

Committee Report

Item 8A

Reference: DC/20/01435

Case Officer: Vincent Pearce

Ward: Haughley, Stowupland & Wetherden

Ward Members: Councillor Rachel Eburne & Councillor Keith Welham

RECOMMENDATION:

That subject to the prior completion of a S106 securing the mitigation described in this report then delegate authority to the Chief Planning Officer to subsequently GRANT conditional outline planning permission

Description of Development

Outline Planning Application (All matters reserved) Erection of up to 80 dwellings.

Location: Land to The South of Gipping Road, Stowupland, Stowmarket

Parish: Stowupland

Expiry Date: subject to an extension of time

Application Type: Outline planning application

Development Type: Major Small Scale - Dwellings

Applicant: Gladman Developments Ltd

PART ONE – REASON FOR REFERENCE TO COMMITTEE

The application is referred to committee for the following reason:

It is a 'Major' application for:

- a residential development for 15 or more dwellings.

Details of Previous Committee/Resolutions and Member Site Visit

This application has not been to Committee before and has not been the subject of a specific site visit.

Members may however recall that an application reference DC/18/04357 submitted by the same applicants, but for up to 70 dwellings, was considered by the Planning Referrals Committee at the meeting of 29 January 2020.

Abbreviations used in this report

ASNDP19 Adopted Stowupland Neighbourhood Development Plan 2019

SNPLA17 Stowupland Neighbourhood Plan Landscape Assessment 2017

SLA 14 Suffolk Landscape Assessment 2014

DJLPPOD19 Draft Joint Local Plan Preferred Options Document 2019

ALP98 Adopted Local Plan 1998

CS Adopted Core Strategy [08/12

SLA Special Landscape Area

AoNB Area of Outstanding Natural Beauty

TPO Tree Preservation Order

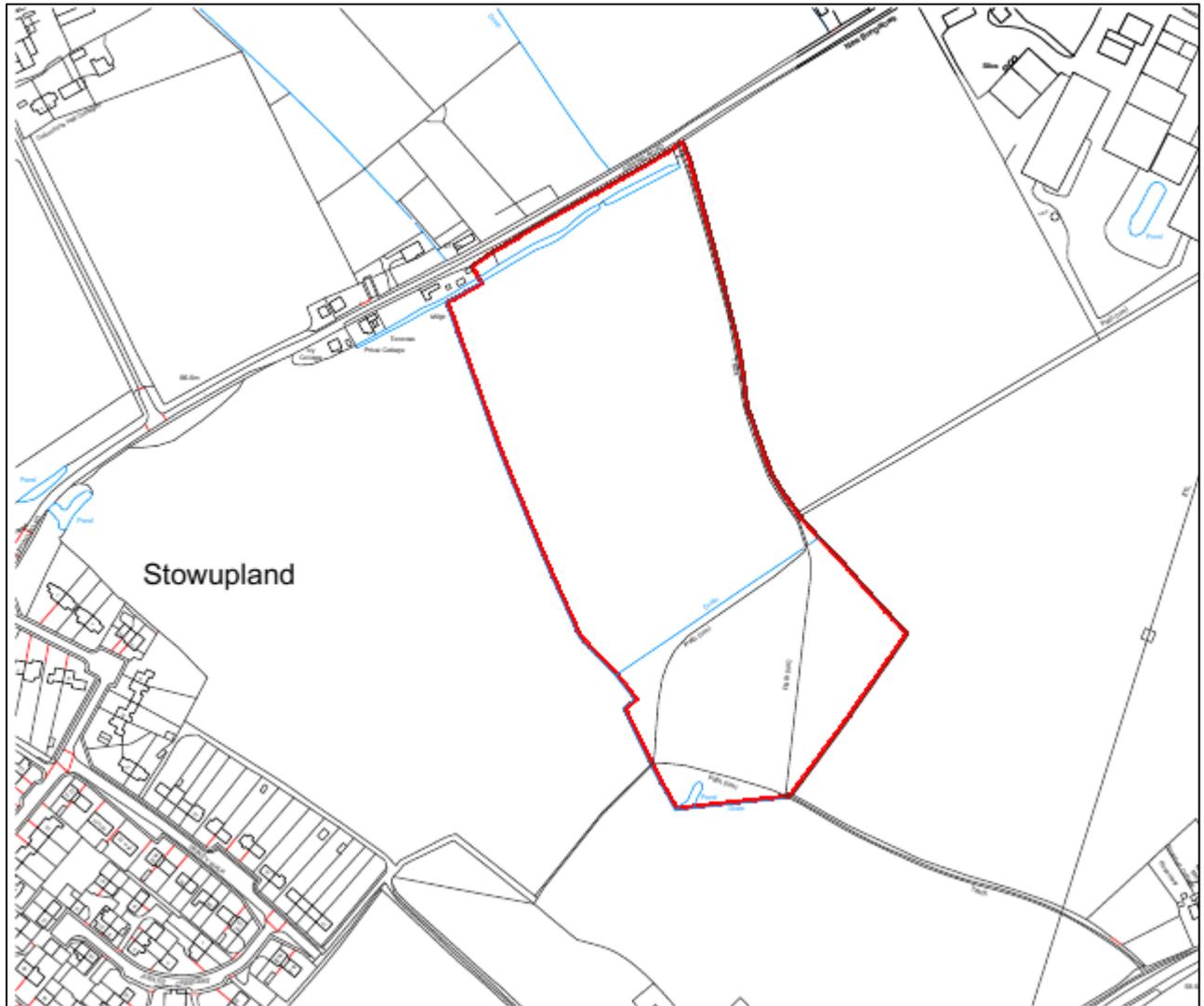


figure 1: Red Line Plan – The Application

PART TWO [A] – POLICIES AND CONSULTATION SUMMARY

■ Summary of Policies

Relevant policies in the Core Strategy Focused Review 2012, Core Strategy 2008 and Mid-Suffolk Local Plan 1998:

Core Strategy Focused Review 2012

- FC1 - Presumption in favour of Sustainable Development
- FC1_1 Mid Suffolk approach to delivering Sustainable Development
- FC2 - Provision and Distribution of Housing

Core Strategy 2008

- CS01 - Settlement Hierarchy
- CS2 – Development in the Countryside
- CS03 - Reduce Contributions to Climate Change
- CS04 - Adapting to Climate Change
- CS05 - Mid Suffolk's Environment
- CS06 - Services and Infrastructure
- CS09 - Density and Mix

Local Plan 1998

- CL11 - Retaining high quality agricultural land
- GP01 - Design and layout of development
- H13 - Design and layout of housing development
- H15 - Development to reflect local characteristics
- H16 - Protecting existing residential amenity
- T10 - Highway Considerations in Development
- FC02 - Provision and Distribution of Housing
- H07 - Restricting housing development unrelated to needs of countryside
- H14 - A range of house types to meet different accommodation needs
- H17 - Keeping residential development away from pollution
- T9 - Parking Standards
- RT04 - Amenity open space and play areas within residential development
- RT12 - Footpaths and bridleways
- RT13 - Water based recreation
- CL08 - Protecting wildlife habitats

Babergh & Mid Suffolk Joint Local Plan: Preferred Options July 2019

Policy LA078 Allocation: Land south of Gipping Road, Stowupland

Allocation for approximately 100 dwellings [with associated infrastructure]

Adopted Stowupland Neighbourhood Development Plan* [Adopted June 2019]

This is a relevant material planning consideration that must be taken into consideration

It has been Adopted [Made] and is part of the statutory development plan. This was the case when the previous proposal was determined on 29 January 2020.

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

Policy SNP1: Strategy for Sustainable Growth

Policy SNP2: Land between Church Road and Gipping Road

Policy SNP5: Affordable Housing

Policy SNP6: Rural Exception Sites

Policy SNP7: Settlement Boundaries

Policy SNP10: Protecting the Natural Environment

Policy SNP11: Playing Fields

Policy SNP12: Local Green Spaces

Policy SNP13: Public Rights of Way

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

Proposals Map

National Planning Policy Framework (NPPF) 2019

Section 2: Achieving sustainable development

Section 5: Delivering a sufficient supply of homes

Section 8: Promoting healthy and safe communities

Section 9: promoting sustainable transport

Section 12: Achieving well-designed places

Section 15: Conserving the natural environment

Supplementary Planning Documents

Suffolk Adopted Parking Standards (2019 *refreshed*)

Stowmarket Action Area Plan [SAAP] 2013

The site falls within the SAAP area. This site is not an allocation in the document.

Policy SAAP 4.1: Presumption in favour of sustainable development

Policy SAAP 4.2: Providing a landscape setting for Stowmarket

Policy SAAP 6.1 Housing and waste storage

Policy SAAP 9.1: Biodiversity measures

Policy SAAP 10.2: Provision of accessible natural greenspace

Policy SAAP 10.3: Improving the quality of open spaces

Policy SAAP 11.1: Developer contributions to infrastructure delivery

■ Settlement Classification

- Core Strategy: Stowupland defined as a 'Key Service Centre'

Key Service Centres: the main focus for development outside of the 'towns'.
[Towns – Stowmarket, Eye & Needham Market]

- Stowmarket Action Area Plan: Stowupland defined as a 'Key Service Centre'
- BMSDC Joint Local Plan: Preferred Options: Stowupland is defined as a 'Core Village'

Core Villages: the main focus for development along with Market Towns/Urban Areas

■ Five-Year Housing Land Supply [5YHLS] Position

Mid Suffolk District Council is able to demonstrate that it has a 5YHLS¹. The “tilted balance” does not engage on this account but as Members are well aware, the operation of NPPF para 11d can also engage where taken in the round the most important policies for determining an application are out of date – that is the case here, as it is for most applications for housing in this District.

Members will also be aware of the recent decision of the Secretary of State in the recovered appeal affecting Long Melford², within the adjoining Babergh district. In that case and against the context of not only a 5+ year land supply but also an up to date collection of policies (i.e. unlike this case the “tilted balance” did *not* apply) the SoS was nevertheless clear that housing was of itself a significant benefit with the 5-year HLS requirement a minimum target to be surpassed, not a ceiling. The landscape

¹ As at September 2019, the latest adopted HLS update.

² Appeal reference: 3214377, available here: <https://www.gov.uk/government/publications/recovered-appeal-land-off-station-road-long-melford-suffolk-ref-3214377-1-april-2020>

harm and conflict with the Council's housing policies was insufficient to prevent a grant of permission in that case.

That decision is one of several recently made by the SoS himself, and on a similar basis in finding housing to be a matter of significant weight and allowing appeals even where a 5+ year HLS could be demonstrated. Members should carefully consider that direction of travel and the weighting afforded to housing growth and the related stimulation of the economy, bearing in mind – as set out in the NPPF – it is a key Govt. objective to significantly boost housing supply.

Furthermore, a significant proportion of the sites comprising the District's housing land supply relate to developments that were themselves in conflict with the development plan when determined. That the Council has a five-year supply is despite the current housing policies, not because of them; hence, the application of the "tilted balance" and the limited weight afforded to policies CS1, CS2, and H7 – their strict application would otherwise frustrate the opportunity to secure appropriate growth.

In such circumstances the direction of the "tilted balance" is to grant planning permission unless significant and demonstrable harm can be found.

■ **Status to be afforded to relevant Plans**

Local Plan 1998 and Core Strategy 2008/2012:

These form the bulk of the Council's Adopted Development Plan aside from made NDP and are therefore the statutory starting point for decisions (as per s38(6) of the 2004 PCP Act).

The weight that particular policies carry now varies as not all are compliant with the NPPF [2019] and may therefore be considered to be 'out-of-date'. [and therefore little or no weight]

The Settlement Hierarchy continues to be a relevant and valid expression of spatial hierarchy and the sustainable distribution of new growth. However, policies CS1, CS2 and H7 (among others) have consistently been held to be inconsistent with the NPPF [2019] because of their overly-restrictive treatment of new development in the countryside. The underlying spatial strategy is, however, consistent with the NPPF in seeking to direct new development to sustainable settlements and in that regard the development complies with the underlying strategy applicable to Policy CS2 (and Policy CS1), bearing in mind its location immediately adjacent to the built form of Stowupland, a 'Key Service Centre'. For these reasons the significance of the conflict with the District housing policies posed by the site falling within the 'countryside' is in the opinion of officers – very low.

Stowupland Neighbourhood Plan 2019

This recently made [27 June 2019] document forms part of the development plan i.e. it is the starting (but not the end) point for decision-taking in accordance with the s38(6) duty. Its policies are used in the determination of planning applications submitted in

Stowupland (within the designated area) unless material considerations indicate otherwise.

Recent changes to the NPPF [2019] around housing provision in areas with an adopted neighbourhood plan where the Council is operating the presumption at paragraph 11[d] of the NPPF [2019] are relevant; Namely:

Paragraph 14.

“In situations where the presumption (at paragraph 11d) applies to applications involving the provision of housing, the adverse impact of allowing development that conflicts with the neighbourhood plan is likely to significantly and demonstrably outweigh the benefits, provided all of the following apply:

- a) the neighbourhood plan became part of the development plan two years or less before the date on which the decision is made;
- b) the neighbourhood plan contains policies and allocations to meet its identified housing requirement³;**
- c) the local planning authority has at least a three year supply of deliverable housing sites (against its five year housing supply requirement, including the appropriate buffer as set out in paragraph 73); and,
- d) the local planning authority’s housing delivery was at least 45% of that required over the previous three years.”

As ever, the policies of the NPPF are a material consideration to be weighed accordingly. However it is important to note that the language of paragraph 14 is not mandatory and certainly does not have the presumptive force of NPPF para 11d) – if para. 14 is engaged it does not, for example, disapply the “tilted balance” which continues to remain engaged as a consideration. Para 14 also does not elevate the status of NDP above other documents or policies within a Development Plan.

Officers have given careful consideration as to whether the breach of paragraph 14 would in this case give rise to harm sufficient to significantly and demonstrably outweigh the benefits. It does not. The planning balance is undertaken at the end of this report but at this point it is important to set out officer’s considerations in respect of the Stowupland NDP.

In this context it needs to be confirmed that while the Stowupland Neighbourhood Plan forms a part of the statutory development plan it may not be as robust as it would have been had the District Council’s identified need in the emerging Joint Local Plan been met in that document.

The comments of the Strategic Planning (Policy) team submitted in response to – and in support of – the last planning application remain equally pertinent in stating that the application would pose no infrastructural issues, would not prejudice the JLP (albeit prematurity could not be a factor in decision-taking regardless), and in respect of the

³ The Stowupland NDP identifies sites for 349 dwellings over the plan period whereas the JLP indicates an identified need in Stowupland for 752 and whilst the latter carries significantly less weight than the former as a material planning consideration it does indicate a tension between the two in terms of delivery expectation.

Stowupland NDP it was made clear that in responding to the Examination it had been stated that:

“[at this time] it is not possible to provide certainty on the likely requirement for Stowupland at present but a higher figure than that currently provided for in the Neighbourhood Plan cannot be ruled out.” Therefore, the Strategic Planning Team had advised that the allocated sites in the Stowupland Neighbourhood Plan were potentially not enough for residential allocations.’

The Stowupland NDP is not itself expressly prohibitive of new development coming forward outside of the settlement boundary. In fact, it is something actively envisaged given the wording of Policy SNP6 albeit that policy only deals with affordable housing rural exception sites. It is therefore predominantly the District policies which apply in relation to this application and the question of its appropriateness in principle. Policy SNP7 applies to new growth within the settlement boundary; it does not preclude development outside of that line (which is itself tied to the dated 1998 maps⁴, save for being expanded to accommodate more recent permissions).

The Examiner for the NDP published her report in January 2019. The NPPF requires that Neighbourhood plans should support the delivery of strategic policies contained in local plans or spatial development strategies; and should shape and direct development that is outside of these strategic policies.⁵ In other words neighbourhood plans must be in general conformity with the strategic policies of the Local Plan (which at the time of report included the Local Plan 1998 and Core Strategy as set out above).

Nevertheless, adopting a cautious stance it can be said that the application does not meet the expectations of the housing strategy within the NDP – which has a clear identified need with allocations to meet that need – and so the application as a major development for 65% market housing conflicts with the NDP as a whole notwithstanding its compliance with that plan in other respects.

However, the NDP is cognisant that boundaries must change to accommodate new housing needs:

10.2 A settlement boundary describes the limits of development and the change in character and appearance from the developed areas to the countryside. With the completion of the Reeds Way development on the site allocated in the 1998 Local Plan, infill development, planning permission granted on appeal for 175 dwellings and planning applications on sites outside the 1998 settlement boundary, it can be seen that the village has grown and will inevitably change.

The Planning Practice Guidance advises

Can a neighbourhood plan come forward before an up-to-date local plan or spatial development strategy is in place?

⁴ Linked to a now severely dated projection of housing growth for the District.

⁵ NPPF 13

Neighbourhood plans, when brought into force, become part of the development plan for the neighbourhood area. They can be developed before or at the same time as the local planning authority is producing its local plan (or, where applicable, a spatial development strategy is being prepared by an elected Mayor or combined authority).

A draft neighbourhood plan or Order must be in general conformity with the strategic policies of the development plan in force if it is to meet the [basic condition](#). Although a draft neighbourhood plan or Order is not tested against the policies in an emerging local plan the reasoning and evidence informing the local plan process is likely to be relevant to the consideration of the basic conditions against which a neighbourhood plan is tested. For example, [up-to-date housing need evidence](#) is relevant to the question of whether a housing supply policy in a neighbourhood plan or Order contributes to the achievement of sustainable development. ...⁶

This is as is the case in this District. The Neighbourhood Plan identified its needs prior to the publication of the Babergh and Mid Suffolk Joint Local Plan - Preferred Options Consultation (Reg 18). This was approved by Mid Suffolk Full Council on 27th June 2019. The Joint Local Plan - Preferred Options (Reg 18) was open for consultation from Monday 22nd July and closed at 4pm on Monday 30th September 2019.

The emerging plan responds to the 'standard method' and proposes to address that need through housing allocations including for the site now before Members. The housing need considered in the emerging plan is based upon more up-to-date evidence than is considered in the Stowupland NDP.

Stowmarket Action Area Plan 2013

Whilst this document is now more than 5 years old policies that comply with the NPPF [2019] continue to carry significant weight.

PART TWO [B]: CONSULTATIONS AND REPRESENTATIONS

120 neighbours and 34 consultees were consulted by the Development Management Service.

During the course of the application consultation responses and representations from third parties have been received. These are summarised below.

A: Summary of Consultations

⁶ Paragraph: 009 Reference ID: 41-009-20190509 Revision date: 09 05 2019

Stowupland Parish Council in its response dated 15 May 2020 stated:

“The Council recognise that there are benefits for residents of Stowupland which would be very welcome should the Council have full control of Thradstones Meadow.

However, having regard to policies contained within the adopted Stowupland Neighbourhood Plan and to the NPPF both these documents have much greater weight than the future draft Joint Local Plan mentioned by Gladman, whose publication date has been further delayed.

The Council must OBJECT to this application for the following reasons:-

“This site is not an allocated site for development in the current Mid Suffolk 5 year housing plan. Nor in the Stowupland Neighbourhood Development Plan 2019. Mid Suffolk currently have in excess of 8000 approved planning applications for new homes as yet to be delivered.

The proposal is not small scale development and lies outside the settlement boundaries of the Stowupland Neighbourhood Development Plan 2019. The proposal would fail to deliver safe and suitable access for all persons to village services and facilities given its separation from those and its poor service by public transport failing to provide good access for wheelchair users. The proposal would be contrary to policies SNP1 and SNP14 of the Stowupland Neighbourhood Development Plan 2019.

The proposal would fail to preserve and enhance the quality of the Local Green Space and its setting and would be contrary to policies SNP6 and SNP12 of the Stowupland Neighbourhood Development Plan 2019.

The cumulative impact of recent and yet to be commenced developments and this application will have a detrimental impact on the village character and landscape setting. As a primary village within an Ancient Plateau Claylands landscape character type, it would be expected that any emerging development should preserve or enhance these landscape characteristics. However, a proposal in this location will negatively impact the rural settlement fringe character.

It is further development outside of the village settlement boundary in the countryside and using high quality agricultural land.

This development will further erode the setting of listed building Columbine Hall.

Concerns that unless the ancient Thradstones Meadow which is part of this application is transferred on suitable terms to the Parish Council, it will lose its

character by being over managed which would cause loss of the wildlife and nesting place of skylarks. This Meadow is highlighted in the Neighbourhood Plan as being an important feature that should be protected.

Whilst the single access onto the A1120 may be considered by the applicant's highway consultant to be adequate for up to 300 homes, the Parish Council has great concerns that there will be long tail backs through the estate at busy times of the day as the A1120 is a very busy road, also most of the vehicles leaving the site will be turning right across a traffic flow. This could lead to a highway hazard as impatient drivers chance getting into a small gap in the traffic. Congestion on A1120 may result in drivers avoiding use of that road by turning left and finding rat runs through unsuitable country lanes.

Shortage of school places and lack of capacity at Health Centres to accept new patients. Whilst the developers would put money into Cil for further improvements to these facilities, lack of capacity is not being addressed fast enough to keep up with the demand that all the current new housing in the area is placing on the education and health services.

The Council cannot comment at this time about on the suitability of the informal crossing point at Coop PFS Church Road proposed by Gladman. This is because the Parish Council have employed Suffolk Highways to conduct a feasibility report and recommendation of location and crossing type somewhere in the location of the Coop PFS. We have not as yet received this report.”

BMSDC: Strategic Housing

“Housing Need Information:

The Ipswich Housing Market Area, Strategic Housing Market Assessment (SMHA) document, updated in 2019, confirms a continuing need for housing across all tenures and a growing need for affordable housing.

The 2019 SHMA indicates that in Mid Suffolk there is a need for **127 new affordable homes per annum.**

The Council's 2014 Suffolk Housing Needs Survey shows that there is high demand for smaller homes, across all tenures, both for younger people, who may be newly forming households and also for older people who are already in the property-owning market and require different, appropriate housing, enabling them to downsize. Affordability issues are the key drivers for this increased demand for smaller homes.

The Council's Choice Based Lettings system currently has circa. 690 applicants registered for affordable housing in Mid Suffolk as at January 2020.

Preferred Mix for Open Market homes.

There is a strong need for homes more suited to the over 55 age bracket within the district and supply of single storey bungalows or 1.5 storey chalet bungalows has been very limited over the last 10 years in the locality.

There is growing evidence that housebuilders need to address the demand from older people who are looking to downsize or right size and still remain in their local communities. Currently 1 in 5 people in Suffolk are aged 65 or over, by 2030 this figure would have increased to 1 in 3 people.

The 2019 SHMA sets out the supply of owner-occupied sector housing needed to meet household needs over the emerging Joint Local Plan Period. Table 4.4e shows the number of different sized homes required:

Size of home	Current size profile	Size profile 2036	Change required	% of change required
One bedroom	707	1,221	515	7.2%
Two bedrooms	5,908	8,380	2,472	34.4%
Three bedrooms	13,680	15,784	2,104	29.3%
Four + bedrooms	12,208	14,303	2,096	29.2%
Total	32,502	39,688	7,186	100.0%

Furthermore, the **2014 Suffolk Housing Survey** shows that, across Mid Suffolk district:

12% of all existing households contain someone looking for their own property over the next 3 years (mainly single adults without children). The types of properties they are interested in are flats / apartments, and smaller terraced or semi-detached houses.

Although this is not their first preference, many accept that the private rented sector is their most realistic option.

25% of households think their current property will not be suitable for their needs in 10 years' time.

2 & 3 bed properties are most sought after by existing households wishing to move.

Suitable housing options for more elderly people are less available within the current housing stock. 6% of all households have elderly relatives who may need to move to Suffolk within the next 3 years.

It is recommended that a broad mix of dwellings are provided incorporating 2, 3 and 4 bedrooms.

It would preferable if a minimum of 10% of the proposed developed comprised of 2 bedroomed 3-4 person bungalows in the areas of open market and affordable housing be meet the current housing need.

Preferred mix for Affordable Housing

This site is a S106 planning obligation site so the affordable housing provided will be to meet district wide need hence the **690** applicants registered is the important number.

The Stowupland neighbourhood Plan adopted in June 2019 includes housing policies within the document. Section 9.5 seeks 35% and 10% home ownership products, which is consistent with the 2019 NPPF and the Councils position.

In line with current local policy, affordable rented and shared ownership units are the preferred affordable housing options to meet local housing needs. SNP5 refers to Local Lettings policy in regard to rural exception sites. This application is not a RES but there is an acknowledged local need for housing within the parish of Stowupland, therefore in the event this application is approved it is proposed that a proportion of the 28 affordable dwellings are prioritised for those with a qualifying local connection to Stowupland. The proportion to be agreed based on the number of applicants registered with a housing need at the time the application is considered by the Planning Committee.

The following affordable housing mix is recommended:

Affordable Rent:

- 4 x 1b x 2p houses @ 58sqm
- 2 x 2b x 4p bungalows @70sqm
- 10 x 2b x 4p houses @ 79sqm
- 4 x 3b x 5p houses @ 93sqm

Total: 20

Shared Ownership:

- 5 x 2b x 4p houses @ 79sqm
- 3 x 3b x 5p houses @ 93sqm

Total: 8

It is recommended that no flats are built for affordable rent or shared ownership on this site. This decision has been made in light of the adjoining site APP/W3520/W/15/3139543 where permission has been granted via appeal for 34 flats – (16 x 1b2p flats and 8 x 2b4p flats ‘open market’ and (10 x 1b2p ‘affordable rent’ flats). From a housing management point of view, it is not good practise to have high numbers of 1 bed flats on any development.

Other requirements for affordable homes:

Properties must be built to the Housing Standards Technical guidance NDSS March 2015.

The Council is granted 100% nomination rights to all the affordable units on first lets and 100% of relets in perpetuity.

For all shared ownership dwellings applicants must be registered with the Suffolk Homebuy agency (Radian Housing Association).

Standard trigger points for the delivery of the affordable housing – this will then be included automatically in the instruction from planning to shared legal services that it needs to be in the S106 agreement as a matter of course.

(a) not Occupy or permit Occupation of more than fifty per cent (50%) (rounded up to the nearest whole Dwelling) Market Housing Units in each Phase until fifty per cent (50%) of the Affordable Housing Units for that Phase have been constructed and are ready for Occupation and have been transferred to the Registered Provider; and

(b) not Occupy or permit Occupation of more than eighty per cent (80%) (rounded up to the nearest whole Dwelling) Market Housing Units in each Phase until all of the Affordable Housing Units for that Phase have been constructed and are ready for Occupation and have been transferred to the Registered Provider

Initial share purchases for shared ownership dwellings to be capped at 70%.

The affordable units to be constructed 'tenure blind' and must not be in clusters of more than 15 dwellings. The affordable homes should be distributed across the different phases of the development.

Adequate parking provision is made for the affordable housing units and cycle storage/sheds."

BMSDC: Heritage

Based on the limited amount of information submitted with this outline application, the proposed development would likely be considered to cause a

- Very low level of less than substantial harm to a designated heritage asset because the development would further erode the wider rural setting of Columbine Hall.

This harm should be weighed up against public benefits as per para. 196 of the NPPF.

BMSDC: Public Realm

"The Public Realm Team do not object to this development. The protection of Thradstone's Meadow as public open space and its transfer to public ownership is

welcomed. It would be anticipated that this open space be transferred to the Parish Council as its value is predominantly local. Further comments on the more detailed plans would be anticipated.”

BMSDC: Environmental; Health

“Having studied the submitted documents Environmental Protection have no objections in principle.

However as the acoustic assessment was a desktop screening report where the conclusion in section 6 of the Miller Goodhall Ltd report: 101818_ V4 is that a noise assessment is not necessary and the existing nearby noise sources are not likely to have a significant impact on the development, I ask that the following is conditioned.

- The Final layout of the scheme should be designed to ensure that the internal and external noise levels of all residential premises are within the BS 8233:2014 criterion for both internal ambient noise levels and those for outdoor amenity spaces. I would suggest that a condition requiring pre-occupation independent testing would be required to ensure that the WHO and BS8233 internal values, as described within sections 4.5 and 4.6 of the Miller Goodhall Ltd report: 101818 V4 are met. I would also require a Construction method statement to be submitted by way of condition as follows:
- No development shall commence until a Construction and Environmental Management Plan (CEMP), to cover both site clearance and construction phases of the development, has been submitted to and approved in writing by the Local Planning Authority. The CEMP shall be undertaken in accordance with best practice guidelines and BS: 5228:2009 + A1:2014 (and any revisions thereof). The plan shall include details of:
 - the timing of development for the overall construction period,
 - means of access, traffic routes, vehicle parking and manoeuvring areas (site operatives and visitors),
 - loading and unloading of plant and materials,
 - location and management of wheel washing facilities,
 - external lighting,
 - waste removal,
 - location and nature of temporary buildings and boundary treatments,
 - dust management,
 - noise management (in terms of protecting local residents), and
 - waste/litter management during the construction phases of the development.

Thereafter, the approved construction plan shall be fully implemented and adhered to during the construction phases of the development hereby approved, unless otherwise agreed in writing by the Local Planning Authority.

Reason - To minimise detriment to nearby existing residential amenity

I shall also require the following to be conditioned:

- No burning shall take place on site during the site clearance/demolition or construction phases of the development.

Reason - To minimise detriment to nearby existing residential amenity

- Operating hours of the site during construction of units and houses
- Noise intrusive construction/ground works to the site shall be limited to the following hours: Monday to Friday between 08:00 hrs and 18:00 hrs Saturday between 08:00 hrs and 13:00 hrs. No noise intrusive work to be undertaken on a Sunday, Bank, or Public Holiday.

Reason - To minimise detriment to nearby existing residential amenity.”

BMSDC: Sustainability Officer

“I have no objection to the application and should the Planning Dept approve it I would suggest the following condition.

Prior to the commencement of development a scheme for the provision and implementation of water, energy and resource efficiency measures, during the construction and operational phases of the development shall be submitted to and approved, in writing, by the Local Planning Authority. The scheme shall include a clear timetable for the implementation of the measures in relation to the construction and occupancy of the development. The scheme shall be constructed and the measures provided and made available for use in accordance with such timetable as may be agreed.

The Sustainability & Energy Strategy must be provided detailing how the development will minimise the environmental impact during construction and occupation (as per policy CS3, and NPPF) including details on environmentally friendly materials, construction techniques minimisation of carbon emissions and running costs and reduced use of potable water (suggested maximum of 1 051tr per person per day).

Details as to the provision for electric vehicles should also be included please see the Suffolk Guidance for Parking, published on the SCC website on the link below: <https://www.suffolk.gov.uk/planning-waste-and-environment/planning-and-development-advice/parking-guidance/>

The document should clearly set out the unqualified commitments the applicant is willing to undertake on the topics of energy and water conservation, C02 reduction, resource conservation, use of sustainable materials and provision for electric vehicles.

Clear commitments and minimum standards should be declared and phrases such as 'where possible, subject to, where feasible' must not be used. Evidence should be included where appropriate demonstrating the applicants previous good work and standards achieved in areas such as site waste management, eg what recycling rate has the applicant achieved in recent projects to show that their % recycling rate commitment is likely.

Reason - To enhance the sustainability of the development through better use of water, energy and resources. This condition is required to be agreed prior to the commencement of any development as any construction process, including site preparation, has the potential to include energy and resource efficiency measures that may improve or reduce harm to the environment and result in wider public benefit in accordance with the NPPF.

Guidance can be found at the following locations:

<https://www.midsuffolk.gov.uk/environment/environmental-management/planning-requirements/> “

BMSDC: Waste

No objection subject to conditions

Place Services (Ecology) [for BMSDC]

No objection subject to securing biodiversity mitigation and enhancement measures.

Place Services (Landscapes) [for BMSDC]

The main development constraint (as demonstrated in Policy CS 5 of the Mid Suffolk Core Strategy (MSDC) Development Plan document (Adopted 2008)) is the requirement to "protect and conserve landscape qualities" and ensure the development will "conserve and enhance the character" of the area. Currently, the cumulative impact of past developments and this application will have a detrimental impact on the village character and the landscape setting and therefore based on the current proposal we cannot be supportive of this application.

Review on the submitted information

Relevant to this landscape review, the submitted application includes an Development Framework Plan, Design and Access Statement (DAS) and Landscape and Visual Appraisal (LVA).

The LVA has been carried out by FPCR and was conducted in accordance with the Landscape Institute's Guidelines for Landscape and Visual Impact Assessment 3rd Edition. The appraisal assesses the likely visual effects of the proposal and impact on the landscape character and setting. It states that the effect on the site and immediate settlement edge context landscape character will be 'major/moderate adverse', which means the proposal will be incongruous to the current characteristics and setting. Although the impact of the proposal has been reviewed against the landscape baseline, more information is sort to understand the cumulative impact of the proposal in conjunction with the adjacent development with planning consent and the impact this will have on the landscape and visual amenity. Visual representations of the proposal sited within the landscape would help to visualise the degree the proposal affects the existing landscape.

Furthermore, all visual representation with any submitted Landscape and Visual Impact Assessment (LVIA) should be in line with The Visual Representation of Development Proposals Technical Guidance Note (TGN) 06/19 (Landscape Institute, September 2019) to ensure the assessment of visual impact is accurate and in turn an appropriate judgement of the assessed impacts can be made. For this reason, viewpoint photographs should be formatted accordingly. For instance, visuals should be presented as a single image (390x260mm) with panoramic images for baseline/context information only. This is because panoramas on an A3 sheet are too small to provide a representation of the proposed development.

The development framework (Drawing no. 8193-L-03) and DAS provide a detailed narrative of what is being proposed, including plot sizes, landscape enhancements and indicative road layouts. However, although scattered tree and shrub planting on the north eastern boundary will be beneficial, this will take a minimum of 20 years to offer suitable screening. It would also contradict the purpose of the landscape buffer on the adjacent development scheme, which was proposed to mitigate the impact the development would have on the rural edge setting and character of Stowupland.

Likely impact on the surrounding landscape

According to the Mid Suffolk Core Strategy Development Plan (2008) Stowupland is defined as a 'Key Service Centre', which means it has the 'potential to accommodate development which is sympathetic to local character and of an appropriate scale and nature in relation to local housing and employment needs.' The application site however sits outside the existing settlement boundary, as well as the revised settlement boundary proposed in the Submission version of the Stowupland Neighbourhood Development Plan (Sep 2018). Therefore, according to the Mid Suffolk Core Strategy Development Plan document (Adopted 2008) Policy CS2 is classed a countryside development and should be restricted to defined categories of development such as; agriculture and forestry, rural exception housing, recreation and tourism and community services.

The Suffolk Landscape Character Assessment defines the site and the surrounding area as part of the Ancient Plateau Claylands landscape character type. Some of the key characteristics for the Ancient Plateau Claylands landscape character type are flat or gently rolling arable landscape dissected by small river valleys, field pattern of ancient enclosure, loosely clustered villages, scattered ancient woodland parcels and hedgerow with hedgerow trees. As a primary village within this landscape character area, it would be expected that the any emerging development should preserve or enhance these landscape characteristics. However, a proposal in this location will negatively impact the rural settlement fringe character.

The Stowupland Neighbourhood Plan Landscape Appraisal (SNPLA) (2017) produced by Alison Farmer Associates identifies the site as falling within the Walnut Tree Farm Plateau local landscape character area (LLCA). It states the following:

'There are a number of detractors in this landscape (large barns associated with Walnut Tree Farm, pylons and urban edge of linear development in Saxham Street) and landscape elements such as road verges, field boundaries and parkland are in places in poor condition or have been lost. This, combined with the location of this area adjacent to the edge of Stowupland village leaves it

vulnerable to future housing development pressure. Nevertheless, this area contains a number of features which are of value such as the pasture field on the southwestern edge, listed buildings, and remnant parkland associated with Stowupland Hall. Its open agricultural character and public footpaths give it a valued role in providing a rural setting to Stowupland village and Saxham Street, and an important transition from village to open countryside "

SNPLA also expresses that the site falls within an area of environment initiative for retention of rural farmland setting. This is proposed in areas where the land is under pressure from development and the rural setting of settlement could potentially become squeezed. Therefore, there is a requirement to retain the open agricultural use of this land for arable or pasture and reinforce and continue management of hedgerows. Therefore, it is thought that this application development will have a detrimental impact on the rural setting of the village and will be encroaching further into the countryside."

Officer comment:

Place Services rightly identify the application site as falling within what is described as the Walnut Tree Plateau in the SNPLA17. Presumably the author of that document combined the name of the farm that sits on the junction of Gipping Road and Rendall Lane with part of the wider landscape description in the SLA [Ancient Plateau Claylands]. The reference to this being a plateau is self-explanatory in that it represents high ground between adjacent river valleys – most notably the River Gipping. The 'Ancient Plateau Claylands landscape surrounds Stowupland

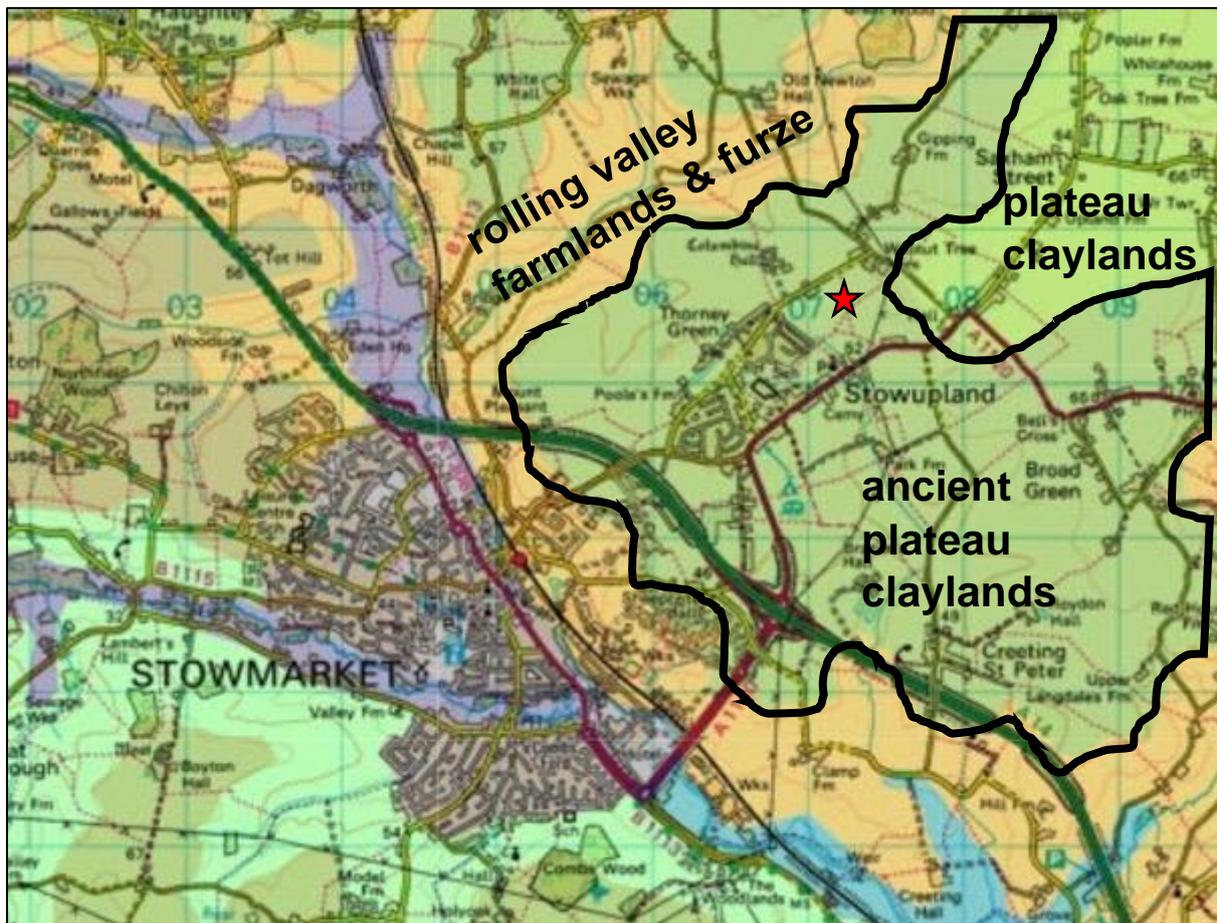


figure 2: Suffolk Landscape Assessment - map extract

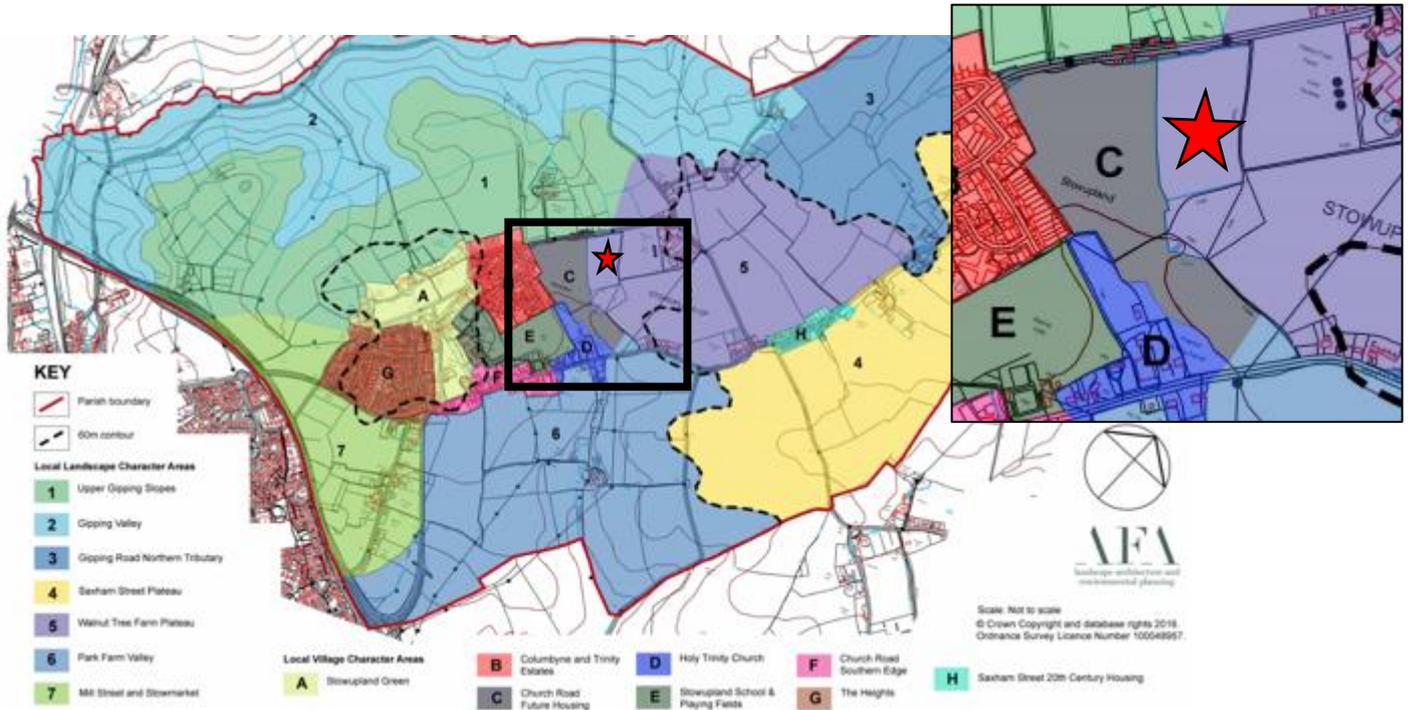


figure 3: Stowupland Neighbourhood Plan Landscape Assessment

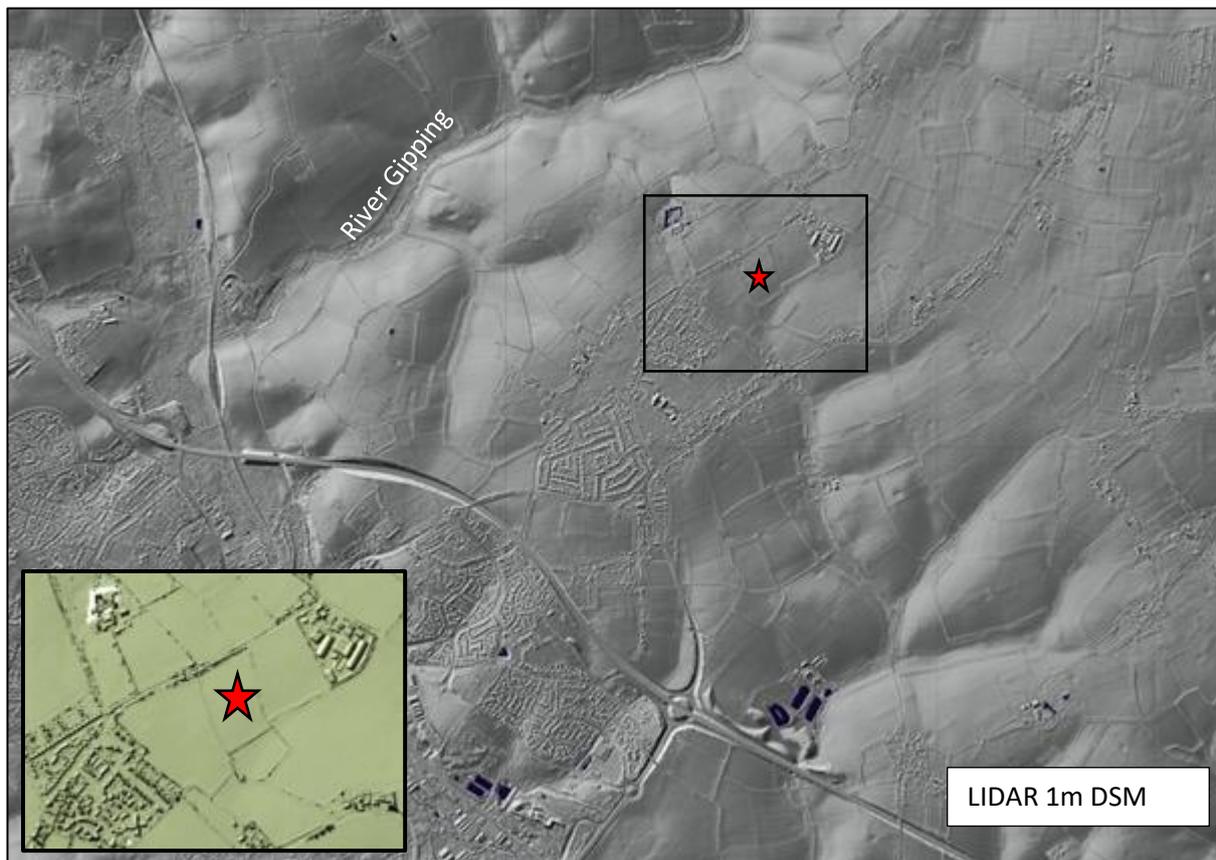


figure 4: Lidar Image of landscape - Stowupland

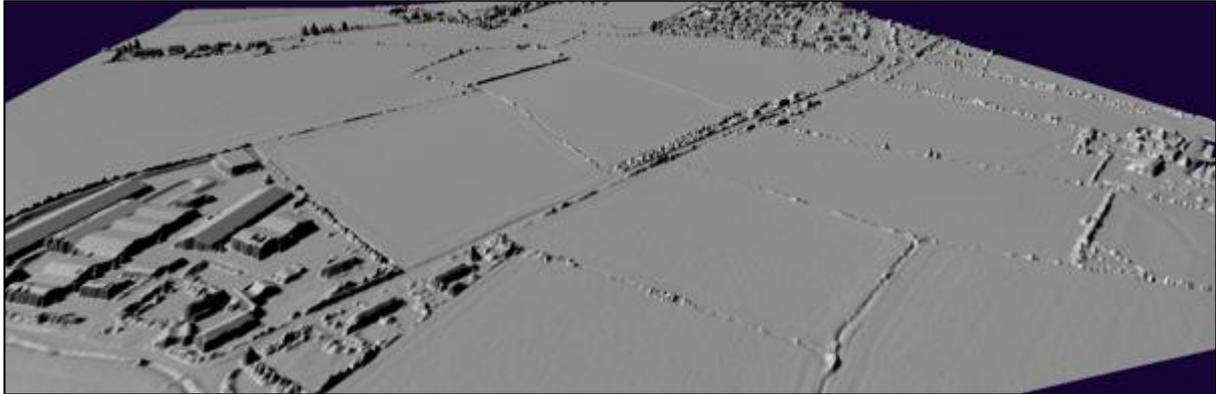


figure 5: Lidar Image of landscape from Walnut Tree Farm, towards Thradstone's Meadow

The complex of old and modern industrial agri-sheds at Walnut Tree Farm are the most dominant pre 'Trinity Fields' buildings in the local landscape hereabouts. They can be seen from various public vantage points and the comments from Place Services do not particularly emphasise just how this complex has already stamped a significant mark on the local landscape hereabouts. Clearly you would expect agricultural buildings in the countryside but the landscape hereabouts is not as open as the consultee response might suggest.



figure 6: Aerial photograph of adjacent sites



figure 7: **Walnut Tree Farm**



In looking at the statement.....

“There are a number of detractors in this landscape (large barns associated with Walnut Tree Farm, pylons and urban edge of linear development in Saxham Street) and landscape elements such as road verges, field boundaries and parkland are in places in poor condition or have been lost.”

.....the reference to pylons and parkland is noted.

An examination of the Tithe maps of 1841 and the OS Map for 18XX reveal that the application site appears never to have been part of the parkland to Columbine Hall or Stowupland Hall.



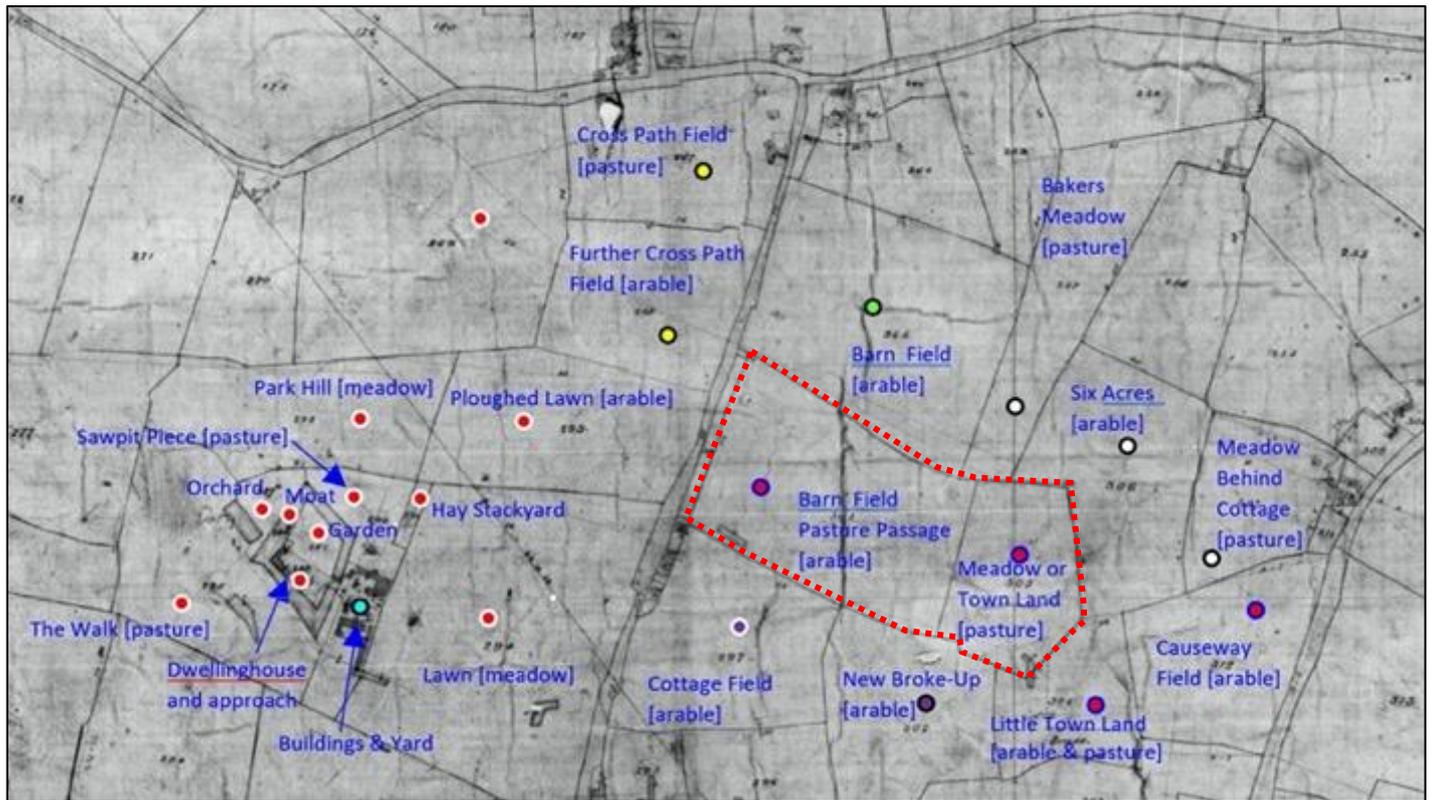
figure 9: OS six inch map showing possible parkland extent

Earl Stonham was a substantial land owner in Stowupland and he owned Columbine Hall although in 1841 it was occupied by John Boby who also occupied much of the land owned by Earl Stonham.

The pattern of uses shown on the tithe map of 1841 tends to suggest that parkland was restricted to an around Columbine House and did not stray south of Gipping Road.

The parkland to Stowupland Hall appears to have been restricted in its northern extent to a point significantly to the south of the current application site.

It is worth reminding readers of this report of the Council's Heritage Team's comments in respect of the impact of the proposed development on the setting of Columbine Hall and finding that any harm would be "very low".



OWNER	OCCUPIER	PLOT No.	SYMBOL	
Earl Stonham	William Beard	301, 305*	●	*Thradstone's Meadow
Earl Stonham	John <u>Boby</u>	269, 286, 287, 287, 287a, 289*, 290, 291, 292, 293, 294	●	*Columbine Hall
Gipping Parish	Benjamin Bird	267, 268,	●	
Sir Charles Tyrell	Charles Halls	288	●	
George Faulkener	Edwin Pyman	302,	●	
John <u>Boby</u>	John <u>Boby</u>	265	●	
Charles Rayner Freeman	Charles Rayner Freeman	257, 306, 307	○	

figure 10:
Tithe Map 1841 information



figure 11: **Views from Gipping Road**



figure 12: **View towards the Trinity Meadow development [Bloor Homes]**
the new backdrop to views from Gipping Road

It is also noted that the SNPLA17 identifies key views and the view towards Thradstones Meadow from Gipping Road is not one of them. Indeed, understandably the relevant map shows the views in that direction now being framed by a backdrop of urban form. That built-form has yet to make its full impact insofar as the Trinity Meadow development is currently under construction but already as the photograph above indicates it reinforces the SNPLA assessment. In this context additional development adjacent to it, such as this now before Member's is unlikely to change the prevailing character of the emerging view from Gipping Road. Whilst the SNPLA17 identifies land

around Walnut Tree Farm as a potential Environmental Project this was not included in the ASNDP19.

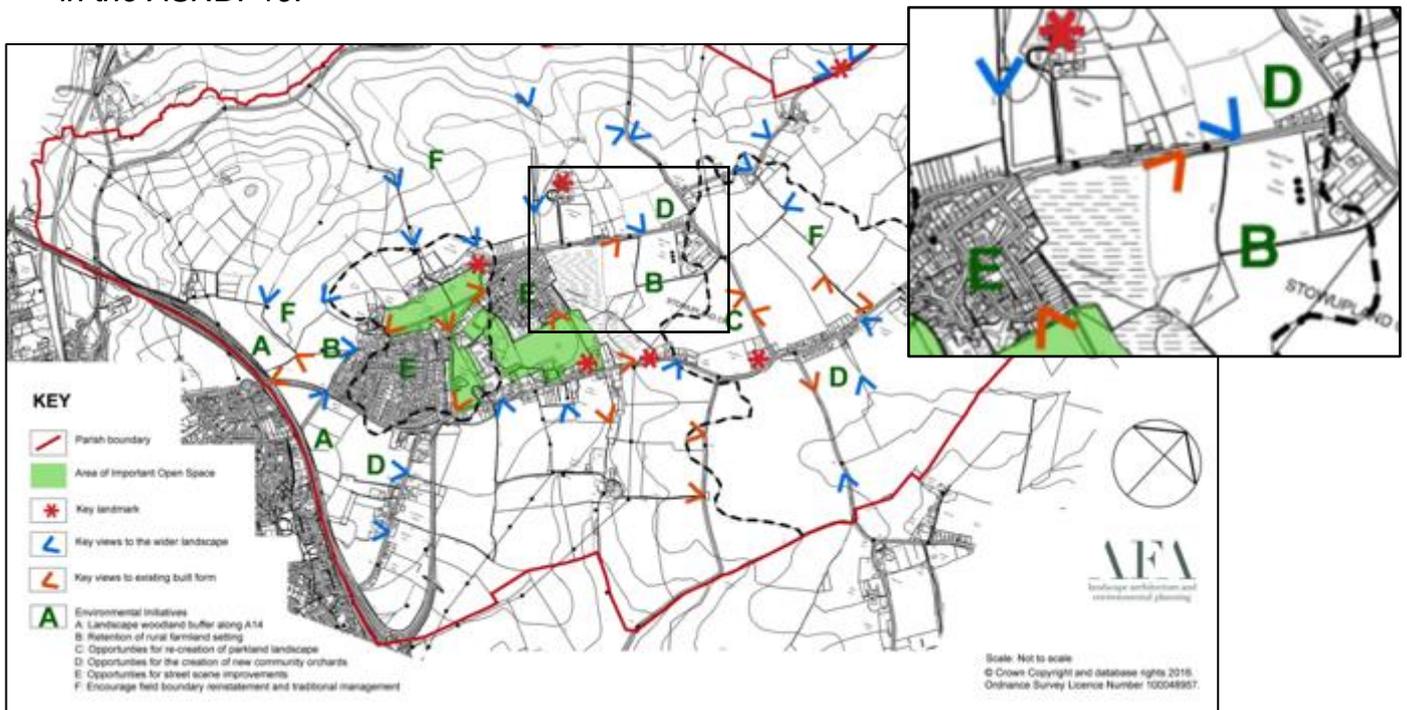


figure 13: **Keys Views Map SNPLA17**

The 3D image below shows how Stowmarket and Stowupland together represent significant built form within a largely rural landscape. Inevitably with such good road connections [A14] and rail connections [Stowmarket – London/Norwich mainline station] both locations are going to experience pressure to expand. As they respectively sit at the top [Town] and second rung [Local Service Centre] of the settlement hierarchy that is in line with the NPPF as both are defined in the Core Strategy 2008 as being the focus of new development.

Indeed the DJLPPOD19 identifies this site for development of up to 100 dwellings. In so doing the Council has had regard to landscape impact and determined that development here would be acceptable.



figure 14: **Urban form**

It is accepted by officers that there will as Place Services [Landscape] identify be some harm to the landscape hereabouts. That is almost certainly true of any new development outside of a settlement boundary.

The site is not however in a protected landscape. It is not within or near an Area of Outstanding Natural Beauty. [AoNB]. As a result paragraph 11 & paragraph xx do not apply.

The site is not within or near a designated Special Land Area.

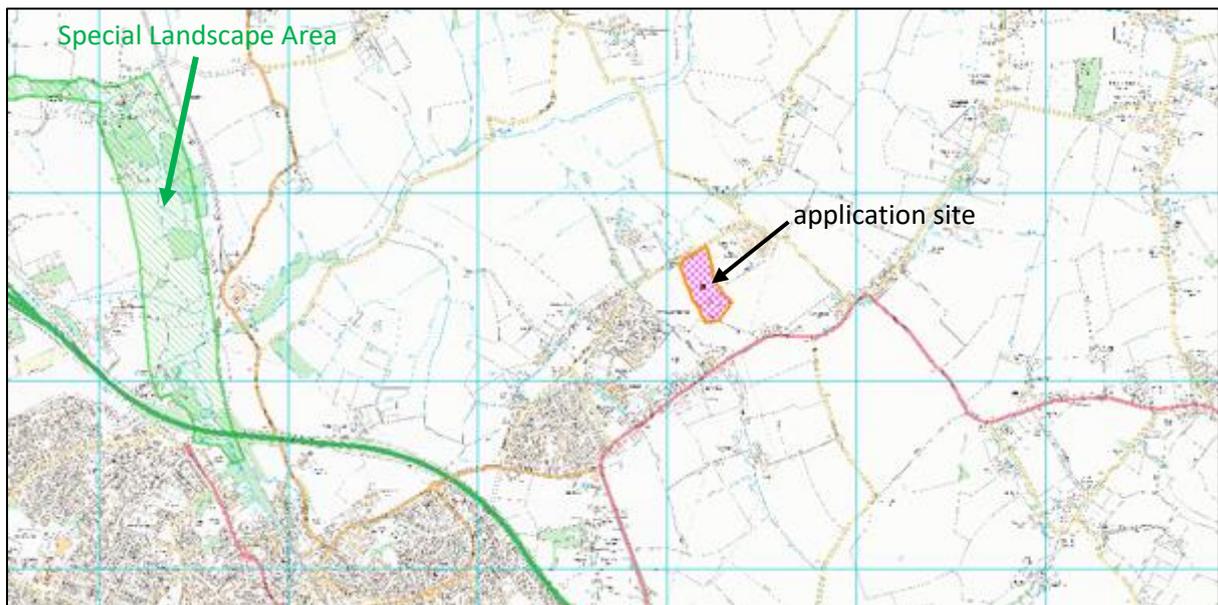


figure 15: **Extent of Special Landscape Area**

There are no Tree Preservation Orders [TPO] within or adjacent to the site.

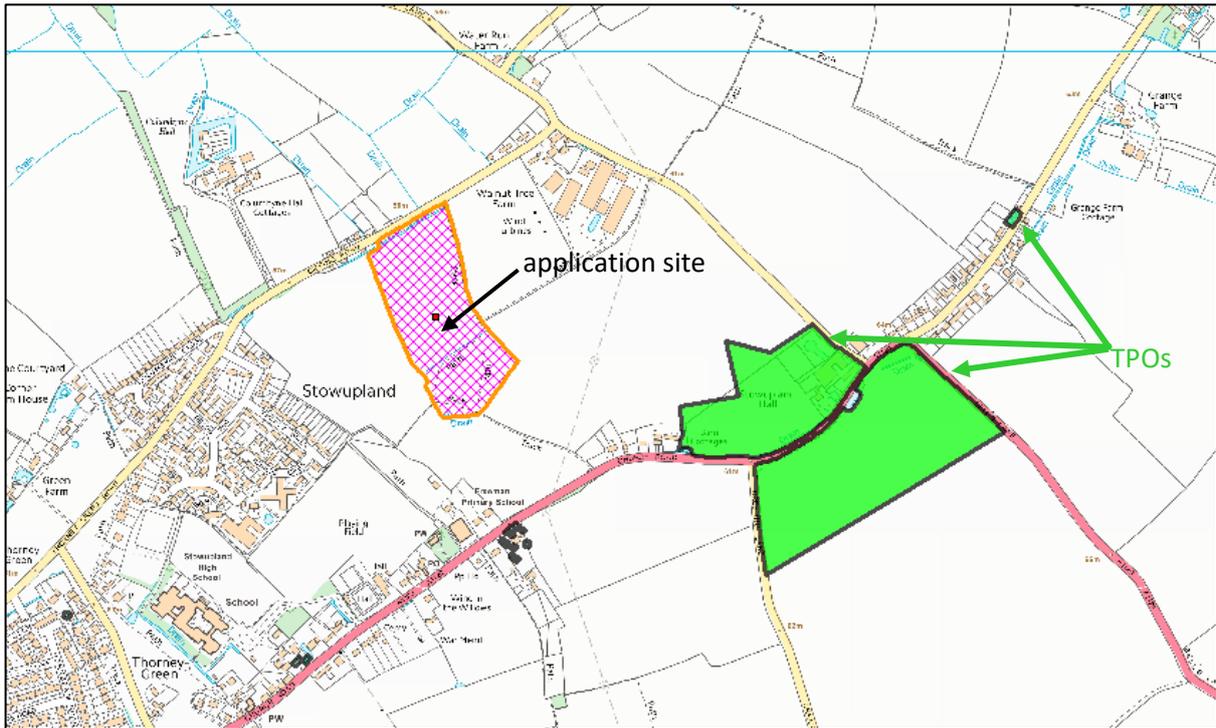


figure 16: TPOs

Consequently, Members are advised that in this context the limited harm to the landscape (notwithstanding its relatively enclosed nature) resulting from this development will be outweighed by the wider public benefits.

Officers draw members attention to paragraph 5.5.2 of the SNPLA17 which states:

5.5.2 There are two areas within the Parish, close to the existing village edges which are likely to experience the greatest pressure from development in the future. These are LCA 5 and LCA 7. It is imperative therefore that any development in these areas is carefully considered in terms of siting, form and character and that it seeks to deliver significant environmental initiatives, enhancing the special qualities of the Parish and creating an high quality environment in which to live.

The safeguarding of Thradstone's Meadow by bringing it into Community Ownership is considered to be a significant environmental initiative and one that must be given substantial weight. The Parish Council in its comments on the application acknowledge the benefit of this. [whilst maintaining an objection to the principle of development].

It is also further noted that the enhancements included in the present application compared to that refused in January of this year will also represent an environmental initiative that will allow as soft an edge to be presented towards the countryside as was achieved with the Bloor Homes development. [Trinity Meadow]. The actual

residential development will be well contained within a deep landscape buffer from the north and east and by Thradstone's Meadow from the south.

The latest proposal has also improved the screening to Gipping Road and Columbyne Hall compared to the previous proposal.



figure 17:

**Landscaping / open space
around the application site**

SCC Water & Floods Team

[29 June 2020]

“Suffolk County Council, Flood and Water Management have reviewed application ref DC/20/01435.

The following submitted documents have been reviewed and we recommend **approval of this application subject to conditions:**

- Location Plan Ref 8193-L-01
- Phase I Geo-Environmental Report Ref SHF.1132.157.GE.R.001.A
- Flood Risk Assessment (FRA) Ref SHF.1132.157.HY.R.001.C
- Indicative Qbar Basin Ref SHF.1132.157 rev P03

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

1. Concurrent with the first reserved matters application(s) a surface water drainage scheme shall be submitted to, and approved in writing by, the local

planning authority. The scheme shall be in accordance with the approved FRA and include:

- a. Dimensioned plans and drawings of the surface water drainage scheme;
- b. Further infiltration testing on the site in accordance with BRE 365 and the use of infiltration as the means of drainage if the infiltration rates and groundwater levels show it to be possible;
- c. If the use of infiltration is not possible then modelling shall be submitted to demonstrate that the surface water runoff will be restricted to Q_{bar} or $2l/s/ha$ for all events up to the critical 1 in 100 year rainfall events including climate change as specified in the FRA;
- d. Modelling of the surface water drainage scheme to show that the attenuation/infiltration features will contain the 1 in 100 year rainfall event including climate change;
- e. Modelling of the surface water conveyance network in the 1 in 30 year rainfall event to show no above ground flooding, and modelling of the volumes of any above ground flooding from the pipe network in a 1 in 100 year climate change rainfall event, along with topographic plans showing where the water will flow and be stored to ensure no flooding of buildings or offsite flows;
- f. Topographical plans depicting all exceedance flow paths and demonstration that the flows would not flood buildings or flow offsite, and if they are to be directed to the surface water drainage system then the potential additional rates and volumes of surface water must be included within the modelling of the surface water system;
- g. Details of the implementation, maintenance and management of the strategy for the disposal of surface water on the site;
- h. Details of a Construction Surface Water Management Plan (CSWMP) detailing how surface water and storm water will be managed on the site during construction (including demolition and site clearance operations) is submitted to and agreed in writing by the local planning authority. The CSWMP shall be implemented and thereafter managed and maintained in accordance with the approved plan for the duration of construction. The approved CSWMP and shall include:
 - i. Method statements, scaled and dimensioned plans and drawings detailing surface water management proposals to include :-
 1. Temporary drainage systems
 2. Measures for managing pollution / water quality and protecting controlled waters and watercourses
 3. Measures for managing any on or offsite flood risk associated with construction
 - i. Details of the maintenance and management of the surface water drainage scheme shall be submitted to and approved in writing by the local planning authority.

The scheme shall be fully implemented as approved.

Reasons: To prevent flooding by ensuring the satisfactory storage and disposal of surface water from the site for the lifetime of the development. To ensure the development does not cause increased flood risk, or pollution of watercourses or

groundwater. To ensure clear arrangements are in place for ongoing operation and maintenance of the disposal of surface water drainage.

<https://www.suffolk.gov.uk/roads-and-transport/flooding-and-drainage/guidance-on-development-and-flood-risk/construction-surface-water-management-plan/>

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

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

<https://www.suffolk.gov.uk/roads-and-transport/flooding-and-drainage/flood-risk-asset-register/>

Informatives

- Any works to a watercourse may require consent under section 23 of the Land Drainage Act 1991
- Any discharge to a watercourse or groundwater needs to comply with the Water Environment (Water Framework Directive) (England and Wales) Regulations 2017
- Any discharge of surface water to a watercourse that drains into an Internal Drainage Board catchment may be is subject to payment of a surface water developer contribution
- Any works to lay new surface water drainage pipes underneath the public highway will need a section 50 license under the New Roads and Street Works Act 1991
- Any works to a main river may require an environmental permit

SCC: Strategic Infrastructure

	Education	Capital Contribution
CIL	- Secondary school expansion	£318,332.00
CIL	- Sixth form expansion	£68,214.00
CIL	Libraries improvements	£17,280.00
CIL	Waste improvements	£8,800.00
	Education	
S106	- Primary new build	£392,220.00
S106	Pre-School new build	£137,277.00
S106	Transport	Tbc by Sam Harvey – SCC Senior Development Management Engineer

SCC Highways

“We have reviewed the technical note recently supplied with this application, the summary of our findings are as follows:

We acknowledge the comment regarding the ‘inconsistent approach’ from SCC regarding trip rates; we want to ensure we have robust evidence and be assured the junctions will operate within capacity. Also, the Ashes Farm development mentioned in previous response is part of an allocated site so will be part of TEMPRO growth so will not need to be included as committed development. By applying the SCC trip rate for rural areas, there is only a difference of 6 vehicles in the peak period so these are unlikely to change the modelling results.

We note the RFC of 0.88 occurs only within two fifteen minute time periods during the AM peak hour at A1120/B1115 junction and the result isn't for the entire peak hour so not a capacity concern. However, we understand the developer is willing to contribute towards improvements at the junction to improve capacity, reduce delays and improve pedestrian/cycle facilities.

The developer has indicated they are willing to improve the footway where possible on A1120 between the site access and B1115 junction and supply a controlled crossing point adjacent to the shop near Thorney Green; these works will be completed as part of the s278 agreement with SCC.

With the proposed mitigation and contributions for highway improvements, we consider the proposal would not have an adverse impact on the public highway with regard to congestion, safety or parking. Therefore, the County Council as Highways Authority, does not wish to restrict the grant of permission.

Taking all the above into account, it is our opinion that this development would not have a severe impact (NPPF para 109) therefore we do not object to the proposal.

CONDITIONS

Should the Planning Authority be minded to grant planning approval the Highway Authority in Suffolk would recommend they include the following conditions and obligations:

HW 1 - Condition: Prior to commencement of any works (save for site clearance and technical investigations) details of the controlled pedestrian crossing and highway improvements (including layout, levels, gradients, surfacing and means of surface water drainage), shall be submitted to and approved in writing to the Local Planning Authority in consultation with Local Highway Authority. The details as agreed shall be delivered in accordance with a timetable for improvement which shall have been submitted to and agreed in writing by the LPA concurrent with the said details.

Reason: To ensure that design highway improvements/footways are constructed to an acceptable standard.

ER 1 - Condition: Prior to commencement of any works, (save for site clearance and technical investigations) details of the estate roads and footpaths, (including layout, levels, gradients, surfacing and means of surface water drainage), shall be submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure that roads/footways are constructed to an acceptable standard.

ER 2 - Condition: No dwelling shall be occupied until the carriageways and footways serving that dwelling have been constructed to at least Binder course level or better in accordance with the approved details except with the written agreement of the Local Planning Authority in consultation with Local Highway Authority.

Reason: To ensure that satisfactory access is provided for the safety of residents and the public. To ensure the main Travel Plan measures are secured the following conditions are required:

TP1 Condition: Within one month of the first occupation of any dwelling, the occupiers of each of the dwellings shall be provided with a Residents Travel Pack (RTP). Not less than 3 months prior to the first occupation of any dwelling, the contents of the RTP shall be submitted to and approved in writing by the Local Planning Authority in consultation with the Highway Authority and shall include walking, cycling and bus maps, latest relevant bus and rail timetable information, car sharing information, home working information, personalised Travel Planning and a multi-modal travel voucher.

Reason: In the interest of sustainable development as set out in the NPPF, and core strategy objectives SO3 and SO6 of the Mid Suffolk Core Strategy Development Plan Document (2008) and Core Strategy Focused Review (2012).

TP2 Condition: Before the development hereby permitted is occupied full details of the electric vehicle charging points to be installed in the development shall have been submitted to the Local Planning Authority and approved in writing.

Reason: To ensure that the development makes adequate provision for electric vehicle charging points to encourage the use of electric vehicles in accordance with paragraph 3.4.2 of the Suffolk Guidance for Parking and paragraph 110 of the National Planning Policy Framework.

P 2 - Condition: Before the development is commenced details of the areas to be provided for the manoeuvring and parking of vehicles including electric vehicle charging units and secure cycle storage shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be carried out in its entirety before the development is brought into use and shall be retained thereafter and used for no other purpose.

Reason: To enable vehicles to enter and exit the public highway in forward gear in the interests of highway safety.

B 2 - Condition: Before the development is commenced details of the areas to be provided for storage and presentation of Refuse/Recycling bins shall be submitted to and approved in writing by the Local Planning Authority.

The approved scheme shall be carried out in its entirety before the development is brought into use and shall be retained thereafter for no other purpose.

Reason: To ensure that refuse recycling bins are not stored on the highway causing obstruction and dangers for other users.

HGV CONSTRUCTION - Condition: Before the development hereby permitted is commenced a Construction Management Plan shall have been submitted to and approved in writing by the Local Planning Authority. Construction of the development shall not be carried out other than in accordance with the approved plan. The Construction Management Plan shall include the following matters:

- haul routes for construction traffic on the highway network and monitoring and review mechanisms.
- provision of boundary hoarding and lighting
- details of proposed means of dust suppression
- details of measures to prevent mud from vehicles leaving the site during construction
- details of deliveries times to the site during construction phase
- details of provision to ensure pedestrian and cycle safety
- programme of works (including measures for traffic management and operating hours)
- parking and turning for vehicles of site personnel, operatives and visitors
- loading and unloading of plant and materials
- storage of plant and materials
- maintain a register of complaints and record of actions taken to deal with such complaints at the site office as specified in the Plan throughout the period of occupation of the site.

Reason: In the interest of highway safety to avoid the hazard caused by mud on the highway and to ensure minimal adverse impact on the public highway during the construction phase.

S106 CONTRIBUTIONS

A contribution of £50,000 is requested from the developer for highway mitigation scheme for improvements to A1120/B1115 to increase capacity and reduce delays for traffic and improve footways at this junction.

NOTES

Public Footpaths are recorded near the proposed development area. Whilst we do not have any objections to this proposal, the granting of planning permission is separate to any consents that may be required in relation to Public Rights of Way ,including temporary closures for construction. These consents are to be obtained from the Public Rights of Way & Access Team at Suffolk County Council, as the Highway Authority.

The Resident Travel Pack should be produced in accordance with Suffolk County Council's Travel Plan Guidance - (www.suffolk.gov.uk/planning-waste-and-environment/planning-and-development-advice/travel-plans/information-for-developers)

The Local Planning Authority recommends that developers of housing estates should enter into formal agreement with the Highway Authority under Section 38 of the

Highways Act 1980 relating to the construction and subsequent adoption of Estate Roads.

The works within the public highway will be required to be designed and constructed in accordance with the County Council's specification. The applicant will also be required to enter into a legal agreement under the provisions of Section 278 of the Highways Act 1980 relating to the construction and subsequent adoption of the highway improvements. Amongst other things the Agreement will cover the specification of the highway works, safety audit procedures, construction and supervision and inspection of the works, bonding arrangements, indemnity of the County Council regarding noise insulation and land compensation claims, commuted sums, and changes to the existing street lighting and signing."

SCC: PRow

Accept the proposal but ask that specified informatives be added explaining separate PRow requirements

SCC Archaeology

This site lies in an area of known archaeology, recorded in the County Historic Environment Record. Recent archaeological investigations on the adjacent development site have identified the remains of medieval settlement activity including a ditched enclosure, pits and ditches, shown to be continuing into the proposed new development area (SUP 035). As a result, there is high potential for encountering additional below ground heritage assets of medieval date at this location. However, as this site has never been the subject of systematic archaeological investigation, there is also high potential for previously unidentified archaeological remains of other dates to be present. The proposed development would cause significant ground disturbance that has potential to damage or destroy any below ground heritage assets that exist. We have commented on this application area in recent years. We would recommend that the same archaeological condition is placed on the development as was recommended for prior application (DC/18/04357) within the same bounds, that is: There are no grounds to consider refusal of permission in order to achieve preservation in situ of any important heritage assets. However, in accordance with the National Planning Policy Framework (Paragraph 199), any permission granted should be the subject of a planning condition to record and advance understanding of the significance of any heritage asset before it is damaged or destroyed. In this case the following two conditions would be appropriate:

1. No development shall take place within the area indicated [the whole site] until the implementation of a programme of archaeological work has been secured, in accordance with a Written Scheme of Investigation which has been submitted to and approved in writing by the Local Planning Authority. The scheme of investigation shall include an assessment of significance and research questions; and:
 - a. The programme and methodology of site investigation and recording
 - b. The programme for post investigation assessment
 - c. Provision to be made for analysis of the site investigation and recording

- d. Provision to be made for publication and dissemination of the analysis and records of the site investigation
- e. Provision to be made for archive deposition of the analysis and records of the site investigation
- f. Nomination of a competent person or persons/organisation to undertake the works set out within the Written Scheme of Investigation.
- g. The site investigation shall be completed prior to development, or in such other phased arrangement, as agreed and approved in writing by the Local Planning Authority.

2. No building shall be occupied until the site investigation and post investigation assessment has been completed, submitted to and approved in writing by the Local Planning Authority, in accordance with the programme set out in the Written Scheme of Investigation approved under Condition 1 and the provision made for analysis, publication and dissemination of results and archive deposition.

REASON:

To safeguard archaeological assets within the approved development boundary from impacts relating to any groundworks associated with the development scheme and to ensure the proper and timely investigation, recording, reporting and presentation of archaeological assets affected by this development, in accordance with Core Strategy Objective SO 4 of Mid Suffolk District Council Core Strategy Development Plan Document (2008) and the National Planning Policy Framework (2018).

INFORMATIVE:

The submitted scheme of archaeological investigation shall be in accordance with a brief procured beforehand by the developer from Suffolk County Council Archaeological Service, Conservation Team. I would be pleased to offer guidance on the archaeological work required and, in our role as advisor to Mid Suffolk District Council, the Conservation Team of SCC Archaeological Service will, on request of the applicant, provide a specification for the archaeological mitigation. In this case, an archaeological evaluation will be required to establish the potential of the site and decisions on the need for any further investigation (excavation before any groundworks commence and/or monitoring during groundworks) will be made on the basis of the results of the evaluation.

SCC: Fire & Rescue

Hydrants required

Historic England

“This application seeks outline consent for a residential development of up to 80 dwellings with access, landscape, open space and associated infrastructure on land between to the south of Gipping Road. It would be an extension of the recent development on the east side of Stowupland. The site lies to the south of Columbine Hall, a grade 11* listed manor house.

Similar proposals formed the substance of application number DC/18/04357 on which we advised the Council in our letter of 15 October 2018. In that letter we raised

concerns that the proposed development could erode the wider rural setting and significance of Columbine Hall and we outlined the significances of the Hall and its setting.

Columbine Hall is the surviving part of a manor house dating from c.1400 and c.1600. A picturesque house it is attractively sited on a moated platform and constructed with a mixture of vernacular materials including rubble flint walling with a timber framed upper storey and tiled roof. It lies outside the village of Stowupland in a rural setting with a small group of farm buildings and houses to the south. It is reasonable to assume that historically the land around it supported the manor house and so the surviving rural setting is a reminder of how it functioned and contributes to the aesthetic and historic values of the property.

The residential development now under development adjacent to the application site is immediately south of Columbine Hall, opposite the drive to the Hall which leads off Gipping Road. That site and the one now under consideration contribute to the sense of having left the historic settlement and being within the rural landscape which forms the wider setting to the Hall and, as described above, contributes to its significance. The construction of a large residential development on this land would change its character from a rural field to part of the modern village. This would further erode the rural setting of the Hall and the impact of changing the use of the land and visual effect of the development are of concern.

The landscaping belt at the northern edge of the site is important in mitigating this impact, but will only be successful if it effectively screens the housing when approaching the entrance to Columbine Hall along Gipping Road and in views from the north. The belt of landscaping proposed is fairly deep, but we would wish to see an area deep enough that when planted with appropriate native species it is effective even in winter. The current design shows a dense belt of planting fronting the road but a single line of trees behind. We think the depth of planting area should be increased or this whole area used more effectively to create a planting screen.

The National Planning Policy Framework (NPPF) states that the purpose of the planning system is to achieve sustainable development and that protection and enhancement of the historic environment is an overarching objective in this (paragraphs 7 and 8). The significance of listed buildings can be harmed or lost by alteration to them or development in their setting. The NPPF states that clear and convincing justification should be made for any such harm and that 'great weight' should be given to the conservation of listed buildings irrespective of the level of harm caused (paragraphs 193 and 194). This weight and the justification for harm should be especially convincing where harm to buildings of a high grade of listing is concerned. Paragraph 200 also states that the Council should favour those proposals for development which preserve those elements of setting that make a positive contribution to the heritage asset or better reveal its significance. We have reviewed this application in terms of this policy and consider that development of the application site could result in harm to significance of Columbine Hall through further erosion of its rural setting. We would not, on balance wish to object to the principle of development and paragraph 196 requires the Council to consider any public benefit which might be delivered by the proposals and weigh this against any harmful impact. We leave this matter to the Council but would suggest that the Council carefully

consider if the landscaping belt to the northern edge of the site will effectively screen the housing as described above and seek amendment of this detail to achieve this.

Recommendation

Historic England has concerns regarding the application on heritage grounds. We would not, on balance, wish to object to the principle of development but would suggest that the Council also consider if the landscaping belt to the northern edge of the site will be effective in screening the development, and seek amendments as appropriate.

We consider that the issues and safeguards outlined in our advice need to be addressed in order for the application to meet the requirements of paragraphs 7, 8, 193 and 194 of the NPPF. In determining this application you should bear in mind the statutory duty of section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 to have special regard to the desirability of preserving listed buildings or their setting or any features of special architectural or historic interest which they possess. Your authority should take these representations into account and seek amendments, safeguards or further information as set out in our advice. If there are any material changes to the proposals, or you would like further advice, please contact us.”

Officer comment: Officers are satisfied that, having regard to the comments above and the landscape evidence submitted, a suitable buffer can be provided such that the significance of the asset remains largely unaffected i.e. any “harm” would be minimal. It is also important to realise that – and it is not clear if Historic England have taken this into account – the Council has already approved further development directly opposite the application site to the north, particularly a large executive-type home with associated equestrian building(s), which all but severs any appreciable ‘on the ground’ visual link between the site and the Hall. That development is now under construction.

It is of course crucial that the parameters plan be secured to influence the final reserved matters and keep that potential harm at a minimum level. Any harm is however outweighed by the benefits of the scheme even where considerable importance is applied to the principle of keeping assets from harm.

Highways England

No objection.

Anglian Water

“The foul drainage from this development is in the catchment of Stowmarket Water Recycling centre that will have available capacity for these flows”water

“The preferred method of surface water disposal would be to a sustainable drainage system [SuDS] with connection to sewer seen as a last option”

PART TWO [C]: RELEVANT PLANNING HISTORY

DC/19/01947: Committee resolution [7 Aug 2019 MSDC DCC 'B'] to grant FULL planning permission for:

“53 dwellings as an amendment to outline 3112/15 [up to 175 dwellings] and RM DC/18/00097 Land at Church Road and Gipping Road, Stowupland

Uplift

DC/18/03457: Committee Refusal:

“OUTLINE -up to 70 dwellings”

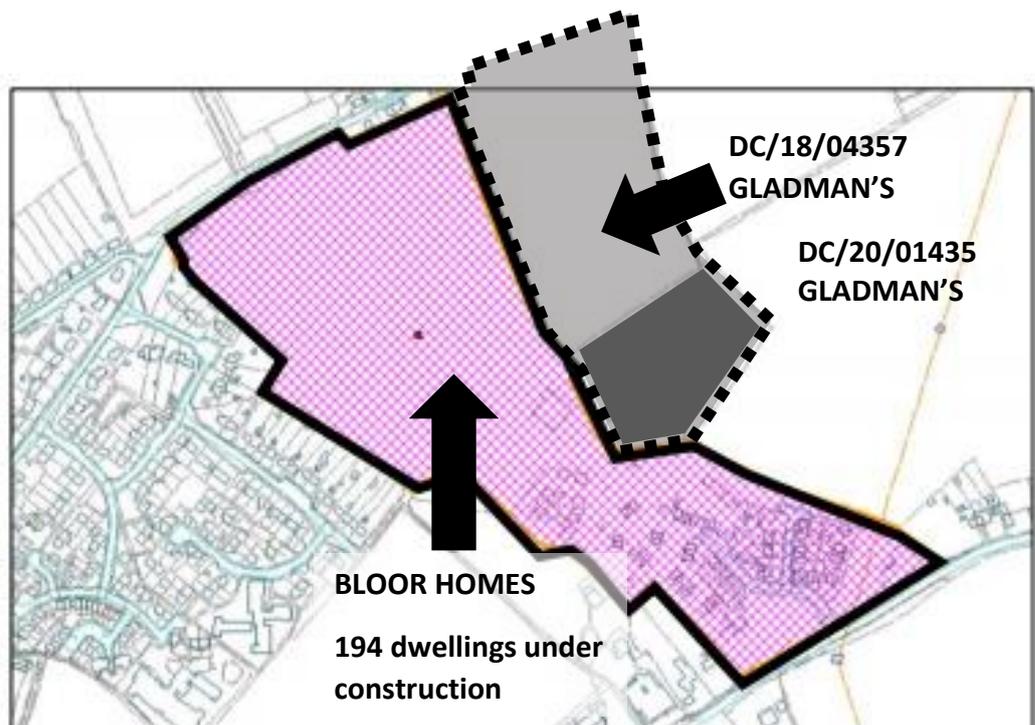


figure 18: Relationship between application site, previous application and the adjacent Bloor Homes development that is currently under construction

PART THREE: The ASSESSMENT

1.0 Introduction

- 1.1 This section of the report adopts a slightly different format to that normally produced in that it takes as its starting point the decision notice in respect of the planning application ref: DC/18/04357.
- 1.2 It does so as a result of the applicants specifically revising the earlier proposal and submitting it as the new application now before Members. Their aim being to try and satisfactorily address the concerns raised by the Planning Referrals Committee in respect of the preceding and ultimately unsuccessful proposal.
- 1.3 Officers have considered the current proposal on its own merits as a new proposal. The starting point of the previous refusal is relevant because that is now a material planning consideration and will be looked at locally as setting a consistency of decision-taking benchmark⁷. So, for example, where heritage impacts remain the same (if anything less so given the thickened northern buffer) it would be unreasonable for the Council to find unacceptable harm in that respect where it did not do so before.

Therefore, with the planning policy context remaining the same the key changes and considerations now relate to the work of the applicant to overcome the previous reasons for refusal rather than simply appeal that decision. The Applicant has provided an increased buffer to Thradstone Meadow and sought to provide increased pedestrian connectivity within Stowupland for the benefit of all residents.

This is positive because in officers' view such an appeal would be likely to succeed and so in light of the improvements now presented the application proposal is all the better for that previous decision with the benefits elevating considerably.

2.0 Relevant Background

- 2.1 In a decision notice dated 6 February 2020 the Council refused outline planning permission [reference DC/18/04357] for a proposed development comprising the erection of up to 70 dwellings on the site now the subject of this application. [reference DC/20/01435].

⁷ Members on the Committee will be familiar with the principle that there is no such thing as a precedent in planning as every application must be judged on its own planning merits and circumstances can and do differ from case to case. By the same token a local planning authority must be able to justify differences in decision taking where circumstances may appear similar as it is important for the peoples trust in the planning system to understand that policy is being consistently applied and interpreted.

2.2 The Council's Planning Referrals Committee at its meeting of 29 January 2020⁸ resolved to refuse outline planning permission for the following reasons:

1.

The proposal is not small scale development and lies outside the settlement boundaries of the Stowupland Neighbourhood Development Plan 2019. The proposal would fail to deliver safe and suitable access for all persons to village services and facilities given its separation from those and its poor service by public transport failing to provide good access for wheelchair users. The proposal would be contrary to policies SNP1 and SNP14 of the Stowupland Neighbourhood Development Plan 2019.

2.

The proposal would fail to preserve and enhance the quality of the Local Green Space and its setting and would be contrary to policies SNP6 and SNP12 of the Stowupland Neighbourhood Development Plan 2019.

2.3 As noted, rather than appeal that decision that applicant has chosen to address the Committee's concerns and has looked to revise the proposal to overcome the issue previously identified as warranting a refusal.

2.4 The result is the application DC/20/01435 now before the Council which the applicant now hopes will attract support.

2.5 During the previous Committee debate some concern was expressed at the number of larger units within the proposal although this was not translated into a reason for refusal save for noting the development was not small-scale in the manner expected under policy SNP6.

2.6 The Committee was also concerned that the proposed development was to come too close to the residential site's boundary with the area of land known as Thradstone's Meadow which had been offered by the applicant to the Council as part of a S106 offer. As noted above an increased buffer to the Meadow has now been provided by the Applicant. The Parish Council had expressed a without prejudice interest in managing Thradstone's Meadow in the event that planning permission was granted for the proposed 70 dwellings, although they opposed the new housing itself. As the application was refused by the Committee the offer of Thradstone's Meadow becoming public [rather than private] land fell away.

⁸ Minutes not published at the time of writing this report

3.0 The Present Scheme and the Extent to Which It Addresses the Previous Reasons for Refusal

3.1 Failure to deliver safe and suitable access to all persons

The principle focus for attention at the Committee meeting was:

- [i] the route from the site along Church Road towards the Co-Op and fuel station diagonally opposite the junction of Thorney Green and Church Road [A1120] and beyond to the junction of the B1115 and Church Road [A1120].
- [ii] connectivity to the public footpath network in Stowupland

3.2 Councillor Keith Welham as one of the ward Member's for Stowupland and Councillor Terence Carter were particularly concerned that the proposed development had failed to deliver on these two points and they had support from sufficient Members of the Committee to refuse the application on related grounds [reason for refusal 1 above]

3.3 The current application now comprises 3 new key elements in direct response to the Committee's clear expression of what was unacceptable with the previous proposal in terms of what was considered to be poor, unsafe and inconvenient connectivity. These new elements are:

1. The inclusion of a controlled crossing on Church Road outside the Co-Op.

The initial submission from the applicant involved the installation of an uncontrolled crossing [central pedestrian reservation/[island]]. Following representations from Councillor Welham and from Suffolk County Council as local highway authority the applicant has agreed to deliver a controlled crossing at this point. A controlled crossing is considered to be a significant enhancement as it allows a pedestrian to activate traffic signals which stop traffic and allow the pedestrian to cross the full width of the carriageway whilst traffic is stopped. This important safety improvement can be secured by an appropriate condition. It is a significant benefit because not only will it deal with impacts arising from this development, it will have wider utility for all other persons, too.

The Co-Op as the local convenience store is well used and the provision of a controlled crossing which is connected to the footway network in the village will deliver what the Committee sought previously and that is an enhanced level of connectivity to an important destination within the village. It has also been noted from site visits [pre-Covid] that the Co-Op is well used by school children and the provision of a controlled crossing will make for a safer route to/from school as well as making the trip to local shop household needs that much safer.

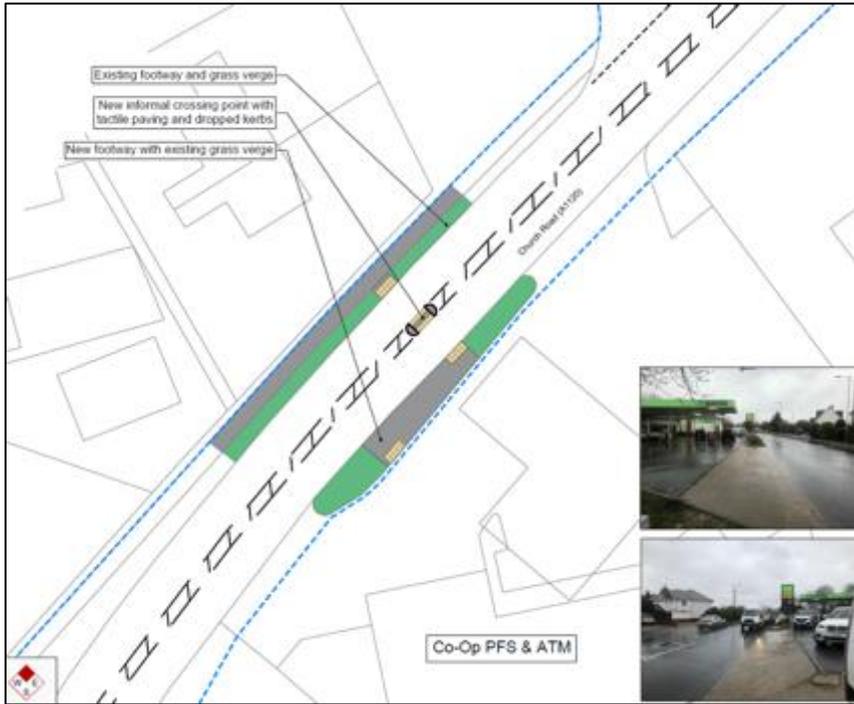


figure 19:

Position of proposed controlled crossing*

*

Please note this drawing shows the initially proposed uncontrolled crossing. This has been superseded by an offer of a controlled crossing in a similar position the details of which are to be conditioned if pp granted

2. A £50,000 contribution as requested by Suffolk County Council as local highway authority to implement improvements to the present B1115 and Church Road junction.



figures 20:

B1115 / A1120 junction



3. A commitment to remove areas of stranded grass verge at the lower end of Church Street [north-west side] and to replace them with hard surfacing where they are within 'highway land' thereby effectively widening the extent usable footway. These areas had been identified as pinch points by Councillor Welham.



figure 21: **An example of stranded grass verge. Church Road**

What is clearly evident is that Church Road has an adequate footway along its entire north-west side from the development site via Oxslip Way [the newly formed highway/footway access to the adjacent Bloor Homes Development] to the Church Road / Thorney Green junction. Bloor Homes is constructing a significant length of footway linking the Trinity Meadow development and beyond to existing footways in Stowupland.



figures 22:

Sequence of images showing continuous footway from Thorney Green to the Trinity Meadow [the access to the application site]

THORNEY GREEN



STOWUPLAND VILLAGE HALL



CROWN at STOWUPLAND



HOLY TRINITY



FREEMANS PRIMARY SCHOOL



TRINITY MEADOW



3.4 In terms of wider connectivity to the footway/footpath network within Stowupland the map below highlights the extent to which the proposed development will be connected.



figure 23:

Applicant's connectivity plan

3.5 Stowupland has an extensive footpath/footway network and the proposed development will be as well connected as the Bloor Homes development. Indeed, it will use Oxslip Way and other Bloor estate footways [and roads] to gain access and so will be able to immediately plug into those routes providing wider access around the village.

3.6 Failure to preserve and enhance quality of local greenspace and adverse impact on landscape



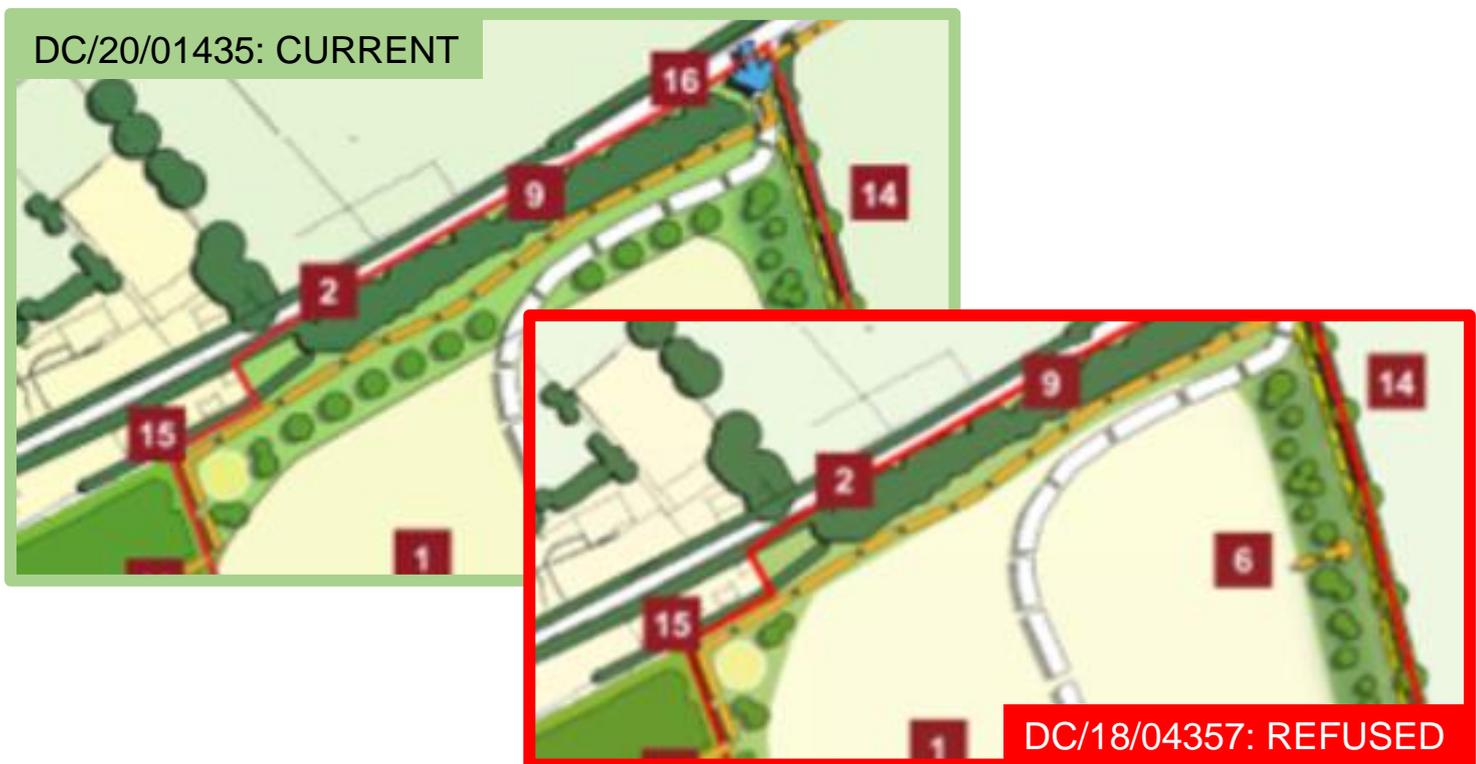
figures 24: Enhanced and enlarged open space and landscaping in latest application [1]

Another important new feature of the latest proposal is the extent to which the applicant has increased the depth of the landscape belt on:

- a. the northern edge of the site; and,
- b. north of Thradstone's Meadow

This difference is highlighted in the diagrams above and below. It is important to note that the current proposal directly responds to previous criticism in that:

1. An increase in the depth of the planting buffer on the northern edge of the site has further softened views into the site from Gipping Road and created an effective screen between the proposed development and the listed property Columbine Hall to the north-west. This revision chimes with the request from the Heritage Team expressed previously and now goes to significantly ameliorate any potential harm to the setting of Columbine Hall. It should be noted that the previous refusal did not include heritage grounds and so the current enhancement is one voluntarily offered by the applicant in response to Member's comments made at the Committee meeting of 29 January 2020 as a positive demonstration of their willingness to try and meet all the aspirations of the Committee.



figures 25: **Enhanced and enlarged open space and landscaping in latest application [2]**
[Gipping Road Frontage]



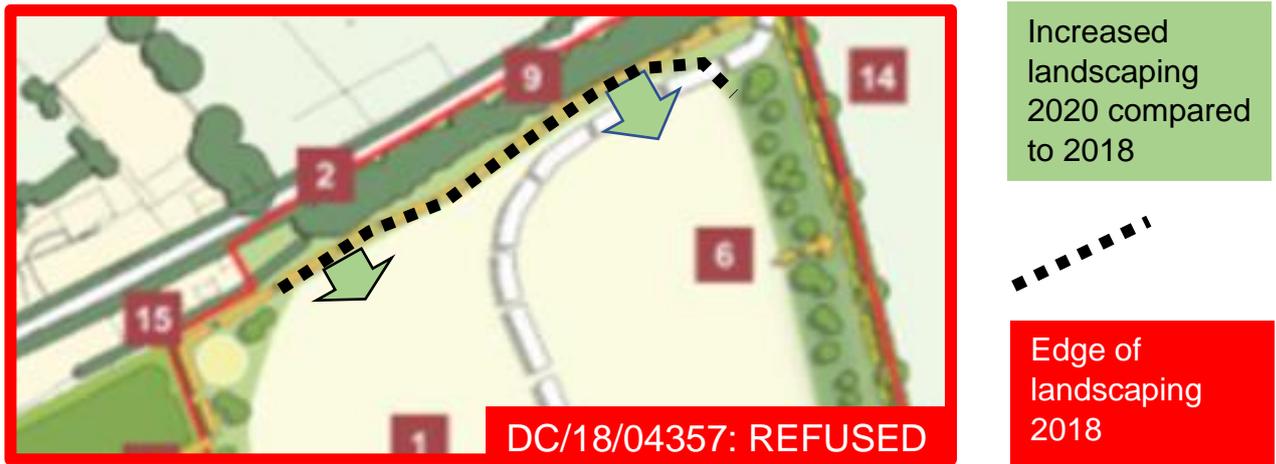


figure 26: **Enhanced and enlarged open space and landscaping in latest application [3]**
 [Gipping Road Frontage]: **Comparative Overlay**

- 2 An increase in the depth of the planting buffer and open space at the southern end of the site north of Thradstone' Meadow has further softened views into the site from Thradstone's Meadow and open fields to the south and south-east. Moreover, it has also created a greater separation between built-development and the edge of Thradstone's Meadow which will mean the character of this important local green space and its tranquility is better safeguarded. This is also beneficial from an ecological perspective.

A further benefit is that the extent of amenity space has been further expanded. The diagrams below demonstrate the differences between the 2018 proposal and that of 2020. [current]

DC/20/01435: CURRENT



DC/18/04357: REFUSED



figure 27: **Enhanced and enlarged open space and landscaping in latest application [4]**
 [Southern end]:

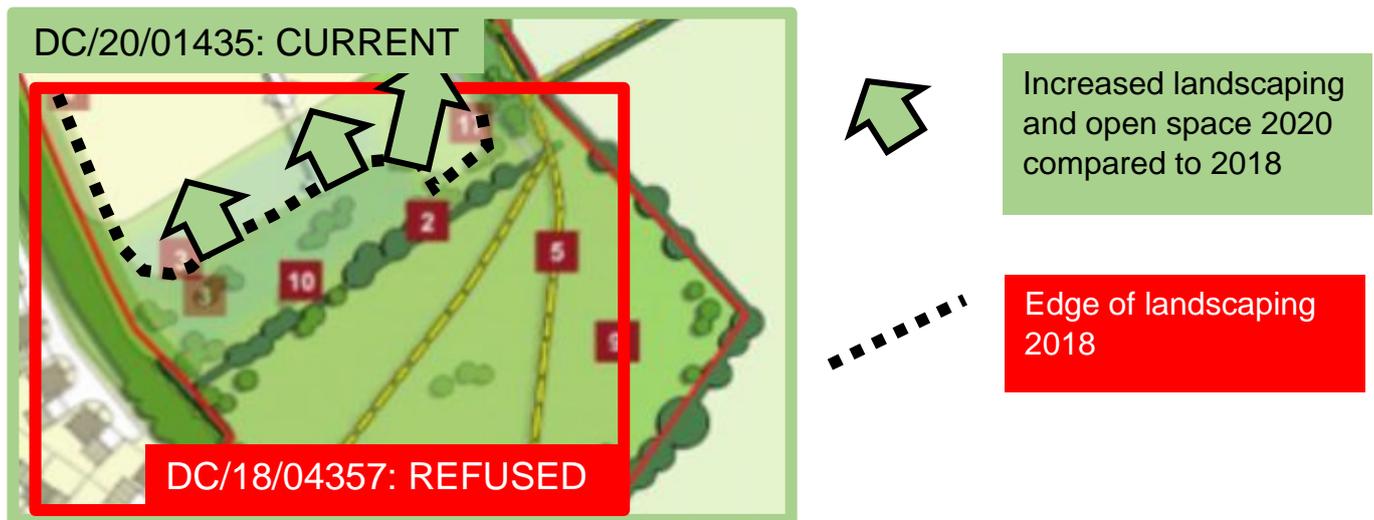


figure 28: **Enhanced and enlarged open space and landscaping in latest application [5]**
 [Southern end]: **Comparative Overlay**

3.7 It is noted that the Committee in refusing the previous application expressed support for Stowupland Parish Council and the Adopted Neighbourhood Plan when it came to protecting the landscape. Whilst this can be understood it is important to note that the Adopted Neighbourhood Plan from page 34-43 [inclusive] [Section 11 Landscape and Environment] deals extensively with landscape matters. Indeed Map 9: SNP8 – ‘Landscape Character – Green Gaps, views and features’ identifies key views within the landscape.

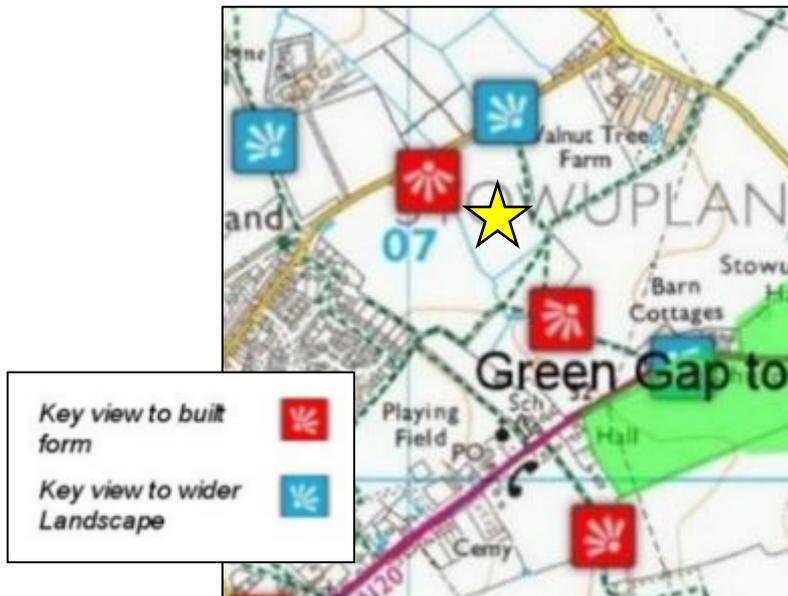
An extract is reproduced below. [from page 37 of the Adopted Neighbourhood Plan]

What needs to be noted is that the application site does not figure as a protected view into the landscape.

Both symbols representing key views of wider landscape  from Gipping Road point north-westwards from Gipping Road and not south south-eastwards towards the application site and Thradstone’s Meadow.

Crucially the only symbol of relevance on that map at the northern end of the site is a  red symbol looking southwards into the application site. That symbol is described as denoting ‘Key view to built-form’. In other words it acknowledges that the dominant characteristic of views in this direction are already of development.

- 3.8 This is considered to be serious weakness in the Council's case were the previous application to be appealed⁹.
- 3.9 Reason two of the previous refusal appears to directly contradict the evidence within the Adopted Stowupland Neighbourhood Plan and this potentially could form the basis of a costs claim if the Council is held to have acted unreasonably as a result in that it may not being able to substantiate the claim of landscape harm and harm to views.



★ Application site's general location

Note:

This symbol does not appear on Map 9 within the Adopted Neighbourhood Plan and has been added here to provide context for the current report

The only remaining symbols of relevance sit to the south of the site and indicate 'Key views of built-form'

figure 28: Key Views: ASNDP19

4.0 Number, Tenure, Mix , Density and Design

4.1 Number

4.1.1 It should be noted that the proposed number of dwellings has increased from the up to 70 associated with DC/18/014357 to 80 now associated with DC/20/01435.

4.1.2 It should of course be remembered that the site is allocated for 100 dwellings in the Draft Joint Local Plan [Preferred Options Document - 2019], albeit this carries limited weight as a material planning consideration it does chart the intended direction of travel of the District Council as its new Local Plan evolves.

4.2 Tenure

This uplift if approved would result in a pro-rata increase of 3 affordable units compared to that included within the unsuccessful 2018 scheme. Overall, the total number of affordable units at 35% from a development comprising 80 units

⁹ 6 months for appeal expires early August. It is important to stress that comments on reputational/costs risk is immaterial to the planning decision to be taken. Nevertheless, Members should be in no doubt as to the potential outcomes in the event permission is refused again contrary to professional officer opinion.

will be 28. Housing is of itself a significant benefit; affordable housing more so where there is an ongoing shortfall.

4.3 Mix

4.3.1 As this is an outline planning application the applicant is not required to provide details as these are indicated as to be determined as a Reserved Matter should outline planning permission be granted. It is reasonable to assume although by no means certain, that an increase in overall unit numbers [however modest – in this case 10 dwellings or a % uplift on that proposed in 2018] could result in a reduction in larger units and an increase in smaller units particularly as the developable in the 2020 proposal is smaller than it was in the 2018 scheme.

4.3.2 In the event that the decision taker/s is/are minded to grant outline planning permission it is suggested that questions of mix and size are made a reserved matter by condition.

4.4 Density

The gross density [*application red line area divided by number of units*] increases from 12.4 dwellings per hectare [*2018 scheme*] to 14.2 dwellings per hectare [*current scheme*].

4.4.1 It is interesting to make a comparison between density levels within the approved [and now under construction] Bloor Homes development known as 'Trinity Field' on the adjacent site and that of the Gladman proposal.

Bloor Homes -Trinity Meadow:

3112/15: 10.9 ha with 175 dwellings = 16.1 dph

DC/18/00097 with uplift to 194 dwellings = 17.8dph

4.4.2 The current proposal therefore compares favourably with the previously approved development on the adjacent site in that it is of a slightly lower density. Setting aside all other considerations for a moment if one judges the current proposal in terms of a straight assessment of the impact of a development at this density and taking a consistent approach, then it should also be acceptable in terms of the overall character achievable.

4.4.3 This gross density figure is low because Gladman has chosen to include so much open space within the proposed development [well beyond the normal 10%] in order to safeguard Thradstone's Meadow and more recently to then enhance its setting with further open space to its north.

4.5 If Members were minded to grant planning permission as well as Thradstones Meadow being included in the recommended S106 it is suggested that a condition be added restricting any development from encroaching into the green / open space areas outside of Thradstones Meadow and as shown as not being built development on the illustrative masterplan.

- 4.6 This will help to ensure that when Reserved Matters were submitted any purchaser of the site will already have understand the extent of what is seen as developable land by the Council. They should then have made their offer for the purchase of the site based on the knowledge that the Council would not support the development within these green / open areas. In addition using a condition to restrict the overall number of units to 'up to but no more than 80' will also help to reign in the hope for a possible subsequent uplift in numbers. [thereby also helping to fix the land value].
- 4.7 Policy CS5 requires development to be of a high-quality design that respects the local distinctiveness and the built heritage of Mid Suffolk, enhancing the character and appearance of the district. Policies H13 and GP1 contain further commentary as to what is expected of developers in this regard.
- 4.8 Paragraph 56 of the NPPF attaches great importance to the design of the built-environment, stating that good design is a key aspect of sustainable development.
- 4.9 As the proposal is Outline, matters including layout and design are left to the Reserved Matters stage. However, it is beholden on the applicant to demonstrate that the desired quantum of development can be satisfactorily achieved.
- 4.10 Your Officers have negotiated changes from an original scheme in response to heritage matters which were raised and this is explored below in the heritage section.
- 4.11 Given that the scheme has no interface with any residences (the Bloor scheme which is being built out having a buffer between it and this site – a buffer which can be further secured by condition here) and given the relatively low density, there are no doubts that the desired quantum of development can be achieved. There is one existing residence to consider, and that is covered in the relevant section below.
- 4.12 It is proposed to have a condition in place that garaging should be used just for that purpose (and for storage of household items), so as to ensure garages are not converted, which could lead to nuisance parking on carriageways and footpaths.
- 4.13 Further, it is advised that the permission should carry an informative that triple parking will not be accepted at Reserved Matters stage.

5.0 The Principle of the Proposed Use

- 5.1 The professional opinion of officers has not changed since the previous application was reported to Planning Referrals Committee on 29 January 2020 and remains as before [DC/18/04357] in that the principle of the proposed use is considered acceptable but now with the enhanced S106 package even more so.
- 5.2 It should be noted that in refusing the previous application the following Neighbourhood Plan policies were cited:
- SNP1 Strategy for Sustainable Growth
 - SNP6 Rural Exception Sites
 - SNP 12 Local Green Spaces
 - SNP 14 Quality of Development, Resource Efficiency and Design Considerations
- 5.3 Consequently this report will look at the current application in the context of these four policies before going on to assess it against others.

SNP 1 states:

“Stowupland will be a location for environmentally, socially and economically sustainable growth over the twenty-year period of the Neighbourhood Development Plan. The Plan provides for at least 203 new homes by 2036. The protection of the natural and historic environment, the distinctive village character and maintenance of the visual gap and separation between the built-up areas of the village and Stowmarket and Saxham Street will be given significant weight when assessing any development proposals. The Green Gaps identified on the Proposals Map shall be protected and remain undeveloped to maintain this separation. Opportunities to use previously developed land and buildings, and infill sites will be supported.”

- 5.4 The Adopted Neighbourhood Plan identifies sites to deliver 331 dwellings¹⁰ [of which 203 are allocations] in the period up to 2036. It should however be noted that the Draft Joint Local Plan Preferred Options Document [2019] sets the identified requirement for Stowupland as 752 dwellings¹¹.

¹⁰ Table 3, page 19 & Proposals Map , page 62 ASNDP 2019 [comprised from dwellings already with planning permission]; (other permissions ostensibly take that number to 349 homes, as per p.19 of the NDP).

¹¹ Page 41 DJLP POD 2019

- 5.5 This continues to represent a deficit of at least 400 homes which would be significantly reduced if planning permission for the current scheme was granted and the permission ultimately implemented¹². The NDP was also expected to review its position on an annual basis – adoption being 27th June 2019 – to date it is not clear that this has happened but it would be expected that such a review will now take into account the latest methodology for calculating housing need and should seek to align itself with the identified requirement in the latest JLP draft.
- 5.6 It remains the opinion of officers that this site is sustainable and has become more sustainable than in respect of the 2018 proposal because of the enhancements now included to tackle the previous reasons for refusal.
- 5.7 Therefore whilst the Adopted Stowupland Neighbourhood Development Plan 2019 allocates land for new residential use over and above that with the benefit of planning permission and therefore can be said to encourage growth it does not meet the latest need identified by the District Council and therefore may now be considered less robust than an Adopted Neighbourhood Plan that meets the identified need set by the District Council. This situation would be exploited by an appellant at an appeal.
- 5.8 It should also be noted as described earlier that the site is not identified as being within a key view of the countryside and is in fact identified as being within a key view of built-form. The contradiction between the reason for refusal cited in respect of the DC/18/04357 decision has already been highlighted. The development site [residential] is not identified as a Green Gap and therefore the relevance of this factor to the application in hand is perhaps not as strong as would be desired to feel confident going into an appeal.

¹² And subject to the same proviso in the case of the extant planning permissions included in the ASNDP 2019



Application site's general location

Note: This symbol does not appear on Map 9 within the Adopted Neighbourhood Plan and has been added here to provide context for the current report

figure 29: **Key Views: ASNDP19: close-up**

- 5.9 It is clear that since being Made [Adopted] in 2019 Neighbourhood Plan guidance has moved on as has the Joint Local Plan. The Examiner in respect of the 'Submitted' Woolpit Neighbourhood Plan noted:

Paragraph 1.10.5. in Part 2 of the *Neighbourhood Planning Independent Examiner Referral Service Guidance to service users and Examiners* advises that: *the independent examiner will initially undertake a high-level assessment of the plan documents. If there is an obvious and potentially fatal flaw, the independent examiner will write to alert the local planning authority and qualifying body.*

I have undertaken an initial high – level assessment and unfortunately I have identified a fatal flaw. In doing so, I have taken into consideration all documents received, including the Parish Council's response to the Regulation 16 representations in their letter to Mid Suffolk District Council dated 18 February 2020 and the findings of the Site Assessment Report of November 2018 (AECOM).

- 5.10 The issue here was that the Draft Woolpit Neighbourhood Plan had failed to allocate sufficient sites to accommodate the need identified by the District Council. [DJLP POD 2019].
- 5.11 Clearly the difference between the Stowupland and Woolpit positions is that Stowupland's Plan is Made and Woolpit's is not. Stowupland's Plan therefore has statutory force being a part of the development plan but it may no longer provide as strong a defence at appeal as it did just a year ago because it does

not provide sufficient sites to meet the latest identified requirement set out and approved by full Council.

SNP 6 states:

“ Proposals for housing on sites situated outside, but adjoining the settlement boundaries of Stowupland village and Saxham Street (as defined on the Proposals Map) will be supported where the following criteria are met:

- the scheme would meet an identified *local need for affordable housing that cannot be met within the settlement boundaries;*
- the development is small-scale and demonstrates, where appropriate:*
 - (i) how it addresses the relationship of the proposal to the built form, history and character of the area,*
 - (ii) the effects on any nearby heritage assets, local buildings of character, and/or trees and hedgerows, village green, playing fields and local green space, and*
 - (iii) accessibility to village services and facilities; and where it complies with the other policies in this Neighbourhood Plan;*
 - pre-application engagement with the local community has been undertaken;*
 - secure arrangements are made to ensure the housing need to be met will be secured by legal agreement to ensure that the need can be met in perpetuity.*

Where it is demonstrated that a proportion of market housing is necessary to cross-subsidise the specific identified housing need the market housing should be provided at the minimum level to support viability and all proposals must be accompanied by an open book viability appraisal.

Schemes will not be supported where it is considered that the location of the proposal is too remote from village services and facilities, and/or would have a detrimental impact on the built form, historical context or character of the area, or on the environment, green space, or landscape and/or landscape features including trees and hedgerows.

Rural exception sites may also include an element of self-build or custom-build homes.”

5.12 The view of officers has not changed since DC/18/04357 was considered in that the site is presently allocated for development in the Draft Joint Local Plan Preferred Options Document and is considered to be sustainable within the context of the NPPF.

5.13 The site cannot be said to be a ‘Rural Exception Site’ because that term has a precise meaning¹³ which is:

¹³ Planning Advisory Service Glossary Rural Exception Site.
https://www.planningportal.co.uk/directory_record/489/rural_exception_site

Small sites used for affordable housing in perpetuity where sites would not normally be used for housing. Rural exception sites seek to address the needs of the local community by accommodating households who are either current residents or have an existing family or employment connection. Small numbers of market homes may be allowed at the local authority's discretion, for example where essential to enable the delivery of affordable units without grant funding.

- 5.14 Consequently, SNP6 may have been misapplied. [perhaps another weakness in the Council's case were an appeal to be lodged]
- 5.15 The point about a rural exception site is that it is only permitted outside of normal policy because it delivers a specific affordable product for local people based on a local needs survey. It almost always requires a landowner with land adjacent to a village settlement boundary to sell a parcel of land at less than residential value [but probably more than agricultural value] to make a small development viable. Sometimes that small development includes another product sufficient to cross subsidise the delivery of a limited number of affordable units.
- 5.16 SNP6 does not apply here because development of this site is not being promoted by Gladman as the development of a 'rural exception site'.
- 5.17 However, if one assumes that despite the above SNP6 does provide such protection then we need to consider the 'exception' criteria set out in that policy.
- 5.18 With that in mind let us now dissect it and establish the extent to which the proposal may or may not comply with it.

5.19 **SNP6: Rural Exception Sites**

5.19.1 First sentence:

"Proposals for housing on sites situated outside, but adjoining the settlement boundaries of Stowupland village and Saxham Street (as defined on the Proposals Map) will be supported... [where they meet the specific criteria, more of these shortly]"

Officer comment.

- [a] The proposal is for housing and is situated outside of the settlement boundary. It does not adjoin the current defined settlement boundary (SNDP [2019] and Adopted Local Plan [1998] & Proposals Map) but does adjoin a recently approved and 'under construction' housing estate which does adjoin the currently defined settlement boundary for Stowupland. The proposed development is to be accessed through the neighbouring new estate via its estate roads and vehicular entrance on Church Road and can therefore be seen [if approved] as an extension of

that estate. Consequently, the proposed development is 'de facto' an expansion of development adjoining the current defined settlement boundary.

- [b] It is presently proposed within the BMSDC JLP Preferred Options Document [2019] that the adjacent Bloor Homes [Trinity Fields] development be included in an expanded settlement boundary for Stowupland. In the event that this change is ultimately adopted then the current application will adjoin the settlement boundary. In reality expanding the settlement boundary for Stowupland to include the Bloor Homes [Trinity Fields] site is absolutely logical because it represents contiguous built development on the east side of the village and with a clear field boundary running along that eastern edge, effectively enclosing the site.

5.19.2 Criterion [1]:

- *“the scheme would meet an identified *local need for affordable housing that cannot be met within the settlement boundaries;”*

Officer comment:

Whilst not defined within the Neighbourhood Plan it is assumed that what is meant by 'local need' is affordable housing for people in Stowupland and/or adjacent villages with a registered housing need. Clearly the affordable housing that would result from development on the application site [were it to be approved] would add to that already secured from the Trinity Fields development. On this basis it is highly unlikely that the local need within Stowupland would in itself warrant a further 28 affordable homes.

Members will however be aware that affordable housing is delivered on the basis that it is occupied by those in greatest housing need when assessed against a set of prescribed criteria. Affordable housing is therefore offered on a district-wide basis and is therefore local to Mid Suffolk as opposed to a county-wide or sub-regional catchment. The Council does not operate a local letting policy in the sense of a strict restriction to people only from that immediate town/village. The universal operation of such a letting system would not help tackle the housing problem across the district. The current shortfall in affordable homes across the district is considerable. Delivery in this case of 25 affordable homes in what is a defined 'Service Centre' [where development is directed within the Core Strategy] needs to be afforded more than significant weight even though it may not be for local need in the sense meant in the Stowupland Neighbourhood Plan.

5.19.3 Criterion [2]

- *“the development is small-scale and demonstrates, where appropriate:”*

Officer comment:

The Adopted Neighbourhood Plan does not define small scale. Whilst it may be playing with semantics it is right to say that 80 units falls into the category of ‘Major Development’ in terms of the Government’s classification of development types. That said a ‘Major’ residential proposal is any development comprising 10 or more dwellings. Using the Government’s application type classification this proposal is a ‘small-scale major.’

It is however right to say that the proposed development at up to 80 dwellings is not what was intended to constitute small scale¹⁴ within the Adopted Neighbourhood Plan and therefore it may be contrary to this element of SNP6.

Members will of course be aware that being ‘contrary to policy’ is not in itself sufficient justification to warrant a refusal. The test must be what is the material harm caused and to what extent can that harm either be mitigated or not. Next the local planning authority is required to include this harm into the overall planning balance where each material planning consideration is ascribed a weight after which a decision can be properly taken.

This report will therefore look at all material planning considerations before ascribing a weight to the fact that the proposed development is not small-scale in the manner intended in the Adopted Neighbourhood Plan.

Members will note, however, that the application does not comply with the development plan as a whole in any event because of the breach of the Council’s housing policies and is obviously at variance to the housing strategy within the NDP which allocates sites to meet its self-identified need. Ordinarily this would set the context for a “flat balance” where the harm – including that represented by the breach of the development plan – is weighed against the benefits, among other considerations that might sit either side. In this context though the “tilted balance” is engaged because taken in the round, the most important policies for determining the application are out of date (including CS1, CS2, and H7).

Thus, the presumption is that planning permission will be granted unless compelling harm or adverse impacts are identified. That might include the harm represented by the breach of the NDP in so far as being an unallocated site in excess of the growth anticipated but – and having regard to NPPF 14 – in this case the individual circumstances do not make that so.

¹⁴ Particularly as it is set within the context of rural exception housing

Members could, for instance, contrast this with the recent dismissed appeal at Tuffs Road and Maple Way in Eye (ref: 3215534)¹⁵. In that case the “decisive”/“determinative” factor was the strength of the Eye NDP – albeit advanced but not yet adopted – where it “more than comfortably” met its identified requirement set by the District and had a “significant level of planned growth” as an “ambitious” plan.

Given the recent decisions of the SoS and the related need to significantly boost housing supply, officers maintain that housing for a sustainable settlement cannot reasonably be refused on the grounds of housing alone; an appeal against a refusal on the basis of housing over and above the levels anticipated in the current Stowupland NDP is likely to be successful.¹⁶

5.19.4 Criterion [3]:

- *pre-application engagement with the local community has been undertaken;*

The applicant and the Parish Council had been in dialogue previously and a report on that previous proposal was withdrawn from the planned agenda for the 30 January 2019 of the Committee to facilitate an additional opportunity for dialogue around the future of Thradstone’s Meadow. That meeting and subsequent discussion resulted in the application finally being considered on 29 January 2020 where it was refused.

Following the refusal the applicant has relied on the case officer acting more latterly as an intermediary via the normal consultation process. In many ways this is understood as the applicant has sought to tackle the issues identified with the previous proposal without wanting to or being seen to pressure the Parish Council.

5.19.5 Criterion [4]:

- *secure arrangements are made to ensure the housing need to be met will be secured by legal agreement to ensure that the need can be met in perpetuity.*

Whilst it is accepted that the proposed affordable housing is not designed just to meet the needs of Stowupland it will help to reduce the high deficiency of affordable homes across the District and therefore help to tackle the significant

¹⁵ Decision available here: http://www.landmarkchambers.co.uk/wp-content/uploads/2020/03/Appeal-Decision-3215534_-002.pdf

¹⁶ The reputational and financial risks associated with planning appeals are not material to the decision to be taken as they are not relevant to land use planning matters. Nevertheless Members can be open-eyed to the potential consequences if refusing planning permission contrary to officer recommendation for a second time and with even greater benefits to be attached to the planning balance with no further harm.

shortfall in homes for those in housing need. The delivery of the 35% of affordable housing will be secured through a S106 Agreement as required.

Clearly if people from or with an association with Stowupland on the housing register have sufficient points to get a home then the fact that new affordable homes are being built in Stowupland should improve their chances of living in Stowupland rather than elsewhere in the District.

As previously noted the Adopted Neighbourhood Plan currently does not meet the identified need as defined in the Draft Joint Local Plan and therefore additional dwellings provided on sites over and above those identified in the Adopted neighbourhood Plan may be said to be helping to meet the need as identified by the District Council.

- 5.19.6 It will not have escaped Member's attention that as the Country is now hopefully coming out of the Covid-19 emergency the Government is sending strong signals to local authorities to do all they can to facilitate a recovery of the housing industry and to help new homes get built. It is probably fair to assume that very few new dwellings have been started and/or completed in the first 3 months due to the 'Stay at Home' advice.
- 5.19.7 Whilst this application is yet to be determined it is not unreasonable to assume that if planning permission were to be granted the fact that there is building on the adjacent site and access to the application site is via an existing estate road this puts things in a good position from a delivery perspective; it forms a natural extended phase of construction.
- 5.19.8 In the context of the national recovery from covid-19 this too becomes a material planning consideration and something the Council needs to have at least in the back of its mind when thinking about its 5-YHLS going forward if there is a house building slump and the record for housing delivery within the District. Members will not have forgotten the implications of not having a 5YHLS.
- 5.19.10 In terms of a material change of circumstances it is absolutely right to say that nobody really saw the impact of covid-19 coming in January 2020.
- 5.19.11 It is also right to say that the expanded S106 package and change to the illustrative layout and number of dwellings is also a material change in circumstance.
- 5.19.12 These are all factors they could lead Members to legitimately reach a different conclusion therefore a different decision if they believe the relative weighting of relevant material considerations has now changed. Officers nevertheless continue to recommend approval and find the balance in favour of grant to be even stronger.

5.20 Policy SNP12: Local Green Spaces

5.20.1 Thradstone's Meadow, which lies within the application site, is identified as an important local green space within the Adopted Neighbourhood Plan. Policy SNP12: Local Green Spaces of the Neighbourhood Plan states:

“Local Green Spaces are designated at the village green and an area of land to the east of the village known as the meadow (or Thradstones Meadow) as shown on the Proposals Map. Local Green Spaces shall not be built on or developed for other uses unless very special circumstances are demonstrated. Development proposals adjacent to and/or affecting the historic setting, visual qualities, biodiversity and character of Local Green Spaces must demonstrate how the distinctive and valued qualities of the LGS have been considered, and should respond positively to the character and context of the LGS to preserve and enhance the quality of the LGS and its setting.”

5.20.2 Reason 2 of the refusal included the following content:

“The proposal would fail to preserve and enhance the quality of the Local Green Space and its setting and would be contrary to SNP12 of the Stowupland Neighbourhood Development Plan 2019.”

5.20.3 As described and analysed in detail earlier in this report the current application represents a significant revision to that previously submitted in that the setting of Thradstone's Meadow which was previously an issue has now been better safeguarded by setting new development even further away from the Meadow's sensitive northern boundary. In order to save Members having to refer back to the earlier part of this report one self-explanatory key diagram is reproduced here.



figure 30*: **Enhanced and enlarged open space and landscaping in latest application [5]**
[Southern end]: **Comparative Overlay**

*

repeated from earlier in this report in order to save back referencing

- 5.20.4 Officers are of the strong professional opinion that this change is an important and significant revision provided by the applicant as a direct response to the Parish Council's desire to see the integrity of Thradstone's Meadow as an important local green space safeguarded and in public ownership.
- 5.20.5 The Neighbourhood Plan suggests that only very special circumstances will justify development and that local green spaces will be protected from development unless they are for alternative uses or small-scale development for community interest only that come forward through a new or revised Neighbourhood Plan, Local Development Order, Community Right to Build or other similar locally-led mechanism, following local consultation.
- 5.20.6 On the basis that Policy SNP12 is predicated on Thradstones Meadow being protected from future development just how much of an 'offer' does Gladman's willingness to transfer the land to the Parish Council represent, particularly when it comes with a 'price tag' of up to 80 dwellings nearby? At first sight you might be tempted to think 'very little'. However, to do so would be to miss the importance of ownership of Thradstones Meadow by the Parish Council and the control that then affords it to shape its future and protect its ecological and recreational value for the people of Stowupland. To understand this I now turn to the next part of SNP12.
- 5.20.7 The neighbourhood Plan then describes 'Community Actions' in respect of Thradstone's Meadow. These are set out as:
- *maintaining, enhancing and signing public rights of way and working with others to extend or develop long distance/themed routes;*
 - *publication of maps/notes for walkers;*
 - *investigate and map the different countryside characteristics in the parish (e.g. traditional pasture management of the valley floor area, woodland) and the range of biodiversity and potential for protection of scarce or vulnerable areas through environmental designations.*
- 5.20.8 Thradstone's Meadow is accessible to the public in that it sits on the confluence of a network of designated footpaths. The land itself is however in private ownership and can be managed and/or worked as the owner sees fit. [within the confines of any relevant wildlife protection legislation]. There is therefore no guarantee that it will not be ploughed and planted with arable crops, used for the grazing of livestock, merged with adjacent fields, see agricultural buildings erected on it as permitted development, experience the removal of hedges [where this could be carried out without the need for hedgerow regulation approval], fenced off [except for the public footpaths] [unless they were formally diverted], see weedkiller applied, have public access denied. Therefore, in the context of SNP12 whilst none of the above might need planning permission and therefore not trigger the SNP12 policy

requirement to protect from development they could still have a profound impact on the site in terms of its ecological and community value. It was stated in the previous Committee that the landowner would be unlikely to take such action. Indeed, there is nothing to suggest this would be the case if permission were refused. However, this cannot be put beyond the balance of probability through the passage of time; landowners change, motivations changes and needs change.

The Parish have an aspiration to safeguard the land and this application proposes a realistic and genuine opportunity to realise that policy objective for perpetuity. That is a benefit which weighs heavily in favour of the scheme.

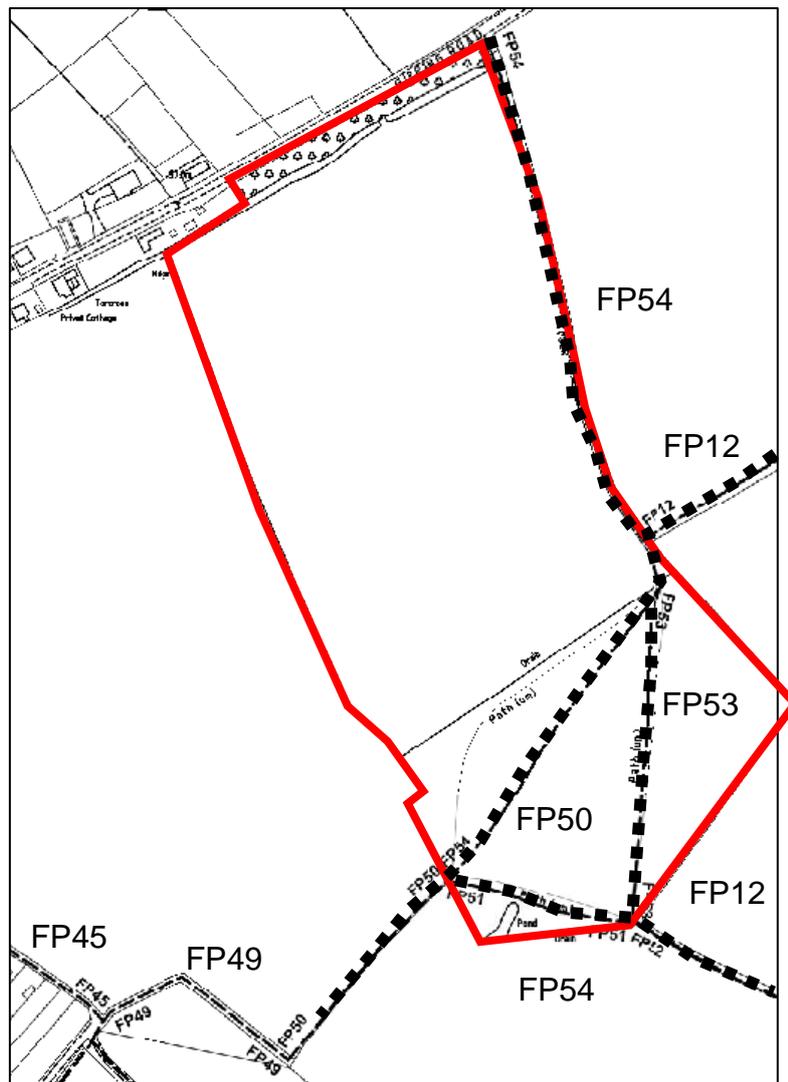


figure 31: Designated Public Footpath routes

5.20.9 It appears therefore that there would be significant benefit in Thradstones Meadow being in public ownership and control. This is made possible through the current outline application because the owner has offered to transfer the land to the Parish Council. The Parish Council recognise this.

- 5.20.10 If so minded Stowupland Parish Council could accept the transfer along with an appropriate financial sum for its future maintenance, as set out in the recommendation.
- 5.29.11 Ownership by the Parish Council would ensure that the Meadow remains undeveloped which is the primary aim of policy SNP12.
- 5.20.12 This is likely to be the only way the land can be safeguarded and managed according to principles set by the community via the Parish Council. This is an important mitigation and environmental benefit to set against the additional expansion of residential development on this corner of Stowupland. In this context Members may now feel a satisfactory balance has been struck between the protection of the setting of Thradstone's Meadow and its wider long-term shielding from undesirable change by falling into the protective embrace of 'Community Ownership' via the recommended S106 Agreement and associated maintenance dowry of £70,000.

5.20.14 Conclusion:

The view of officers remains that this is a significant benefit in that it allows a Local Green Space to be protected, wildlife encouraged, the site to be sensitively managed and enjoyed by the community in perpetuity. The present proposal has benefitted from the revised layout [compared to the previous version] in that development on the northern edge will now sit further back than before providing something of a buffer to that space from domestic activity and structures.

5.21 SNP 14: Quality of Development, Resource Efficiency and Design Considerations

5.21.1 SNP14 states:

"All new development must meet the highest standards of design that respect the character, scale, form, height, proportions, density and massing, materials, context and setting of buildings in the parish, demonstrate resource efficient design, and shall:

- a) respond positively to the key features, character and local context to maintain and enhance the community and its environment;*
- b) not adversely affect the distinctive character around The Green, and the setting of and context for the listed buildings, other heritage assets and their settings in the parish;*
- c) enhance and protect the landscape and significant landscape features, and not involve the loss of locally important open, green or landscaped areas, including verges, trees, hedgerows, woodlands, orchards, and*

remnants of estate parkland, and night time dark skies that make a significant contribution to the character and appearance of Stowupland;

- d) provide access for all through the provision or enhancement of pedestrian and cycle links and routes that are attractive, safe and uncluttered, particularly to bus stops, the schools, and community facilities (including local shops);*
- e) include parking spaces / facilities that are well integrated as part of the overall design;*
- f) if appropriate to the scale of development, provide open space and green and blue infrastructure that connects, where possible, with existing green infrastructure;*
- g) for non-residential development, measures to promote environmental sustainability and high levels of resource efficiency, including design and construction methods and energy (including lighting) and water efficiency measures should be included wherever possible; and*
- h) protect the amenity of existing and future residents, particularly with regard to privacy, overlooking, security, noise disturbance and pollution (including light pollution)."*

5.21.2 Again, the view of officers is that as all matters are reserved this proposal can be made to meet SNP14 though later negotiation. It seems that having approved the adjacent Bloor Homes development [originally 175 dwellings later to become 194 dwellings] it will be possible to design a layout etc that meet the standard achieved there and as was considered acceptable.

5.22 Highway Impacts

- 5.22.1 As discussed earlier the current application includes an enhanced package of mitigation [S106] designed to improve connectivity – this being identified by Members as a weakness in the previous application.
- 5.22.2 Suffolk County Council as the Local Highway Authority supports the application and the expanded package of highway improvements has been worked up in partnership with SCC as a consultee and with the co-operation of the applicant.
- 5.22.3 SCC has been asked to explain how it now appears possible to accommodate a controlled crossing near the Co-Op when not so long ago Stowupland Parish Council was advised in response to a paid enquiry that it would not. The answer lies in additional mitigation being employed and by careful siting of the facility. Additional mitigation will include enhanced signage and road markings on the approaches.

5.23 Drainage Matters

5.23.1 The advice received on 29 June 2020 from Suffolk County Council as Lead Flood and Water Authority that it has no objection subject to conditions now means drainage principles have been agreed. This give further comfort to the Council as local planning authority that it is possible to grant outline planning permission and not expect drainage issues to arise that cannot be resolved with a suitable engineering solution.

5.24 Landscape Impact, Trees, Ecology, Biodiversity and Protected Species

5.24.1 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.

5.24.2 The site is not in an area of special character designation such as an Area of Outstanding Natural Beauty or Special Landscape Area. There are, however, issues of the rural landscape in relation to heritage assets which require examination (below). Otherwise, and for the reasons presented earlier in this report, the landscape response from the applicant is considered appropriate and would accord with the development plan in this respect.

5.24.3 Policy CS5 of the Core Strategy requires development to protect, manage and enhance Mid Suffolk's biodiversity.

5.24.4 Regulation 9(5) of the Conservation of Habitats and Species Regulations 2010 (Implemented 1st April 2010) requires all 'competent authorities' (public bodies) to 'have regard to the Habitats Directive in the exercise of its functions.' For a Local Planning Authority to comply with regulation 9(5) it must 'engage' with the provisions of the Habitats Directive.

5.24.5 Paragraph 170 of the NPPF requires planning authorities, when determining planning applications, to seek the conservation and enhancement of biodiversity by ensuring significant harm resulting from a development is avoided (through locating on an alternative site with less harmful impacts), or where not possible to be adequately mitigated, or, as a last resort, compensated for, and if this cannot be secured then planning permission should be refused.

5.24.6 The application was accompanied by an Ecological Scoping Survey which has made certain recommendations and Place Services have recommended that these measures be taken on board.

5.24.6 Overall, there are no outstanding concerns relating to landscape impact, trees, ecology, biodiversity or protected species.

5.25 Impact on Residential Amenity

- 5.25.1 Policy H13 of the Local Plan seeks to ensure new housing development protects the amenity of neighbouring residents. Policy H16 of the Local Plan seeks to protect the existing amenity of residential areas.
- 5.25.2 Paragraph 17 of the NPPF sets out a number of core planning principles as to underpin decision-taking, including, seeking to secure a good standard of amenity for all existing and future occupants of land and buildings.
- 5.25.3 As this Outline application seeks Access only, the height of buildings will be established at Reserved Matters. It is therefore not possible or necessary to assess potential overlooking or overshadowing in any detail. It is worth noting, however, that the neighbouring properties at the new Bloor development are sufficiently separated (and in any event front facing and separated from the site by access roads and planting) to not be affected in any meaningful way.
- 5.25.4 The one dwelling which could be negatively affected is the farmhouse on Gipping Road which is the only dwelling with a boundary to the site. The north-west corner of the site is currently shown to have a LAP (Local Area of Play) and some landscaping which would act as a buffer to the development as seen from the farmhouse.
- 5.25.5 The current open aspect from that property would be lost, this is noted but is not a material consideration. Provided the privacy of that dwelling can be maintained (which will be achieved with a landscaping condition) then matters of residential amenity are satisfied. This is also true of the other development now under construction to the north of the site, across the road.
- 5.25.6 The other aspect is the build phase. Whilst there are few residences in the vicinity, a Construction Management Plan is advised, which would ensure sociable hours of working and so on.

5.26 Heritage Matters

- 5.26.1 A number of parties have raised concerns over the visual impact of the development on the setting of the Grade II* listed Columbine Hall and its grounds. In response to this, the applicant submitted an amended indicative layout (Rev G) on 26th November 2018. This sought to address the concerns of Historic England by increasing the POS and landscape buffer to the north. This will assist in not so readily reading the development in the setting of the heritage asset, and bearing in mind recent development being undertaken between the site and Columbine Hall. That buffer has since been thickened further.
- 5.26.2 Paragraph 196 of the NPPF 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 benefit of the proposal including, where appropriate, securing its optimum viable use.”

5.26.3 The identified harm is to the perceived erosion of the “wider rural setting” of a building 200 metres distant and beyond intervening development. Nevertheless, harm is harm and as a potential issue officers have treated it with no less caution; the statutory duties under s66 of the listed buildings Act still apply in such circumstances. The finding of harm, even if very low or negligible is still a matter of considerable importance and great weight must be given to the principle of keeping assets from harm.

5.26.4 Historic England makes it clear that it does not object to the principle of developing the field and has suggested an improvement (i.e. widening the planting belt to the north) which has been accepted by the applicant.

5.26.5 Given the latest amendment where the setting of Columbine Hall has been better respected thanks to this planting belt (thus optimising its use in the context of preserving the rural setting of the Hall), the heritage issue is held to be satisfied. This is because, subject to appropriate controls and detail at reserved matters, the significance of heritage assets would be largely preserved with any residual harm being very low, as anticipated by your professional Heritage team.

Nevertheless, a finding of harm is still a matter of considerable importance and great weight is attached to the principle of conservation in accordance with the s66 duty and NPPF para 193. In accordance with the NPPF 196 balance the very low level of less than substantial harm has been weighed against the public benefits that would flow from the development proceeding, which are numerous and significant. Plainly, that test is satisfied in this case and the application satisfies both local and national policy tests.

5.26.6 Members are therefore reminded that the application is in outline, but it would be prudent to carry a condition at this stage that the above-mentioned buffer be in broad compliance with the submitted drawings.

5.27 Sustainability

5.27.1 The site is within the A14 corridor, where a high level of growth is forecast and is immediately adjacent to the new eastern edge of Stowupland (which is currently being built) and is located within easy reach of some, but not the full suite of, facilities. Stowupland is a Key Service Centre. The Freeman Primary School is 350 metres to the south of the site, with the village hall slightly further and The Crown public house approximately 450 metres distant. The high school is just over 600 metres to the west. The co-op (also a petrol station) is approximately 850m metres off. All are within comfortable walking distance. All of these are on, or near to, the A1120 (Church Road). This road can be reached via a public right of way. There is then a hardened footway from the primary school, linking westward through to the other facilities. However, the 200 metre stretch from the footpath to the school is narrow.

5.27.2 There are alternative footpaths which avoid the A1120, but which would make the journey slightly longer albeit which also serve other destinations and might be more attractive for recreational purposes.

5.27.3 Whilst there are bus stops to take residents in to Stowmarket, the closest one appears to be opposite The Crown, so approximately 450 metres from the site. The buses run every two hours which might be considered to be less than desirable in frequency terms. However, as the Eye Inspector opined when considering a similar issue, the timings would still be suitable for some commuters, particularly those with flexible or part-time working, and/or for recreational activities and visiting other services and facilities at those settlements.

5.27.4 The Nutshells Tea Room at the former Mr Allard's farm shop has recently reopened, giving another local facility.

5.27.5 Therefore, whilst non-car-borne access to some facilities is a very real possibility, it is also likely that there will be some dependence on car use to access some of these facilities. However, the balance is such that the scheme can be held to be environmentally sustainable overall.

5.27.6 The economic strand to sustainability sees the usual transient boost whilst the development is built out. In addition, a potential 200 plus residents would add spend to local concerns such as the Co-op or the tea-room. It is accepted that the main spend by locals will be in Stowmarket or further afield, but these extra residents will contribute to the local economy.

5.27.7 Socially, the development physically borders (albeit separated by a landscape buffer) the Bloor development, but links through to it and the wider Stowupland housing stock via a series of footpaths. The new residents will call on the same services, such as schools, as existing residents. Given this, and the provision of affordable housing, the development is held to be socially inclusive and socially sustainable.

5.28 Having assessed the current proposal against the policies cited in the previous refusal let us now look at other policies which need to be considered:

2.28.1 Policy SNP5: Affordable Housing

“Proposals for residential development of more than 10 units or on sites of 0.5ha or more will be expected to provide 35% affordable housing on the site (with at least 10% of these being homes available for affordable home ownership) subject

to viability assessment and identified local needs with the aim of creating mixed and inclusive communities. Affordable homes must be delivered at the same time as the market homes. Conditions or legal obligations will be used to ensure that affordable housing is secured and retained for those in housing need. The mix, size, type and tenure of affordable homes should meet the Babergh and Mid Suffolk local identified housing need for Stowupland. 28 Where affordable housing is provided under a Section 106 agreement or similar planning obligation, the maximum proportion possible of the total units provided under Babergh and Mid Suffolk District Councils' Allocation Scheme shall at every opportunity be allocated to people meeting the "local lettings" circumstances with a local need or connections to Stowupland. This obligation will have permanent effect unless it can be demonstrated that there is no longer any requirement for the affordable housing."

5.28.2 Officer comment:

As the proposed development comprises 80 dwellings and includes the provision of 35% affordable housing it complies with the first part of SNP5. Within the proposed affordable mix are 18 rented and 6 shared ownership units. This mix exceeds the minimum requirement of the Neighbourhood Plan for affordable home ownership [described as being at least 10%] in that it equates to 25%. In the event that Members are minded to approve the application a S106 Agreement is recommended as a prerequisite. That Agreement will require affordable dwellings to be delivered in accordance with a predetermined sequence parallel with the delivery of open market units. Although the Neighbourhood Plan seeks affordable housing to be offered on a 'local lettings' basis the Council does not operate such an allocation policy. Within the District of Mid Suffolk affordable housing is offered to those in greatest housing need rather than on any other basis. In this way those in greatest housing need may be offered accommodation anywhere in the District. A local lettings policy means that those in greatest housing need may not be housed as a priority and by restricting occupancy to those with a local connection the overall stock is effectively reduced as a result of inflexibility.

5.29 Policy SNP7: Settlement Boundaries [Note: Not cited in the reason for refusal in respect of previous application]

"Within the settlement boundaries for Stowupland and Saxham Street, as defined on Map 8 and the Proposals Map, there is a general presumption in favour of residential development in the form of infill and redevelopment sites and small groups of approximately ten dwellings subject to proposals being well designed and meeting all relevant requirements set out in other policies in this plan and Mid Suffolk development

plan documents. Proposals that include provision for self-build or custom-build plots will be encouraged.

5.29.1 Officer comment:

Understandably the Neighbourhood Plan directs new development to sites within the Neighbourhood Plan Settlement boundary and the Proposals Map [Local Plan]. This is consistent with the NPPF in that Stowupland is a Key Service Centre and as such sites within its settlement boundary are by definition sustainable. This report has already described the site as sitting outside of the current Settlement Boundary [Neighbourhood Plan and Local Plan] and so you would expect the presumption in SNP7 to point against support for this proposed development. However, this is not expressly so and the proposed site is adjacent to and abuts the settlement boundary as defined in the Adopted Neighbourhood Plan. It is also proposed to physically connect it to the development under construction immediately to the south-west. As a result of its contiguous nature, excellent connectivity and permeability [with the expanded urban Stowupland] it is considered as sustainable as the adjacent development. Indeed, as previously reported the Council has included the application in the Draft Local Plan Preferred Options Local document on the basis that it is considered sustainable and desirable to help meet predicted housing need to 2036. With the Neighbourhood Plan's largest allocated housing site already under construction [prior to adoption] there is every chance that the District will require more land to be allocated for housing in the area in the next 16 years if delivery rates are to be sustained and the 5YHLS position protected.

5.29.2 Furthermore officers have explored what might be the fragility of SNP6 in terms of its applicability to development outside of the defined settlement boundary when it is described as relating to Rural Exception Housing.

5.29.3 It should also be noted that whilst policy SNP7 makes it clear that the presumption is in favour of residential development in the form of infill and redevelopment sites and small groups of approximately ten dwellings [within the settlement boundary] it does not exclude development outside the settlement boundary. This is understandable because as a Key Service Centre Stowupland is considered to be a sustainable location close to the apex of the settlement hierarchy. Any policy that prohibited development adjacent to the settlement boundary would in such circumstances almost certainly fall foul of the NPPF. [the main reason why the Council's policy CS1 and CS2, and H7 have been identified at appeal as being out-of-date when tested for consistency with the NPPF as directed by NPPF para 213] Regardless of whether the application offends the housing strategy of the NDP because it is in excess of the sites allocated to meet the requirement identified in that plan, it nevertheless conflicts with the development plan as a whole because of the conflict with CS1, CS2, and H7.

5.30 SNP8: Landscape Character – Green Gaps, Views and Features

“Development proposals will be supported where:

- i. they do not have a significant detrimental impact on the rural setting of the village and the visual qualities of the upland landscape are protected;
- ii. the separate identity of Stowupland as a village is retained and coalescence with Stowmarket is prevented;
- iii. the separate character of the main village and Saxham Street is maintained and coalescence between the two areas is prevented;
- iv. the plateau-edge open character of the parish (characterised by the open spaces, wide verges, trees and hedgerows and key views out from points identified on Map 9 and the Proposals Map) are maintained; and
- v. they improve landscape condition, visual amenity, or the setting of valued features, and settings where existing development has adverse effects. The Green Gaps and key views to the wider landscape at the points identified on Map 9 and the Proposals Map are of particular importance in protecting the rural setting and maintaining the distinctive local character and qualities of the parish.

It has previously been explained why this application satisfies the requirements of this NDP policy.

5.31 SNP9: Protecting best and most versatile Agricultural Land

“To protect opportunities for food production and the continuance of the agricultural economy, proposals for development on sites of 1 hectare or more on the best and most versatile agricultural land will not usually be supported unless it can be satisfactorily demonstrated that land of a poorer quality is not available.”

5.31.1 Officer comment:

The provisional land use classification maps for the East of England described the majority of the site as falling within Grade 2 [very good quality agricultural land with minor limitations which affect crop yield, cultivations or harvesting.] with a rump of Grade 3 in the north east corner. [note Grade 3 land includes two types [a] & [b] described as:

- [a] good quality agricultural land with moderate limitations that affect the choice of crop, timing and type of cultivation/harvesting or level of yield. This land can produce moderate to high yields of a narrow range of crops or moderate yields of a wide range of crops.

[b] moderate quality agricultural land with strong limitations that affect the choice of crop, timing and type of cultivation/harvesting or level of yield. This land produces moderate yields of a narrow range of crops, low yields of a wide range of crops and high yields of grass.

SNP9 is also consistent with Local Plan policy CL11 which encourages the conservation of Grade 1, 2 and 3a agricultural land.

5.31.2 That said National Planning Policy Guidance [NPPG] only requires Natural England to be consulted on applications involving the loss of the Best Most Versatile [BMV] agricultural land where development area exceeds 20ha. The current site is only 5.6ha in area and therefore well below the strategically significant threshold described in the NPPG. Even though the proposed development is unlikely in itself to result in a strategic loss of high-quality agricultural land it does follow the ongoing development of former agricultural land adjacent to it. [10.9ha]. Cumulatively the two developments fall below the 20ha threshold at 16.6ha.

5.31.3 The advice in cases where the site area is below 20ha is:

“You should take account of smaller losses (under 20 hectares) if they’re significant when making your decision. Your decision should avoid unnecessary loss of BMV land”.

Members will therefore have to give such weight as they believe appropriate in the circumstances when balanced against other considerations but it should be noted that Mid Suffolk as a district comprises significant amounts of BMV; it is an inevitability that most applications for housing necessitate a loss of such land. The Council did not find against the application in this respect previously and so there is risk in taking an alternative view on this occasion bearing in mind the red-lined area remains unchanged.

Officers are satisfied that the application does not breach the policy. However, if that is incorrect – for example because developable areas of poorer quality are available – the significance of that breach is, for the reasons above, very low and does not affect the recommendation set out.

5.32 Policy SNP10: Protecting the Natural Environment

“All proposals for development will be expected to retain features of biodiversity value, especially ponds, ditches, streams, trees and hedgerows, and green verges/margins. Where loss or damage is unavoidable e.g. where a new access is created, the development shall provide for appropriate replacement planting using native species together with a method statement for ongoing care and maintenance of that new /

replacement planting, and new green or blue infrastructure features as appropriate. The creation of ponds, attenuation features, landscape planting and related management plan/method statements should reflect the characteristics of the locality and use indigenous species only. Where opportunities exist, new development must link with existing features to provide and promote ecological areas and restore wildlife “corridors”, and shall involve creating new / additional wildlife habitats.”

For the reasons already set out, this policy is satisfied.

5.33 Policy SNP 13: Public Rights of Way

“Existing Public Rights of Way in the parish will be protected. Where rerouting is essential to accommodate sustainable development any loss of amenity value will be minimised and mitigation measure will be taken to ensure that the network is not adversely affected or reduced. 51 Opportunities will be sought to enhance the network of Public Rights of Way through the creation of new links, improved maintenance and waymarking, and making use of developer contributions, agricultural schemes and local partnership initiatives.”

For the reasons already set out, this policy is satisfied.

Planning Balance and Conclusions

With the exception of the Parish Council, the application is not subject to objection from any statutory consultee and no objection has been received in relation to any technical matter. The application is considered to be acceptable in all respects save for noting the policy breaches relating to the site being presently unallocated, representing new housing in the countryside outside of the settlement boundary for Stowupland and with no apparent or pressing “need” when judged against the current NDP and its identified requirement.

From experience, and especially in the current wider national context, officers are particularly concerned with the notion of refusing housing for housing sake – the outcome of the Long Melford appeal (and indeed all other committee overturn appeal decisions relating to Mid Suffolk in recent years) acutely highlights this point and the significant weight placed upon the desire to significantly boost housing supply. This is especially the case given that the Council relies upon unallocated sites to make up its current housing supply; such a supply is despite its out of date housing policies, not because of them.

The site in question is not currently allocated in the Adopted Development Plan.. There should be a plan-led approach to growth; however, notwithstanding the Neighbourhood Plan the Council’s housing policies in so far as they relate to the allocation of new housing are out of date. It is clear that the Council relies upon development outside of existing settlement boundaries to meet its ongoing housing needs and those needs have increased significantly beyond those set out within the

current Plan. The emerging JLP, which responds to the 'standard method' proposes to address that need through housing allocations including for the site now before Members. Of itself this is an important consideration albeit of tempered weight given the early stage of the plan-making process. Furthermore, the JLP draft approved by full Council sets out the identified requirements of neighbourhood plan areas. Allocation aside, the number proposed for Stowupland is significant and cannot be met by the current Neighbourhood Plan, the needs under which are to be predominantly met by existing planning permissions.

That the development is outside of a settlement should not of itself be fatal to the application, especially for a settlement which is both a Key Service Centre now and a Core Village in the emerging Plan – this point is consistent and the development would therefore meet the underlying aims of the settlement hierarchy policies for both the existing and emerging District plans. Although the proposal does not accord with the adopted Development Plan when taken as a whole, the policies which are most important for determining the application are collectively out of date (policies CS1, CS2, and H7) and this is the case even if factoring in the housing policies of the NDP. Where the Neighbourhood Plan meets the requirements of paragraph 14 of the NPPF, this does not mean that permission should be refused. Given that that the SNDP requirement figure is no longer derived from an up to date needs assessment and given also that the scheme would bring significant benefits (not least complying with the wider policies in the NDP and securing Thradstone's Meadow pursuant to policy SNP12), it is concluded that, notwithstanding the indication in paragraph 14 of the NPPF, in this case the harm caused by the breach of the SNDP does not significantly and demonstrably outweigh the benefits of the proposal. Paragraph 14 of the Framework should not, in any event, be interpreted as giving NDPs enhanced status over other components of the development plan.

Whilst the made Neighbourhood Plan includes allocations these are not sufficient to accommodate the housing identified by the District Council in the Draft JLP. The requirement has been identified as 752. Consequently, the Neighbourhood Plan does not provide a robust defence against further development.

The site is contiguous with the newly expanded Stowupland and is reasonably well connected to some, if not all, facilities and services and is held to be reasonably sustainable environmentally, economically and socially. This fact carries considerable weight in terms of the NPPF. Save for falling within the countryside, the development would also accord with the overall thrust of the Core Strategy and its Focused Review document.

Moving away from principle the present proposal is however significantly different to the previous unsuccessful application in terms of detail and has responded positively to previous criticism. The applicant has constructively set out to tackle the concerns associated with the previous scheme as refused. Whilst there were no objections from the local highway authority in respect of DC/18/014357 the latest application includes three new components designed to address.

The inclusion now of a:

- Controlled crossing near to the existing Co-Op across Church Road A1120]
- £50,000 contribution towards improvements to the B1115 / A1120 junction as identified by Suffolk County Council as local highway authority. Depending on the outcome of other planning applications in the vicinity this money could facilitate the installation of a protected right turn lane within the highway from the A1120 onto the B1115 or cycleway/footway improvements.
- Footway improvements [as described earlier] on Church Road

is considered to make a material difference to the overall benefits within the proposal and are considered to directly address the concerns raised by Members in January 2020 when DC/18/014357 was refused on safety and connectivity grounds. Not only would such measures deal with the impacts of the development, they would be benefits of wider public utility, too.

The fact that the proposal does not pose highway safety or capacity issues and now includes the 3 significant additional improvements sought by Members are all considerations that now attract considerably greater weight than before. That weight is considered to be significant and serves to reinforce the balance in favour of granting outline planning permission in the context of the c.400 unit shortfall in allocated housing numbers within the Adopted Neighbourhood Plan and the fact that the tilted balance must still be applied. The benefits remain compelling.

What is presently being offered within the overall package by the applicant compared to that previously offered responds to the Committee's previous refusal and provides for substantial enhancements – the application is greatly enhanced as a result.

Given the proposed density, the separation from existing dwellings and the proposed buffer to ensure residential amenity, the quantum of development sought is achievable, whilst ensuring adequate garden size and parking provision whilst safeguarding amenity.

The proposal also offers an increased number of affordable housing units (but remaining policy compliant at 35%), which will help towards the Council's objectives regarding affordable provision where this is demonstrable need as evidenced by an extensive register of people in housing need.

This is considered to be a significant public benefit that attracts substantial weight and is separate from the benefit of housing more generally which is itself a significant benefit.

The offer to transfer Thradstones Meadow into public ownership as desired by the Parish Council is considered to represent a significant public benefit in that it will allow the community to realise its ambitions for this locally important green space consistent with the NDP Policy SNP12.

It is acknowledged that the proposed development will have a limited impact on the character of the countryside thereabouts; it is axiomatic that the development of a greenfield site is harmful to some extent. That harm as a result of introducing new

built-form into the landscape is not considered by officers to be 'transformatory' because the Trinity Meadow development has already changed the character of the landscape as is recognised in the SNLPLA17. However as carefully described earlier such harm as there is will to a large part be mitigated by bringing Thradstone's Meadow into Community Ownership and by enhanced planting landscaping elements around the margins of the site; the physical nature of the development would be contained and it would assimilate into its surroundings.

As previously stated the applicant has a track record for bringing permissions through to delivery in a timely fashion and this is evidenced when considering the Bloor site next door which was itself originally promoted by the applicant. Delivery is of itself an important consideration when it is incumbent upon the Council to continue to meet its housing requirements.

The proposal is not in accordance with the Council's Development Plan. However, that is only the starting point for decision-taking purposes. Other material considerations must be considered and weighed; that resulting planning balance is a matter of law. The Council accepts that as per paragraph 11[d] of the NPPF, the policies most important for determining the application are out-of-date, meaning the presumption in favour of sustainable development is applicable and the decision should be made against the tilted balance.

This means granting permission unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits when assessed against the policies in the NPPF taken as a whole. Thus, it is expected that planning permission will be granted unless there are compelling reasons not to do so. In this case, the harm caused by the breach of the development plan/Neighbourhood Plan – in so far as it might be said to conflict with its housing strategy – does not significantly and demonstrably outweigh the benefits, notwithstanding the indication to the contrary in paragraph 14 of the NPPF. There are no specific policies in the NPPF which direct for refusal; rather, the application complies with the policies of the Framework taken as a whole.

Bearing in mind the limited harms posed (in addition to the harm from the breach of the SNDP), it is concluded that the adverse impacts of the proposal do not significantly and demonstrably outweigh the benefits. This outcome of the tilted planning balance (or whether for that matter if only viewed as a straight, flat balance), of such adverse impacts weighed against the significant benefits, the recommendation should be one of approval.

Recommendation

That authority be delegated to the Chief Planning Officer to grant planning permission, subject to the prior completion of a Section 106 or Undertaking on terms to their satisfaction to secure the following heads of terms:

A. Locally Important Greenspace ‘Thradstones Meadow’

That the area of land as open space and known locally as Thradstones Meadow be offered in the first instance to the Council as open space and in the event that the offer [whether in whole or part] is accepted then the land accepted [in whole to part] be transferred freehold for £1 within an agreed timescale. The said offer must be accompanied by a financial sum [not less than £75,000] sufficient for the maintenance and management of the space for 25 years. The Council will have the right to offer the land and commuted sum to a community nominee for the purpose of permanent open green space. In the event that the Council [or its nominee] declines the offer then the land shall be managed in perpetuity by a private management company [funded by service charges from occupiers of the associated residential development] along with other communal landscaped /open space areas within the development. The land shall be permanently publicly accessible. The land shall be transferred in a condition and state and equipped as agreed between the parties within the Agreement. The developer shall lay no services across the land. The developer shall protect the site during construction of the residential development from any encroachment by construction related activity.

B. Affordable Housing.

Delivery of 35% affordable housing in accordance with a schedule to be agreed with the Council’s Housing Strategy Service

C. Education Contribution.

A sum of £299,302 [uplifted to reflect the increase in proposed dwelling from 70 to 80] towards new primary school build costs and associated school transport contributions.

D. Play Equipment.

Provision of play equipment to serve occupiers of this development, with commuted sum in the event the Council or Parish manage.

E. Highway Improvement Contribution

Payment of £50,000 upon commencement towards the improvement of the B1115 / A1120 Junction and/or other highway improvements / connectivity enhancements within the vicinity

F. Public access to all areas of open space within the development

G. Landscape and open space maintenance and management arrangements being agreed.

(2) and that such permission is subject to conditions including:

- Approved Plan showing indicative layout and access/RMs to be in general accordance with the layout.
- RM to be submitted within 18 months of the date of outline pp being granted
- Grampian condition: no occupation/s until a controlled crossing has been installed to the satisfaction of Suffolk County Council as local highway authority and is operational on the A1120 in the vicinity of the current Co-Op convenience store in Church Road
- Commencement within 18 months of RM approval
- Footway/connectivity improvements along A1120/Church Road highway land as required.
- No access on to Church Road.
- Emergency access to be provided as shown
- Travel packs to be provided as shown
- Refuse/bin-store details to be provided concurrent with Reserved Matters

- Details of manoeuvring/parking/cycle storage to be provided with Reserved Matters
- Details of water discharge
- Extra conditions as may be requested by Floods team
- Details of roads/gradients etc. concurrent with Reserved Matters
- Roads/paths to binder level prior to occupation • Unexpected contamination
- Landscaping scheme to be submitted concurrent with Reserved Matters
- Boundary treatment with Reserved Matters
- Archaeology
- Materials
- Compliance with tree plan
- Detailed Arboricultural Method Statement and Tree Protection Plan with Reserved Matters
- Fire hydrants • Sustainability measures
- Construction and Delivery method statement
- Ev charging points
- Sustainable energy and renewables
- Garages to be used only for parking of vehicles/storage of household items
- Works to comply with ecological enhancements

and Informatives including:

- Triple parking will not be permitted at Reserved Matters stage within Adoptable Highway.
- Standard advisory for Anglian Water
- Standard advisory for highway works
- Standard advisory for footpaths

3) That in the event of the Planning Obligations referred to in Resolution (1) above not being secured then the Chief Planning Officer be authorised to refuse planning permission on appropriate grounds.

