to be satisfactory by Suffolk County Council Highways.

In respect of parking provision the site includes 18 parking spaces, such that the proposal would not have one space per dwelling. However, the site is in a highly sustainable location with a wide range of services and facilities including a supermarket within easy walking distance and a range of sustainable transport options available to access the wider area.

Suffolk County Council Highways raise no objection to the proposal in this respect.

- **RESIDENTIAL AMENITY**

The proposal is separated from neighbouring No. 18 Finborough Road by Iliffe Way, and whilst windows would face this direction the separation distances and intervening public realm are such that the proposal is not considered to have an unacceptable impact on neighbouring residential amenity in this respect.

To the North of the site properties are again separated by the public realm, in this case Finborough Road itself, such that again this combined with the separation distances is such that the proposal is not considered unacceptable.

To the East of the site are the neighbouring 7, and 7a, b and c. No. 7 is a two storey building with low eaves height fronting Finborough Road, whilst to the rear are 7a, a respite care unit and Nos 7 b and c, which are accessible residential bungalows. There are facing windows but these are to bedrooms and bathrooms rather than living areas and combined with the separation distances and low eaves level, set just above the fence line is such that the proposal is not considered to have a detrimental impact to warrant refusal in this respect.

- **LANDSCAPE**



The application site is, in part, within the Conservation Area, whilst the trees situated to the western boundary of the site with Iliffe Way are protected by TPO.

The Arboricultural Officer notes that with sensitive precautionary measures the development could be undertaken without significant damage to the protected trees.

The main issue raised by the Arboricultural Officer is the relationship of the trees with the dwelling and the proximity, orientation and scale of the development which may risk future pressure for works to the trees due to loss of light and nuisance from leaf fall.

The trees form a significant feature within the site, wider area and as part of the wider setting of the Conservation Area and any impact in this respect would be considered to affect the character and appearance of the surroundings and indeed the Conservation Area.

However, the trees are protected by the proposal and conditions could adequately control works and construction in this regard. The trees which may be particularly an issue in this respect are situated to the western boundary, these are deciduous trees such that shading would be limited to summer months. Furthermore the design of the proposal has considered this issue with properties benefiting from extensive glazing including patio doors and are also dual aspect providing further lighting to properties.

In the light of this and with the offer from the applicant to provide gutter guards, features to deal with leaf drop and given that the trees are protected such that any work will be controlled in this respect it is not considered that the proposal would result in a detrimental impact on the trees to warrant refusal in this regard.

- **BIODIVERSITY**

The proposal for the demolition of an existing dwelling and the erection of 22 flats on the existing residential curtilage is not considered to risk harm to protected species to consider refusal in this respect. Indeed the existing trees on the application site and pond would be retained.

A condition to ensure the protection of habitats and to secure an appropriate landscaping scheme to support the biodiversity of the site.

- **ENVIRONMENT AND FLOOD RISK**

The application site is outside any flood zone and proposes a scheme for drainage of surface water, which Suffolk County Council Floods Team have considered and raise no objections to.



- **CONCLUSION**

The proposed development is in a highly sustainable location such that there is a presumption in favour of development, in accordance with the NPPF. The design and layout is considered to respect its surroundings and although there is some harm to the Conservation Area this is less than substantial, and which harm is more than outweighed by the significant public benefit of affordable housing provision for the highest need in this sustainable location.

Furthermore the proposal is not considered to risk significant harm to the landscape, residential amenity, highway safety or biodiversity to warrant refusal. The development is considered to be in accordance with the relevant Local Plan, Core Strategy and Core Strategy Focused Review policies and the objectives of the NPPF.

### **RECOMMENDATION**

**(1) Subject to the prior agreement of a Section 106 Planning Obligation on appropriate terms to the satisfaction of the Professional Lead - Growth and Sustainable Planning to secure:**

- Affordable housing

**That the Planning Lead - Growth and Sustainable Planning by authorised to grant Full Planning Permission subject to conditions including:**

- Standard time limit
- Approved plans
- Implementation of surface water strategy prior to construction of hard standing
- Access completed in accordance with drawing and available for use prior to first occupation
- Prior to the commencement of development existing dropped kerbs and tactile paving on Iliffe Way relocated in accordance with details to be agreed
- New vehicular access surfaced with bound material
- Details to show means to prevent discharge of surface water onto the highway
- Any gates set back a minimum of 10m
- Removal of permitted development rights such that access shall only be from Iliffe Way
- Parking and manoeuvring areas provided prior to first occupation
- Hard and soft landscaping details and implementation
- Biodiversity protection and enhancement measures
- Foundation design and no dig construction methods
- Details for leaf-drop measures
- Materials
- Construction working hours
- Levels to be agreed



Professional Lead - Growth & Sustainable Planning Senior Planning Officer

## **APPENDIX A - PLANNING POLICIES**

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

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

**CSFR-FC1 - PRESUMPTION IN FAVOUR OF SUSTAINABLE DEVELOPMENT**

**Cor1 - CS1 Settlement Hierarchy**

**Cor5 - CS5 Mid Suffolks Environment**

**Cor6 - CS6 Services and Infrastructure**

**Cor8 - CS8 Provision and Distribution of Housing**

**Cor9 - CS9 Density and Mix**

**CS SAAP - Stowmarket Area Action Plan**

### **2. Mid Suffolk Local Plan**

**GP1 - DESIGN AND LAYOUT OF DEVELOPMENT**

**HB13 - PROTECTING ANCIENT MONUMENTS**

**HB8 - SAFEGUARDING THE CHARACTER OF CONSERVATION AREAS**

**HB9 - CONTROLLING DEMOLITION IN CONSERVATION AREAS**

**HB1 - PROTECTION OF HISTORIC BUILDINGS**

**CL8 - PROTECTING WILDLIFE HABITATS**

**RT12 - FOOTPATHS AND BRIDLEWAYS**

**H17 - KEEPING RESIDENTIAL DEVELOPMENT AWAY FROM POLLUTION**

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

**H16 - PROTECTING EXISTING RESIDENTIAL AMENITY**

**H15 - DEVELOPMENT TO REFLECT LOCAL CHARACTERISTICS**

**T8 - LORRY PARKING IN TOWNS**

**T10 - HIGHWAY CONSIDERATIONS IN DEVELOPMENT**

### **3. Planning Policy Statements, Circulars & Other policy**

**NPPF - National Planning Policy Framework**

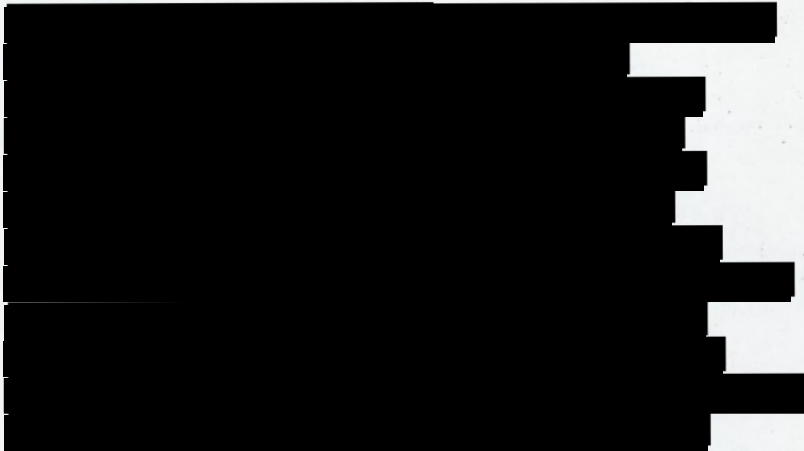
## **APPENDIX B - NEIGHBOUR REPRESENTATIONS**

Letter(s) of representation(s) have been received from a total of **14** interested party(ies).

The following people **objected** to the application

[REDACTED]





The following people **supported** the application:

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