

Committee Report

Item 7A

Reference: DC/19/05915

Case Officer: Alex Scott

Ward: Mendlesham.

Ward Member/s: Cllr Andrew Stringer.

RECOMMENDATION – GRANT OUTLINE PLANNING PERMISSION WITH CONDITIONS

Description of Development

Outline Planning Application (Access to be considered all other matters reserved) - Erection of 20no. dwellings and creation of vehicular access

Location

Land North East Of, Chapel Road, Mendlesham, Suffolk

Expiry Date: 07/04/2020

Application Type: OUT - Outline Planning Application

Development Type: Major Small Scale - Dwellings

Applicant: Mr E And Mr B Baully

Agent: Evolution Town Planning Ltd

Parish: Mendlesham

Site Area: 2.3ha

Density of Development:

Gross Density (Total Site): 8.7 dph

Net Density (Developed Site, excluding open space and SuDs): 13.6 dph

Details of Previous Committee / Resolutions and any member site visit: Prior outline application ref: DC/19/00959, for the erection of up to 49 no. dwellings on the site was considered and refused planning permission by committee on 16th October 2019 for the following reasons:

“At the heart of the National Planning Policy Framework is a presumption in favour of sustainable development. This has three strands - environmental, social and economic; all of which must be considered together. Policy FC1 of the Core Strategy Focused Review (2012) states that Mid Suffolk will take a positive approach to development, and will take into account whether any "adverse impacts of granting permission would significantly and demonstrably outweigh the benefits when assessed against the policies in the National Planning Policy Framework taken as a whole..." Policy CS1 of the Mid Suffolk Core Strategy (2008) states that: "countryside and countryside villages and development will be restricted to particular types of development to support the rural economy, meet affordable housing, community needs and provide renewable energy." The emerging Joint Local Plan is in the process of designating Mendlesham as a Core Village settlement and this is potentially a site allocation for 50 new dwellings. However, full consultation and assessment to establish this site as allocated has not yet been concluded

and this site may not continue to form part of that plan and at this time the JLP is considered to have very little weight.

The Mendlesham Neighbourhood Plan (NP) has significant weight at this time and this sets out under Policy MP1 that "Outside of the existing Mendlesham village boundary, individual development proposals, that are immediately adjacent to that boundary, to develop small sites of sustainable new homes will be supported subject to their meeting the relevant planning policies of Mid Suffolk District Council and Mendlesham Neighbourhood Plan." While small sites are not expressly defined the policy goes on to state that "The local community prefers small sites to provide 20 dwellings or less" and "Each proposal will be judged on its merits.". On this basis this proposal would be considered contrary to Policy MP1 given the extent of development proposed.

Furthermore, Policy MP1 provides an eight point criteria as listed under paragraph 3.25 of the NP, this includes

- new dwellings designed to be appropriate and sympathetic to the area they are to be part of and it is considered that the development is not cohesive with the rest of the village.,
- good use will be made of planting to soften the edges of developments and blend them into the local area,
- new dwellings that demonstrate efficient energy usage, particularly use of renewable energy.

The proposed development includes an indicative plan and with consideration of this plan, the red line plan, application details and location on the edge of the settlement, it is considered that the proposal fails to demonstrate in principle that the new dwellings would be likely be sympathetic, would have minimal environmental impact, fails to demonstrate efficient energy usage and does not demonstrate significant green space potential and/or opportunity to ensure a soft edged development with a rural and not urbanising character would likely result with any reserved matters application for the proposed development. In addition, by reason of the location and indicative plan details the proposal fails to demonstrate that a development of this number of dwellings can be achieved on this site in principle without significant adverse impact on the wider open countryside and rural character.

In conclusion the adverse impacts of granting permission would significantly and demonstrably outweigh the benefits and the proposal is held to be contrary to MP1 of the Neighbourhood Plan, Policy FC1 of the Core Strategy Focused Review (2012), Policy CS1 of the Mid Suffolk Core Strategy (2008) and Policy H7 of the Mid Suffolk Local Plan (1998) and the provisions of NPPF."

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.

PART ONE – REASON FOR REFERENCE TO COMMITTEE

The application is referred to committee for the following reason/s:

It relates to a "Major" application for 15 or more dwellings.

PART TWO – POLICIES AND CONSULTATION SUMMARY

Summary of Policies

NPPF - National Planning Policy Framework
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
CS05 - Mid Suffolk's Environment
CS06 - Services and Infrastructure
GP01 - Design and layout of development
HB14 - Ensuring archaeological remains are not destroyed
H07 - Restricting housing development unrelated to needs of countryside
H14 - A range of house types to meet different accommodation needs
H16 - Protecting existing residential amenity
H17 - Keeping residential development away from pollution
T09 - Parking Standards
T10 - Highway Considerations in Development
RT04 - Amenity open space and play areas within residential development
RT12 - Footpaths and Bridleways
CL08 - Protecting wildlife habitats
Mendlesham Neighbourhood Plan

Neighbourhood Plan Status

This application site is within a Neighbourhood Plan Area.

The current Mendlesham Neighbourhood Development Plan was adopted in March 2017 and, accordingly, forms part of the development plan.

Neighbourhood Plan policies most relevant to the application proposal are set out below:

Policy - MP1 [Housing]
Policy - MP2 [Affordable Housing]
Policy - MP3 [Affordable Housing]
Policy - MP5 [Historic environment]
Policy - MP6 [Building design]
Policy - MP7 [High speed broadband]
Policy - MP8 [Green areas]
Policy - MP10 [Open spaces]
Policy - MP11 [Paths and bridleways]

Proposed Modification of Adopted Mendlesham Neighbourhood Development Plan

Following the successful adoption of the Mendlesham Neighbourhood Development Plan (on 23rd March 2017) the Parish Council and Neighbourhood Plan Group now seek to carry out a review of their Plan to include the allocation of sites for future development.

The revised Neighbourhood Plan is currently at:- Stage 1: Designated neighbourhood area, and accordingly, the revised Neighbourhood Plan has, at the current time, little weight.

The Mendlesham Neighbourhood Development Plan (MNDP): Submission Version – Strategic Environmental Assessment (SEA) : Scoping & Environmental Report – June 2020

A SEA report has been produced as part of the evidence base for production of the revised MNDP, and was published in early June 2020.

The SEA seeks to increase the level of protection for the environment; integrate environmental considerations into the preparation and adoption of plans and programmes; and promote sustainable development.

The SEA has been produced in the interest of contributing to the integration of environmental considerations into the preparation and adoption of the revised MNDP, with a view to promoting sustainable development, by ensuring that an environmental assessment is carried out with regards to the plan document which, because it includes the allocation of sites for development, is likely to have a significant effect on the environment.

The SEA provides a robust assessment of baseline information in relation to the following environmental factors: Economy; Health; Housing; Biodiversity; Landscape & Townscape; Soil Quality; Population and Social factors; Air Quality and Noise; Climatic Factors; Transport and Accessibility; Water; Flooding; Historic Environment; Minerals and Waste; Utilities and Infrastructure / Community Facilities; Possible Trans-Boundary Implications; and Data Limitations.

Having assessed the relevant baseline information, in relation to the above environmental factors, the SEA sets out the following objectives:

1. To ensure the retention and expansion of existing businesses and attract new business start-ups and retail activity within the Plan area;
2. To ensure a mix of housing types, tenures and sizes from new residential or mixed-use development proposals in the Plan area that meet identified local needs;
3. To ensure good quality townscape / design that is compatible with local characteristics;
4. To ensure necessary improvements in infrastructure to support new development;
5. To ensure that development is as energy efficient as possible;
6. To ensure suitable access to services and facilities and ensure appropriate linkages to the existing road network to reduce congestion;
7. To promote and maximise the use of sustainable transport modes and to promote home working;
8. To minimise traffic movements through the Conservation Area;
9. To ensure that the location of development is compatible with neighbouring uses;

10. To minimise the loss of the best and most versatile agricultural land and to promote the development of brownfield land in the first instance;
11. To ensure the protection, enhancement and creation of features of a landscape value throughout the Plan area, including views to, from and across the Plan area;
12. To protect, and where possible, enhance designated and non-designated heritage assets and their settings both above and below ground;
13. To retain existing, and seek the provision of new community, leisure and recreation facilities and accessible natural green space within the Plan area;
14. To protect and enhance existing features of biodiversity within the Plan area;
15. To ensure that there is no increase in fluvial or ground water flood risk as a result of development and to ensure the promotion of Sustainable Drainage Systems (SuDS);
16. To ensure that there is no deterioration in air or water quality within the Plan area and beyond as a result of development.

Considering the above baseline data and objectives, the SEA then provides an environmental assessment of the proposed plan policies and site allocations.

It is worth noting at this stage that the housing land allocations selected for consideration by the SEA were informed by way of another document: the 'Mendlesham Neighbourhood Plan – Site Assessment – Final Report – March 2019'. Your officers have reviewed and considered this document as part of the overall assessment of the current proposal.

The SEA concludes by setting out the likely effects of the revised MNDP. In all the report found 1 no. significant positive effect; 4 no. positive effect; 5 no. neutral effects (or no effects); and 6 no. uncertain effects (for reasons of lack of available data and detail). It is worth noting that the SEA concluded no negative effects in relation to the implications of the revised MNDP, when taken as a whole.

Your officers consider the MNDP SEA to be a material consideration in assessment of this current planning application, and have reviewed and considered this document as part of the below assessment and recommendation.

Report for Mendlesham Parish Council – Traffic movements in Mendlesham – January 2020

This document has been produced with the aim of supporting the delivery of the revised Mendlesham Neighbourhood Development Plan and sets out the following objectives:

1. Establish a baseline of traffic movements in and around the Parish of Mendlesham. This baseline will be used in future years to gauge the effects of housing growth in and around the Parish.
2. Identify what volumes of traffic currently use the roads in and around Mendlesham Village on a daily basis.
3. Identify the effects of current traffic movements in and around Mendlesham Village and Mendlesham Green.
4. Comment on what effect current and future housing development may have on these traffic movements.
5. Identify measures that would lessen the effects of traffic movements on local residents, both now and in the future.

Your officers, and highway engineers at Suffolk County Council Local Highway Authority have reviewed and considered this document as part of the below assessment and recommendation.

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)

Mendlesham Parish Council – 28th Jan. 2020 – Recommend Refusal:

- Note reduction in number of dwellings proposed and proposed improvements;
- Number of dwellings now proposed is closer to that preferred in Neighbourhood Plan Policy MP1;
- Proposed development is in the wrong place and not sustainable;
- MSDC has a five year housing land supply;
- Mendlesham has already delivered more than sufficient dwellings in a short period;
- The application is outside the settlement boundary;
- The proposal would affect traffic volume on the Conservation Area (Traffic Assessment Provided);
- Very little weight should be given to the suggested site allocation in the emerging Joint Local Plan;
- Note MSDC Strategic Planning Officer's comments given in April 2019 – comments are still considered pertinent;
- Note SCC-LLFA comments – flooding and flood risk still a concern for local residents;
- Proposal has failed to address reasons previously given for refusal of prior application ref: DC/19/00959.

National Consultee (Appendix 4)

Historic England – 10th Jan. 2020 – Do not wish to offer any comments – Views of the Council's specialist conservation and archaeological advisers should be sought.

Environment Agency – 27th Jan. 2020 – Do not wish to make comment.

Anglian Water – 9th Jan. 2020 – No Anglian Water assets affected – Foul drainage is in the catchment of Mendlesham Water Recycling Centre that will have available capacity for these flows.

Natural England – 19th Jan. 2020 – No comments to make on this application.

County Council Responses (Appendix 5)

SCC-Highways – 19th May. 2020 – Regarding the latest transport reports, consider the information does not change the below response for this application as the impact from 20 dwellings on the highway network would be acceptable.

SCC-Highways – 20th Jan. 2020 – Do not object to the proposal – The development would not have a severe impact on the highway network – Advise conditions to be imposed should permission be granted.

SCC-Public Rights of Way – 9th Jan. 2020 – Accept Proposal – Footpath 6 appears to be accommodated – Surfacing to be agreed at the appropriate time.

SCC-Local Lead Flood Authority – 5th Feb. 2020 – Recommend Approval, subject to conditions, on basis of revised information received 31st Jan. 2020.

SCC-Archaeology – 9th Jan. 2020 – No grounds to consider refusal of permission in order to achieve preservation in situ of any important heritage assets. However, in accordance with NPPF para. 199, any permission granted should be the subject of a planning condition to record and advance understanding of the significance of any heritage assets before it is damaged or destroyed.

SCC-Fire and Rescue – 15th Jan. 2020 – Recommend Fire Hydrants be installed within this development on a suitable route for laying hose – Not possible at this time to determine the number of hydrants required and this will be determined at the water planning stage – Advise consideration be given to the provision of automatic fire sprinkler systems within the development.

SCC-Development Contributions – 13th Jan. 2020 – Secondary age pupils School transportation costs to be secured via S106 – Other infrastructure costs to be covered by CIL in the normal way.

Internal Consultee Responses (Appendix 6)

MSDC-Heritage – 20th Jan. 2020 – Proposal would not cause harm to the significance of designated and non-designated heritage assets.

MSDC-Environmental Protection – Land Contamination – 9th Jan. 2020 – No objection to the proposed development from the perspective of land contamination – Request the LPA are contacted in the event of unexpected ground conditions being encountered during construction and that the minimum precautions are undertaken until such time as the LPA responds to the notification – Advise that the developer is made aware that responsibility for safe development of the site lies with them.

MSDC-Environmental Protection – Air Quality – 17th Jan. 2020 – No objections - The predicted vehicle movements would be significantly below the criteria for requiring an air quality assessment.

MSDC-Sustainability – 20th Jan. 2020 – No objection - Satisfied with the contents of the energy and environmental statement and consider it meets the Council's current policies – Condition should be applied to ensure data and commitments are applied.

MSDC-Public Realm – 8th Jan. 2020 – Welcome inclusion of public open space and proposed location is appropriate – It should be ensured that the Public Right of Way corridor between the site and existing houses to the south-east is not too narrow.

MSDC-Waste Management – 22nd Jan. 2020 – No objection subject to: Development being suitable for a 32 tonne RCV to manoeuvre - Advise revisions to current indicative layout with regards Bin collection points to plots 3, 4, 5, 6, 7, 8, 9, 10, 11, 12 and 18, and indicative RCV turning area. (Officer note: These will be addressed as part of any reserved matters layout).

MSDC-Strategic Housing – 14th Jan. 2020 – On-site provision of 35% affordable housing, equating to 7 no. affordable units, required – Preferred Mix:

- 2 no. 3 bedroom affordable rent houses @ 93 sqm;
- 3 no. 2 bedroom affordable rent houses @ 79 sqm;
- 2 no. 2 bedroom shared ownership houses @ 79 sqm.

B: Representations

At the time of writing this report at least 24 letters/emails/online comments have been received. It is the officer opinion that this represents 24 objections. A verbal update shall be provided as necessary.

Views are summarised below:-

- Contrary to the adopted Mendlesham Neighbourhood Plan
- Beyond settlement boundary and encroachment into countryside
- Unacceptable demand on infrastructure - roads, health care, schools
- Increase demand on the overstretched capacity of the power, water and drainage utility services
- Cumulative impact owing to already approved developments in the village
- Highway safety concerns.
- Insufficient road network capacity
- Impact on character and appearance of the area
- Impact on the setting of nearby listed building
- Adverse impact on experience along Public Footpath
- Flood risk
- Light pollution
- Loss of 12 acres of prime agricultural land
- Loss of views and outlook
- Impact on wildlife - reduce fauna and flora, having a negative impact on local ecosystems
- Construction related amenity impacts - sound, vibration and dust nuisance
- No footpath connections proposed.
- Inappropriately located community open space.

(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/19/00959

Outline Planning Application (Access to be considered) - Erection of up to 49 no. dwellings and construction of Vehicular Access.

DECISION: REF
22.10.2019

PART THREE – ASSESSMENT OF APPLICATION

1. The Site and Surroundings

- 1.1. The application site is located on the eastern side of Chapel Road, on the north-eastern fringe of Mendlesham, a designated 'Key Service Centre' in the Core Strategy 2008. The site extends to approximately 2.3 hectares and comprises an existing arable field.
- 1.2. Chapel Road and a roadside hedge and ditch run along the site's south-west boundary. Detached dwellings are located opposite, on the south-west side of Chapel Road. To the south-east of the site lies the existing Mayfield Way housing estate, comprising a mix of both two-storey homes and bungalows. The site is screened from the Mayfield Way estate by a public right of way, drainage ditch and established mature hedgerow. The north-east side boundary comprises part hedge and part open to arable fields beyond. The north-west boundary is marked with a ditch and trees.
- 1.3. The site is approximately 155 metres north of the Mendlesham Conservation Area. There is one listed building near the site, the Grade II listed Calves Pightle on the opposite side of Chapel Road. 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.
- 1.4. The site traverses Flood Zone 1, Flood Zones 2 and 3a. There are no protected trees on or adjacent to the subject land. The land is lower grade 3 agricultural land.
- 1.5. The nearest bus stops are located south of the site, at Old Market Street adjacent the Kings Head Inn (services 113 and 456) and Chapel Road adjacent St Marys Church (services 113, 114 and 115). Bus services operate between Mendlesham Ipswich and Eye on Weekdays and Saturdays at times which could be viable for employment purposes.

2. The Proposal

- 2.1. The current application seeks Outline Planning Permission, with all matters reserved save for access, for the erection of 20 no. dwellings on the site, including 35% affordable housing, public open space, public footpath connections and Sustainable Drainage. The proposal also seeks permission for the construction of a new estate road access to Chapel Road.
- 2.2. Although matters of Layout and Landscaping are presently reserved Indicative proposals are included within the outline submission which indicate the following in principle can be achieved:
 - 13 no. Open Market Houses: 1 no. 1 bed dwelling; 3 no. 2 bed dwellings; 5 no. 3 bed dwellings; 2 no. 3 bed bungalows; 1 no. 3 bed chalet bungalow; and 1 no. 4 bed dwelling;
 - 7 no. Affordable Houses: 3 no. 1 bed units; 3 no. 2 bed units and 1 no. 3 bed unit;
 - 1,215 square metres of Public Open Space at the centre of the site;

- 4,734 square metres of Natural Informal Open Space including a SuDs Swale and associated pumping station and maintenance area on land to the north-west of the site;
- A footpath link between the proposed access, along the Chapel Road Frontage, connecting into the existing Village paved footpath network at Mayfield Way; and
- Soft landscape tree planting to all existing site boundaries.

3. The Principle Of Development

- 3.1. The starting point for determination of any planning application 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).
- 3.2. The proposal site is outside of the settlement boundary for Mendlesham and is considered to be formally defined as greenfield land. Relevant local plan policies are policy H7 which seeks to restrict housing development unrelated to the needs of the countryside, and core strategy policy CS1 which identifies a settlement hierarchy and CS2 which also seeks to resist development in the countryside other than those listed in the policy. The NPPF has changed direction since these policies were adopted as detailed further below, so as to affect the weight of these policies in determining this application.
- 3.3. The Core Strategy Focused Review (2012) identified this change in line with the National Planning Policy Framework. Reflecting this policies FC1 – Presumption in favour of sustainable development and FC1.1 – Mid Suffolk approach to delivering sustainable development identify a more positive approach to proposed development.
- 3.4. It should be noted however that policy FC2 – Provision and distribution of housing seeks to identify the number of dwellings in Key Service Centres that should come forward on greenfield sites, 100 between 2017 to 2022 and 200 from 2022 to 2027.
- 3.5. The NPPF identifies in paragraph 213 that the weight attributed to policies should be according to their degree of consistency with the NPPF. The closer the aims of the policy are to the NPPF the greater the weight that can be attributed to them.
- 3.6. The NPPF also identifies that planning decisions should apply the presumption in favour of sustainable development (paragraph 11): “For decision-taking this means: c) approving development proposals that accord with an up-to-date development plan without delay; or d) 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.”
- 3.7. Footnote 7 of the NPPF identifies out-of-date includes the situation where the local planning authority cannot demonstrate a five year supply of deliverable housing sites or where the Housing Delivery Test indicates that the delivery of housing was less than 75% of the housing requirement over the previous three years. In this instance it is considered that the Council is able to demonstrate a five year housing land supply, as set out in the Council’s Housing Land Supply Position Statement, and Joint Annual Monitoring Report, both published in September 2019.

- 3.8. Notwithstanding the Council's current housing land supply position, the development plan policies most important for determining the application (policies: H7, CS1, CS2 and FC2) are considered to be out-of-date as a result of not being consistent with the aims of the NPPF and, therefore, are accorded significantly less weight than they would have been prior to the publication of the NPPF. This position was identified in the appeal decision for appeal APP/W3520/W/18/3194926 at land at east side of Green Road, Woolpit (September 2018) which is a material consideration. Policy FC1 of the Core Strategy Focused Review repeated the requirements of the former paragraph 14 of the NPPF (2012), which is replaced now with paragraph 11 (NPPF 2019) which is the more relevant consideration, and so this policy is given less weight. Policy FC1.1 seeking to conserve and enhance the local character of different parts of the district, is up-to-date and relevant to this application. These two policies seek to promote the principles of sustainable development.
- 3.9. The presumption in favour of sustainable development should apply in this instance given the above considerations, except for the provisions of paragraph 177 of the NPPF.
- 3.10. It cannot be ignored that the policies most important for determining the application do not accord with the NPPF. Therefore less weight will still be given to these policies as identified above. Whilst tension with the development plan exists and is noted, that tension is considered to be less significant as a consequence, in light of the lesser weight afforded to the most important development plan policies relevant to this application where they are not consistent with the NPPF.
- 3.11. Therefore an assessment against the development plan is made, considering the material consideration of the NPPF and the purpose of the planning system to contribute to the achievement of sustainable development.
- 3.12. The development plan and NPPF share the same approach of contributing to the achievement of sustainable development.
- 3.13. There are three overarching objectives to achieve sustainable development, which are interdependent and need to be pursued as a whole so that opportunities can be taken to secure net gains across different objectives. These objectives are social, environmental and economic. The merits of the scheme against these objectives and the up-to-date requirements of the development plan are considered below, and a conclusion will be drawn as to whether the development is considered to contribute to the achievement of sustainable development.
- 3.14. In addition to the NPPF sustainability balancing exercise referred to above, the proposed development is considered to lie within the settlement pattern and character of an existing Key Service Centre settlement, bounded by existing housing developments to the south-east and south-west, and not to be overly intrusive into open countryside. The proposed dwelling is not, therefore, considered to be isolated, as per the meaning in paragraph 79 of the NPPF.
- 3.15. It is noted that the proposal site is included within the emerging Join Local Plan as a potential housing land allocation (Ref: LA074) for approximately 50 dwellings. However, your officers advise that no significant weight can presently be attributed to this document, which is still at consultation stage and this position was reflected in the previous refusal when 49 no. dwellings were proposed.
- 3.16. The subject land does, however, comprise site Ref: SS0083 allocated in the Draft Strategic Housing and Employment Land Availability Assessment (SHELAA) (August 2017). In respect to development suitability the Draft SHELAA states that: "The site is potentially considered suitable

for residential development, taking identified constraints into consideration. Part development of the western aspect is recommended. Estimated new net site area: 2.2ha". The estimated yield recommended in the Draft SHELAA (August 2017) is 50 dwellings. It is considered that this technical study can be attributed due weight in consideration of this planning application, as part of the Council's on-going development plan evidence base.

- 3.17. Mendlesham Neighbourhood Plan Policy MP1 states that development proposals immediately adjacent to the existing Mendlesham village boundary, to develop small sites of sustainable new homes, will be supported subject to the meeting of relevant planning policies. It goes on to state (officer emphasis): 'The local community prefers small sites to provide 20 dwellings or less. Each proposal will be judged on its merits.'
- 3.18. It is clear that the MNP contemplates new residential development outside the village settlement boundary provided it adjoins it and proposes up to 20 no. dwellings. The Neighbourhood Plan and its housing policy for such development has significant weight given the current 5 year housing supply position. The proposal is considered to comply with the Neighbourhood Plan in this regard and this represents a significant and material difference from the previous refusal for a greater number of dwellings.
- 3.19. As mentioned above the Strategic Environmental Assessment (SEA) : Scoping & Environmental Report – June 2020, produced to inform production of the revised MNDP is considered material in consideration of the current planning application. The SEA notes that, whilst the proposal site is included in the draft allocations in relation to the emerging Joint Local Plan (JLP) (at part 3 – site LA074), this JLP allocation does not correlate with those proposed in the draft revised MNDP. The SEA also notes that draft policy SP03 (Settlement Hierarchy) of the JLP states that: "Ipswich Fringe settlements, Market Towns/Urban Areas and Core Villages will act as a focus for development, which will be delivered through site allocations in the Joint Local Plan and/or in Neighbourhood Plans". National Planning Practice Guidance for Neighbourhood Planning states that, 'a neighbourhood plan should support the delivery of strategic policies set out in the local plan or spatial development strategy and should shape and direct development that is outside of those strategic policies' (Paragraph: 004 Reference ID: 41-004-20190509). The SEA states that It is expected that the MNDP will reach a stage of examination before that of the emerging Joint Local Plan, so much will depend on the MNDP's compliance with the strategic policies of the Joint Local Plan and the merits of the site allocations that the MNDP includes.
- 3.20. The Mendlesham Neighbourhood Plan – Site Assessment – Final Report – March 2019, which has informed site allocations in the revised MNDP provides an assessment of the current application proposal site, reference "Site 3" in this document. The site assessment document concludes that "The site is potentially suitable for development".
- 3.20. The SEA also makes an appraisal of all other proposed policies within the revised MNDP and generally concludes these to be appropriate and that no other alternatives are considered reasonable or distinctly different to warrant assessment within the context of the SEA Report.

4. Nearby Services and Connections Assessment Of Proposal

- 4.1. The site is located outside any settlement boundary currently defined in the Core Strategy and Local Plan but given the Neighbourhood Plan provision for development outside settlements and this also forms part of the development it is not considered contrary to the development overall. It is considered that the site lies within the settlement pattern of a sustainable Key Service Centre Village and is within reasonable walking distance of Village services and facilities, which the proposed development would in turn support.

- 4.2. The site is also considered to be within walking distance of Village Bus Stops, with reasonable service connections to Eye and Ipswich higher order settlements.
- 4.3. Should improved footpath connections be secured, as proposed, then it is considered that future occupants would be able to access Village Services and facilities and Bus Stops safely.
- 4.4. The proposal is, therefore, considered to represent sustainable development in relation to connections to services, facilities and employment.

5. Site Access, Parking And Highway Safety Considerations

- 5.1. Access is the only matter sought for approval. 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. Many of the representations received object to the proposal on traffic grounds, in particular the capacity of the existing road network to absorb the traffic generated by the development. Many are concerned with the current condition of the local road network and that the majority of movements generated by the development must travel through the centre of the village and that the centre is not suitable for the projected additional vehicle movements.
- 5.4. SCC - Local Highway Authority does not object to the anticipated increase in traffic generated by the proposal on the local road network and consider that the proposal for 20 dwellings would create approximately 13 vehicle movements within the peak hour (1 vehicle every 4.5 minutes) therefore the additional vehicles from the development will not affect the capacity of the highway network in the area.
- 5.5. Your officers recognise that vehicular activity in the village would increase as a result of the development, however there is no substantiated evidence to demonstrate how that would adversely affect the scale or function of the village. The main traffic route will be Chapel Road, that is a reasonable road and this leads out of the village if heading to the A140 without the need to drive into Front Street or Old Market Street, being the main historic areas of the village.
- 5.6. Representations also raise objection regarding the safety of the proposed access onto Chapel Road. The LHA is clear on this matter, confirming that the proposed visibility splays for the proposed access sufficient for this application. In respect to the application's performance in the context of paragraph 109 of the NPPF, again the LHA is clear in its advice that the development would not have a severe impact on the highway network (NPPF para 109) and therefore do not object to the proposal. The proposal, therefore, accords with saved Policy T10 and paragraph 108 of the NPPF.

- 5.7. On the basis of the advice of the LHA, and the absence of significant evidence to the contrary, a reason for refusal based on highway safety grounds is not considered reasonable or sustainable. This also did not form part of a reason for refusal for the recent outline proposal for a greater number of dwellings and this would be a material consideration in that regard.
- 5.8. The internal layout of the site is currently indicative only, and there would be the opportunity, at a reserved matters stage, to assess how the final design performs in respect to the quantum of parking spaces, turning areas, road and footway layout. Significant scrutiny of the proposed layout, against current Suffolk Adopted Parking Standards, is a matter for the detailed design stage.

6. Design And Layout [Impact On Street Scene]

- 6.1. The internal layout of the site is currently indicative only, and there would be the opportunity, at a reserved matters stage, to assess the appropriateness of the final layout and design and how this relates to established Village Character. Significant scrutiny of the proposed design and layout, against the Design Policies of the NPPF and Development Plan (including the Neighbourhood Plan), is a matter for the detailed design stage.
- 6.2. Notwithstanding the above, it is considered that the indicative layout provided demonstrates that the site could comfortably accommodate 20 no. dwellings, of a design and layout that would reflect and respect the existing character and quality of the area.

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 109 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. A Landscape Visual Assessment (LVA) has been carried out in relation to proposed development of the site. The site does not lie within, nor near any landscape designation. Your officers agree with the LVA which states that the site's visual sensitivities lie in its visual prominence, owing to the openness of the landscape to the north of the village, and its position adjacent to a long distance footpath. The LVA concludes that the containment from the existing village edge to the south, and likely effectiveness of mitigation planting, means the landscape has a reasonable capacity to assimilate a development of the nature proposed without significant adverse effects on the wider Plateau Clayland character in the mid to longer term.
- 7.4. Developments of the scale proposed inevitably lead to a significant landscape change. There will be an urbanising effect and loss of rural character, this is inevitable when developing open countryside, however the site is well related in a physical sense to the body of the village. The site is framed to the west and south by residential development. The backdrop of the town limits the landscape harm.
- 7.5. Policy MP10 of the Neighbourhood Plan requires the protection of visually important open spaces within or abutting settlement boundaries. This is consistent with saved Local Plan Policy SB3

which seeks to retain visually important open spaces because of their contribution to the character and appearance of their surroundings.

- 7.6. The Neighbourhood Plan and Local Plan Inset Map of Mendlesham identify visually important open spaces. Neither the subject land, nor any nearby land, is identified in NP or LP insert maps as forming part of a visually important open space. NP policy MP10 and LP policy SB3 are therefore not engaged.
- 7.7. The MNP Proposals Map (fig 2.2) identifies the visually important spaces that the plan seeks to protect. Also of relevance is the Supporting document SD19 (Landscape and Visual Assessment of Mendlesham) to the MNP as this too identifies the visually important open spaces. The site is not in or near a visually important open space as identified on either the Proposals Map or Supporting document SD19. The nearest visually important open space identified in these documents is at, and around, St Mary's Church, some considerable distance south of the site and screened from the site by the body of the village. The development will not compromise the nearest MNP identified visually important open space.
- 7.8. Figure 6.7 of the MNP identifies the principal views in and around Mendlesham. The figure identifies a viewpoint of high significance at the northern entrance to the village adjacent to the subject site. This viewpoint is identified in the Supporting document SD19 (Landscape and Visual Assessment of Mendlesham) as 'Viewpoint 9: View from Chapel Road looking East in from stream bridge'. SD19 states that visual sensitivity is considered high and that the view is defined by the gaps within hedgerows and the screened backs of properties on Mayfield Way.
- 7.9. It is acknowledged that the proposed development would directly impact Viewpoint 9. Whilst visual sensitivity at this location may be described as high, officers are not convinced the change in character that will result from the development will be inappropriate. As noted in the LVA, the proposal results in the village edge merely extending outward to the north, to a naturally defined vegetated boundary. On the approach to the village the view of the backs of properties fronting Mayfield Way is not remarkable. There is nothing particularly special on the approach that differentiates it from many other village approaches in the District.
- 7.10. On exiting the village, the view to the northeast is pleasing, across the open field of the application site. The same applies to views north from the public right of way adjoining the village boundary. Clearly the development will result in a loss of the open field and therefore these views will also change considerably. The countryside at this location is however not a remote area; its character is already influenced by proximity to the urban area of the village, both immediately south of the site as well as opposite on the western side of Chapel Road. The dwelling to the north, Robin Hall, and the access track immediately before it, serve as a visual bookend to the site that, to some extent, offers a sense of built form termination and a natural boundary junction. For these reasons, whilst the visual experience upon leaving the village and from the public right of way will be a different one, one characterised by development rather than an undeveloped rural environment, the effect on the experience will not be seriously adverse.
- 7.11. The appearance of the development would depend to a large extent on matters yet to be determined through approval of the reserved matters. However, the proposed indicative layout shows a general approach to the development that is acceptable. Landscaping, including retention of most existing trees, shrubs and hedges on the site, will play a critical part and will need to be very carefully considered at the landscaping reserved matter stage of the development process.

- 7.12. There will be a change in the outlook from the rear of properties fronting Mayfield Way, albeit the vegetation along this boundary offers a fair degree of established screening. A number of submitters object on this ground. It is entirely understandable that Mayfield Way residents would likely prefer the site to remain as open fields and would consider that they would be adversely affected by its development, though it is likely that the same concerns were felt by others when the dwellings now adjacent to the site within the Mayfield Way and Mead Way estate were developed in the 1960/70s. But it is well established that there is no right to such private views and that their loss is not as such regarded as a planning consideration even if it affects the values of the houses concerned.
- 7.13. Whenever a development creates a new village edge careful attention, naturally, must be paid to the design treatment at the newly created edge. The proposal suggests public open space and soft landscaping for the new north-western edge, coupled with retention of the existing vegetation. This design detail is more for the reserved matters stage of the development process, however these principles are supported and offer the potential to ensure an appropriate, soft landscape edge is achieved.
- 7.14. Density is an important landscape consideration. Policy CS9 requires new housing developments make best use of land by achieving densities of at least 30 dwellings per hectare. The density of housing, within the built developed area of the site, as shown on the indicative layout is 13.6 dwellings per hectare. The applicant contends a reduced density is warranted, as it reflects the edge of village location of the site and is required to ensure an appropriate landscape response is realised. Your officers agree. In this case there is no harm resulting from the identified conflict with Policy CS9.
- 7.15. The depth of the development relative to the depth of the village is an important landscape consideration. The nature of Mendlesham is a village not characterised by linear development, but rather estate development which extends in depth from, largely, Chapel Road. Whilst the depth of the site is considerable, it matches the depth of the existing Mayfield Way Estate adjacent to the south-east of the site. Put another way, the proposed built form does not project beyond the village's existing north-eastern extremity. This is an important design element and one that assists in limiting countryside intrusion and mitigating landscape harm.
- 7.16. Supporting document SD19 observes that whilst some areas of the Mendlesham landscape are identified as being sensitive to development, with careful consideration for retention and enhancement of local features, development in certain locations could be suitably integrated within the local landscape without resulting in significant disruption to local landscape character. Your officers consider the subject site is one of those locations envisaged by the SD19 where suitable landscape integration can be achieved. This conclusion is reached having regard to the fact that the local landscape is not designated either in the Local Plan, Core Strategy or MNP, the built development will be confined to within natural and logical boundaries and the site character is already influenced by proximity to the village body immediately south and west.

8. Heritage Issues [Including The Impact On The Character And Appearance Of The Conservation Area And On The Setting Of Neighbouring Listed Buildings]

- 8.1. 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.

- 8.2. The only listed building to be potentially affected by the development is the Grade II listed dwelling Calves Pightle, located opposite the site on the western side of Chapel Road. Some third party representations received consider the development would have a detrimental impact on the setting of this heritage asset. Council's Heritage Team takes a different view, which considers that the proposal is unlikely to detrimentally impact the setting of Calves Pightle or the adjacent Ark Cottage (in your Heritage Officers' view Ark Cottage is a non-designated heritage asset). This conclusion is reached for the principal reason that the historic isolated character of Calves Pightle has been lost through C20 development, and the development of the application site would not further compound this.
- 8.3. Your officers consider that the concerns raised by third parties overstate the development's likely impact on Calves Pightle. Some third party representations received state that the historic agricultural context and isolation from the village is significant and that the proposed 20 dwellings would surround the once isolated listed cottage. Your officers, however, contend that any historic agricultural context would be barely discernible. Whilst new built development would intrude into the existing undeveloped setting of the heritage assets identified, given the extent of the enclosure that has occurred by more recent and unfortunate development much closer to these assets, the effect of enclosure by the development would be limited. Your heritage officers and planning officers do not consider the proposed development would significantly compromise the significance of the heritage assets in question.
- 8.4. You planning officers concur with the view of your heritage officers, who consider the proposal unlikely to cause harm to the significance of the nearby designated and non-designated heritage assets.
- 8.5. Concerns are raised regarding the impact of the proposal on the Mendlesham Conservation Area. The heritage significance of the Conservation Area largely derives from its identifiable rural village character and its historic core. The site lies to the north-east of the Conservation Area, separated from it by the main part of the village which extends north from the historic core. There will be little if any intervisibility between the development and the Conservation Area. Moreover, the site does not afford any experience of the Conservation Area as a heritage asset, nor does its current undeveloped state assist in understanding or appreciating the heritage significance of the Conservation Area. Neither can the site be said to lie within the setting of the listed buildings in the Conservation Area. Development of the site would not impinge upon any sensitive views into or out of the Conservation Area. There would be no harm therefore, to the heritage interest of the Conservation Area or the special architectural or historic interest of the listed buildings within it. There is no conflict with saved Local Plan Policy HB8.
- 8.6. On the whole, impacts on heritage assets are deemed negligible. There is no identified conflict with local or national heritage policy.
- 8.7. SCC-Archaeological Service notes the site lies in an area of archaeological potential, with numerous finds of medieval, Saxon and Roman Material in adjacent fields, and finds recorded on the Portable Antiquities Scheme Database. Thus, there is high potential for the discovery of below-ground heritage assets of archaeological importance within the area.
- 8.8. The SCC-Archaeology note that there are no grounds to consider refusal of permission and it recommends standard planning conditions requiring a programme of archaeological works and recording to be carried out prior to commencement. Your officers concur with the recommended approach.

9. Impact On Residential Amenity

- 9.1. 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.
- 9.2. There is nothing in the application that suggests residential amenity cannot be adequately managed at the appropriate reserved matters stage of the development process. The majority of properties on the north-west side of Mayfield Way adjacent to the site have long rear gardens. Coupled with this is the public right of way located between these long gardens and the site, which will serve as a very effective amenity buffer, such that the normal minimum separation distances for light and privacy will very easily be achieved.
- 9.3. The application does not conflict with saved Policy H16 or the provisions of the NPPF with regards residential amenity.

10. Land Contamination

- 10.1. The application is supported by a Phase 1 Contaminated Land Survey. Council's Environmental Protection Team has reviewed the information and raise no objection.

11. Flood Risk and Drainage

- 11.1. The land is located in part Flood Zone 1, 2 and 3a. The indicative layout shows that the proposed dwellings are all located within the confines of Flood Zone 1, reflective of a design that responds to its physical constraints.
- 11.2. The application is supported by a Flood Risk Assessment (FRA) which has been reviewed by SCC – Local Lead Flood Authority and the Environment Agency. SCC – LLFA recommend approval of this application, subject to conditions, following receipt of further information from the applicant. Your officers consider that additional information, required by condition, can be readily managed at the reserved matters stage of the regulatory process or by planning conditions, in consultation with the SCC – LLFA Team, as per standard industry approach.
- 11.3. Noteworthy is the absence of an objection from the Environment Agency.

12. Ecology / Biodiversity

- 12.1. Policy CS5 of the Core Strategy requires development to protect, manage and enhance Mid Suffolk's biodiversity. Wildlife and Countryside Act (1981 (as amended) and the Conservation of Habitats and Species Regulations (2017) (as amended) require all 'competent authorities' (public bodies) to 'have regard to the Habitats Directive in the exercise of its functions.' For a Local Planning Authority to comply with the regulations it must 'engage' with the provisions of the Habitats Directive.
- 12.2. An ecology report supports the application, recommending ecological enhancements. Your officers consider that such enhancements can be secured by planning condition, as is standard practice. Compared to agricultural use of the land, there will be a net gain to biodiversity which would be a benefit of the scheme.

13. Public Rights of Way

- 13.1. Paragraph 98 of the NPPF states that decisions should protect and enhance public rights of way and access, including taking opportunities to provide better facilities for users. Policy MP11 (Paths and bridleways) of the MNP states that new housing shall, where possible, encourage usage of, and provide linkage to, the network of existing paths and bridleways in and around Mendlesham. The proposal fully integrates with the adjoining PROW. The Highways Authority requires as part of the development an upgrade of the PROW, including resurfacing and widening. In addition, the application proposes an enhanced landscaping treatment for the PROW. The works will result in better facilities for users of the PROW. The proposal accords with MNP Policy MP11 and paragraph 98 of the NPPF.

14. Planning Obligations / CIL (delete if not applicable)

- 14.1. The application is liable to CIL which would be managed through the standard independent CIL process triggered at the reserved matters stage.
- 14.2. As noted above, the application, if approved, would require the completion of a S106 agreement to secure on-site delivery of 35% affordable housing, a commuted sum for secondary school transport costs (as required by SCC) and a management plan for the public open space areas.

PART FOUR – CONCLUSION

15. Planning Balance and Conclusion

- 15.1. Council benefits from a five year housing supply. The tilted balance at paragraph 11(d) of the NPPF is not engaged.
- 15.2. The site is outside the settlement boundary and therefore the proposal conflicts with CS1, CS2 and H7. 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 to be attached to the above policies is reduced and therefore the conflict is afforded limited weight in the planning balance. Noteworthy is the adopted MNDP, the most recent of the relevant development plan policies, which anticipates development outside the village boundary (provided it adjoins the boundary). It is acknowledged that the adopted MNDP prefers small scale developments of up to 20 dwellings abutting the outside the village settlement boundary and this proposed development is considered to be in accordance with the provisions of that policy and this forms part of the Development Plan to be given significant weight as this document is up to date.
- 15.3. The proposed development site is included in the draft allocations in relation to the emerging JLP (site ref: LA074). Equally it is noted that the site is not included in the draft list of site allocations proposed as part of the emerging revised MNDP. However, your officers advise that no significant weight can presently be attributed to either of these documents, due to their current stages in the development plan adoption process.
- 15.4. Development of the site for residential purposes is consistent with the recommendations of the Draft SHELAA (August 2017). The proposed quantum of dwellings generally accords with the estimated quantum specified in the draft SHELAA.

- 15.5 The provision of 7 no. affordable housing units is a social benefit, as is the total 20 no. dwelling contribution to the local housing stock, albeit these considerations are attached less than moderate weight given Council's positive housing supply position. The addition of 20 no. new dwellings would offer meaningful support for the local services in the town, both during construction and following occupation of the development. The public open space contributions offer positive social and environmental value, although this too is attached relatively limited weight given the settlement's existing open space provision. Public footpath no. 6, to the south-east edge of the site, would be subject of improvement works, including surfacing, widening and landscaping, and an additional surfaced footpath would be provided from the site, along Chapel Road to Mayfield Way, an approach which is supported by County Council Highways engineers and rights of way officers, as well as your public realm officers. The proposal would, therefore, offer positives for the local community, enhancing pedestrian connectivity between the village and countryside and would be of wider benefit to all village residents.
- 15.6 The site is a sustainable location, offering pedestrian connectivity to local services complemented by a reasonable local bus service connecting to settlements nearby. Residents would not, therefore, be required to be Car dependent which would limit environmental harm in this respect. The proposal would not therefore be physically, visually or functionally isolated. Paragraph 79 of the NPPF does not engage. The site's sustainable location is a positive.
- 15.7 There is no evidence that the local highway network does not have the capacity to safely absorb the traffic generated by 20 no. additional dwellings. The proposed access arrangements are deemed acceptable, a neutral factor in the planning balance. The development also has the ability to offer significant biodiversity gains in the amount of soft landscaping being offered as part of the proposal.
- 15.8 CIL contributions will be used to ensure existing infrastructure capacity is enhanced to meet additional demand, a neutral outcome in the planning balance. Matters such as archaeology and drainage can be resolved or mitigated to an acceptable level by planning conditions.
- 15.9 Harm to heritage assets will be minimal. There will be no significant visual impact on the town's historic core. There will be landscape harm however it will be relatively localised and offset by the amount of soft landscaping proposed and the backdrop of the village immediately next to it. The level of harm is deemed less than moderate. Design detail, and performance against relevant development plan policies, including the MNP, will be a focus for subsequent reserved matters applications. The loss of productive agricultural land is unfortunate but is of such relatively small scale (in the context of the quantum of Best and Most Versatile land in the district) that it is attached only very modest weight.
- 15.10 NPPF paragraph 150 provides that new development should be planned for in ways that: a) avoid increased vulnerability to the range of impacts arising from climate change. When new development is brought forward in areas which are vulnerable, care should be taken to ensure that risks can be managed through suitable adaptation measures, including through the planning of green infrastructure; and b) can help to reduce greenhouse gas emissions, such as through its location, orientation and design. Any local requirements for the sustainability of buildings should reflect the Government's policy for national technical standards. Furthermore, NPPF paragraph 153 provides that In determining planning applications, local planning authorities should expect new development to: a) comply with any development plan policies on local requirements for decentralised energy supply unless it can be demonstrated by the applicant, having regard to the type of development involved and its design, that this is not feasible or viable; and b) take account of landform, layout, building orientation, massing and landscaping to minimise energy consumption. In addition, Neighbourhood Plan Policy MP1 (as amplified by neighbourhood plan

paragraph 3.25) provides that small scale development of sites that are not within or adjacent to the existing Mendlesham village boundary will be supported where they properly satisfy sustainability criteria including: new dwellings that demonstrate efficient energy usage, particularly use of renewable energy. The applicant has provided a detailed energy and environmental statement with the application which has been assessed by your Environmental Management Officers who consider this document meets the Council's current sustainability policy requirements. Your officers recommend that the data and commitments given in this document are secured by way of condition of any permission granted. Your officers note that only 60% of the proposed dwellings have south facing roof slopes on the indicative layout provided and will seek to ensure maximised solar gain orientation of dwellings is secured at a reserved matters stage, should members be minded to approve the current outline application.

- 15.11 There is some conflict with the development plan. However when account is taken of the weight that can be ascribed to many of the relevant policies in the development plan in light of their consistency with the NPPF, officers are satisfied that the adverse impacts of the development would not significantly and demonstrably outweigh the benefits when assessed against the policies in the NPPF taken in the round. On balance, the proposal can be considered as comprising sustainable development and thus benefits from the presumption in favour of such as set out in the NPPF.
- 15.12 Your officers have taken full and careful account of all the representations that have been made, which have been balanced against the provisions of the development plan and the National Planning Policy Framework. For the reasons set out above, the evidence is such that the outline application is recommended for approval.

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:

- Provision, management and maintenance of Public Open Space;
- 35% onsite delivery of Affordable housing provision;
- Financial contribution towards secondary School Pupils' transport.

(2) That the Chief Planning Officer be authorised to Grant Outline 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 - Outline Time Limit Condition and Time Limit for Submission of Reserved Matters
- Standard - Reserved Matters Condition
- Standard - Approved Plans and Documents Condition
- Those required by SCC – Archaeology as recommended
- Those required by the Local Lead Flood Authority as recommended
- Those required by the Local Highways Authority as recommended
- Sustainability measures to be implemented as proposed and agreed
- Reserved matters to detail Bin Presentation Points
- Reserved matters to propose road layout suitable for Refuse and Recycling collection Vehicles
- Those required by Environmental Protection Officers during construction
- Fire Hydrant provision details
- Ecology Mitigation and Enhancement Measures (Including Hedgehog Fencing)
- Lighting Scheme - Biodiversity
- Withdrawal of PD Rights
- Phasing Plan Concurrently with Reserved Matters

(3) And the following informative notes as summarised and those as may be deemed necessary:

- Pro active working statement
- SCC Highways notes
- Support for sustainable development principles
- Contaminated Land Note
- Ecology / Biodiversity Note
- Public Rights of Way Responsibilities 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 grounds.

