

Committee Report

Item 7B

Reference: DC/20/05046

Case Officer: Jasmine Whyard

Ward: Needham Market.

Ward Member/s: Cllr Stephen Phillips. Cllr Mike Norris.

RECOMMENDATION –REFUSE PLANNING PERMISSION

Description of Development

Application for Outline Planning Permission (some matters reserved, access to be considered). Town and Country Planning Act 1990. - Erection of 279 No. dwellings (including 100 affordable dwellings) and access.

Location

Land on The North West Side Of, Barking Road, Needham Market, Suffolk

Expiry Date: 26/02/2021

Application Type: OUT - Outline Planning Application

Development Type: Major Large Scale - Dwellings

Applicant: Mr David Willis, Mrs Marlene Perry And Mr Michael Watson

Agent: Mr Jason Parker

Parish: Needham Market

Site Area: 16.48 hectares

Density of Development:

Gross Density (Total Site): 16.9 dwellings per hectare

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

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

Has the application been subject to Pre-Application Advice: No

PART ONE – REASON FOR REFERENCE TO COMMITTEE

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

- i. The development exceeds the threshold for being determined under delegated authority owing to the fact that the development is 'a residential development for 15 or more dwellings' as per Mid Suffolk's Scheme of Delegation.
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PART TWO – POLICIES AND CONSULTATION SUMMARY

Summary of Policies

The Development Plan

The following policies are considered the most important to the determination of this proposal. The policies are all contained within the adopted development plan for Mid Suffolk District which for the purposes of determining this application is comprised of: Mid Suffolk Core Strategy Focused Review (2012), Mid Suffolk Core Strategy (2008), Mid Suffolk Local Plan (1998), specifically the live list of ‘saved policies’ (2016) and Suffolk Minerals and Waste Local Plan (2020). All policies, save for CS1, CS2 and H7, are afforded full weight in the determination process as they are considered wholly consistent with the aims of the NPPF under paragraph 213 of that document. This will be explained further, later in this report.

- Mid Suffolk Core Strategy Focused Review (2012)
 - FC1- Presumption in Favour of Sustainable Development
 - FC1.1- Mid Suffolk Approach to Delivering Sustainable Development
- Mid Suffolk Core Strategy (2008)
 - CS1- Settlement Hierarchy
 - CS2- Development in the Countryside & Countryside Villages
 - CS4- Adapting to Climate Change
 - CS5- Mid Suffolk’s Environment
 - CS6- Services and Infrastructure
- Mid Suffolk Local Plan (1998)
 - GP1- Design and layout of development
 - H7- Restricting housing development unrelated to needs of countryside
 - H13- Design and layout of housing development
 - H15- Development to reflect local characteristics
 - H17- Keeping residential development away from pollution
 - CL2- Development within special landscape areas
 - CL8- Protecting wildlife habitats
 - CL11- Retaining high quality agricultural land
 - T10- Highway considerations in development
 - T11- Facilities for pedestrians and cyclists
 - T12- Designing for people with disabilities
 - RT12- Footpaths and Bridleways

- Suffolk Minerals and Waste Local Plan (2020)

MP10- Minerals Consultation and Safeguarding Area

Emerging Joint Local Plan Policies

The emerging Joint Local Plan is currently at Regulation 19 Pre-submission and has not yet been submitted for examination, thus the plan currently has limited weight in the decision-making process. However, it is noteworthy that the application site does not form a proposed allocation within that document i.e., it is anticipated that the needs of the district can be met over the next plan period without the development proposed.

The National Planning Policy Framework

The National Planning Policy Framework (NPPF) 2019 contains the Government's planning policies for England and sets out how these are expected to be applied. Planning law continues to require that applications for planning permission are determined in accordance with the development plan unless material considerations indicate otherwise. The policies contained within the NPPF are a material consideration and should be taken into account for decision-taking purposes.

Particularly relevant elements of the NPPF include:

Chapter 2: Achieving Sustainable Development
Chapter 9: Promoting Sustainable Transport
Chapter 12: Achieving Well-Designed Places
Chapter 14: Meeting the Challenge of Climate Change, Flooding and Coastal Change
Chapter 15: Conserving and Enhancing the Natural Environment
Chapter 17: Facilitating the Sustainable Use of Minerals

Other Considerations

- Suffolk County Council- Suffolk's Guidance for Parking (2014 most recently updated in 2019)
- Suffolk Local Transport Plan (2011-2031)

The National Planning Practice Guidance (NPPG) provides guidance and advice on procedure rather than explicit policy; however, it has been taken into account in reaching the recommendation made on this application.

Neighbourhood Plan Status

This application site is within a Neighbourhood Plan Area.

The Neighbourhood Plan is currently at:-

Regulation 16, which is stage 3 of the process, is focused on the pre-submission publicity and consultation of the plan. The plan will have to progress through another four stages before it can be formally adopted as part of the development plan. Accordingly, at this stage the Neighbourhood Plan has

no determinative weight, but it is again noteworthy that the site is not proposed for development and certainly not in the manner applied for under this application.

Consultations and Representations

During the course of the application Consultation and Representations from third parties have been received. These are summarised below, but Members are directed to consider all responses in full-

A: Summary of Consultations

Town/Parish Council (Appendix 3)

- Needham Market Town Council**

Object. The following issues were raised: insufficient consultation, previous refusal on site, outside of the settlement boundary, contrary to existing and emerging policy as it is within the countryside, the Council has a 5-year housing land supply, impact on highway network, impact on infrastructure, not well connected to the town, inadequate access through a flood zone, increasing flood risk elsewhere, unclear emergency access, no bus routes nearby, damage to ecosystems and ignores the relief road proposal in the Neighbourhood Plan.

- Barking Parish Council**

Object. The following issues were raised; a single access is unsafe and unsuitable for 279 dwellings, flood risk is high, congestion and poor air quality from traffic, inadequate surrounding footpaths and train service in Needham discouraging widespread use of green travel/ public transport, damage historical setting of nearby listed buildings, affordable housing provision does not address a local need, erodes a buffer between Barking and Needham, negative visual impact, light pollution, detrimental impact on ecology, loss of grade 2 agricultural land and the previous reason for refusal should be taken into account as there has been no improvement within this application from the previous one.

National Consultee (Appendix 4)

- Environment Agency**

Holding objection. The Flood Risk Assessment is insufficient as it does not contain a Flood Response Plan in the event the access is flooded, does not address fluvial flood risk from the ordinary watercourse and does not address climate change.

- Natural England**

No objection. Appropriate mitigation should be included in the final scheme providing adequate green infrastructure.

- NHS**

CIL contributions would mitigate pressure and impacts on NHS by increasing capacity of GP catchment.

- Anglian Water**

No objection. Recommend several informatives relating to Anglian Water assets and a condition for on-site foul water drainage works.

- East Suffolk Drainage Board**

Make comments relating to the discharge of surface water and request it should be done in accordance with SUDs non-statutory standards and attenuated to the Greenfield Runoff Rates.

- **Historic England**
No comment.

County Council Responses (Appendix 5)

- **SCC Highways**
Object. The proposal only provides one access for over 150 dwellings, this access runs through a flood zone. There has been no information submitted regarding the emergency access nor the use of the bridleway, which in any event would be an unacceptable secondary access. Further consideration should be given to improving footways and cycling provision along Barking Road. The 30mph speed limit should be extended further along the frontage of the site and no travel plan has been submitted.
- **SCC Development Contributions**
CIL contributions would be sought by SCC to BMSDC for funding school places (primary, secondary and sixth form), libraries and waste. S106 obligations would also need to be secured to fund a new early years setting and associated land, and secondary school transport.
- **SCC Floods and Water**
Holding objection. Further documentation is required alongside an amended Flood Risk Assessment which should reflect and show national, local policy/guidance, predicted flood risk maps, reduction in the proposed development and proposed development layout/masterplan and updated hydraulic calculation.
- **SCC Public Rights of Way**
Object. The use of Bridleway 15 (The Drift) as an emergency access to / from the proposed development site is inappropriate. The access location is currently unsurfaced, of a limited and small width and slopes steeply upwards. The access would be unsuitable as an emergency access that could see hundreds of journeys in the event that the Barking Road access is blocked. Use of the emergency access would interfere and potentially endanger other users of the bridleway. It is also unclear how the access will be restricted to emergency use only. The bridleway would need to be upgraded to a byway prior to use by vehicles.
- **SCC Fire and Rescue**
No objection. The development must accord with Building Regulations and recommend condition for the provision of fire hydrants.
- **SCC Minerals and Waste**
Holding objection. The site falls within the Minerals Safeguarding Area and exceeds the 5ha threshold. A 'borehole and grading analysis' should be carried out on the site prior to determination, if material is found on site and it is deemed to be economical viable for extraction, they recommend a condition is imposed for material to be extracted prior to commencement.
- **SCC Archaeology**
No objection. There is a very high potential of archaeological remains on site, however this can be mitigated via conditions for 1) submission of a Written Scheme of Investigation and 2) submission of site and post investigation assessments.

Internal Consultee Responses (Appendix 6)

- **Strategic Housing**

Holding objection. Scheme provides adequate affordable housing provision but the size, number of occupants and tenure need to be confirmed. This provision would need to be secured via a S106 obligation.

- **Environmental Health- Air Quality**

Holding objection. The development is likely to generate 500 vehicle movements a day therefore a screening assessment must be submitted to demonstrate that the likely impacts on air quality are reasonable and manageable.

- **Environmental Health- Land Contamination**

No objection. Recommend informatives for contacting the LPA in the event of unexpected ground conditions and that the responsibility for safe development lies with the developer.

- **Environmental Health- Sustainability**

No objection. Recommend condition imposed to the effect that a sustainability and energy strategy should be submitted, including details on the scheme of water, energy and resource efficiency during the construction and operational phases of the development.

- **Environmental Health- Noise, Odour, Light and Smoke**

Holding objection. Noise assessment should be submitted and external lighting on the football ground taken into consideration. Recommend conditions to the effect of 1) limiting construction hours and 2) construction method statement should be submitted.

- **Waste Management**

No objection. Recommended conditions to the effect of 1) road must be suitable for waste collection vehicles, 2) access around the site must be suitable for waste collection vehicles, 3) bin presentation areas provided.

- **Public Realm**

No objection. Formal play areas would be expected to be included at the reserved matters stage.

- **Policy and Infrastructure**

Object. Not included in emerging Joint Local Plan, the Council have a 5-year housing land supply, not an allocated site in the emerging Neighbourhood Plan. Developer contributions through CIL or S106 agreements would be urgently required for schools, healthcare, transport, waste and libraries.

- **Heritage**

Did not wish to provide full comments but officers confirmed with the Heritage Team that they consider there to be a very very low to very low level of less than substantial harm to the setting of Grade II listed Kennels Farm.

- **Arboricultural Officer**

No objection. Recommend condition for the submission of an arboricultural method statement and tree protection plan.

- **Place Services Landscaping**

Object. The Landscape and Visual Impact Assessment does not fully assess impacts and whilst recommended mitigation within the assessment would reduce some landscape impact, overall the principle of development is unacceptable contrary to policy CS5, detrimentally affecting geodiversity, and the rural setting and character of Needham Market and the SLA.

- **Place Services Ecology**

Holding objection. Insufficient information has been provided on the development's impact on European Protected Species (Hazel Dormice & bats), Protected species (reptiles) and Priority species farmland birds (Skylark).

Other

- **Suffolk Preservation Society**

Object. The development does not address previous reasons for refusal, detrimental landscape impact, not included in emerging Joint Local Plan nor Neighbourhood Plan.

- **Stowmarket Ramblers**

No comment.

- **Needham Market Society**

Object. Education and GP practice already stretched, increased traffic, public transport (buses and rail) are a long way from the site, inadequately addressed flood risk, increased surface water run-off, surplus homes to those required by the Local Plan and the scale of development is disproportionate to services and facilities which will detrimentally affect existing residents.

- **British Horse Society**

No objection. However, footpaths 1 and 11 near to the site should be upgraded to bridleway/restricted byway status.

- **Mid Suffolk Disability Forum**

No objection. However they make several comments: that dwellings should be required to meet M4 of the Building Regulations, include a reasonable number of bungalows, surfaces should be firm not loose gravel, existing facilities will be strained and the railway station is not fully accessible for wheelchair users.

B: Representations

At the time of writing this report at least 52 letters/emails/online comments have been received. It is the officer opinion that this represents 52 objections. A verbal update shall be provided as necessary.

Views are summarised below:-

- Increased traffic/ highways issues (Barking Road more dangerous, road under rail bridge has not been widened, speeding, risk of accidents) (46)
- Strain on existing community facilities (schools, GP practice) (42)
- Increase danger of flooding (40)
- Affects ecology/ wildlife (37)
- Drainage (36)
- Inadequate access (32)
- Landscape impact (32)
- Loss of outlook (31)

- Loss of privacy (30)
- Loss of open space (30)
- Inadequate public transport provisions (28)
- Noise (26)
- Overlooking (25)
- Loss of light (24)
- Increase in pollution (24)
- Light pollution (19)
- Conflict with neighbourhood plan (19)
- Inadequate parking provision (19)
- Building work (18)
- Dominating/ overbearing (18)
- Same objections as on the previous scheme on site (18)
- Overdevelopment of the site (17)
- Development too high (16)
- Sustainability (14)
- Boundary issues (14)
- Scale (12)
- Existing estate is already congested by on road parking, football pitch and school (12)
- Fear of crime (11)
- Access from Quinton Road unsuitable (near school and restricted access) (11)
- Increase in anti-social behaviour (10)
- Health and safety (10)
- Needham is already under pressure from current developments under construction (10)
- Trees (10)
- Conflicts with district plan (9)
- Residential amenity (9)
- Loss of view (9)
- Loss of parking (9)
- Out of character with the area (8)
- Inappropriate in conservation area (7)
- Design (7)
- Loss of agricultural land (7)
- Not within reasonable walking distance of services and facilities (6)
- Application lacks information (5)
- Smells- odour (5)
- Relief road needs to be built to relieve congestion (4)
- No benefit to Needham Market (3)
- Conflicts with NPPF (3)
- Sewage capacity issues (3)
- Loss of greenfield site, other more suitable brownfield sites (2)
- More open space needed on development (2)
- Harm to listed buildings (2)
- Unaffordable housing (2)
- Stress on existing footpaths (2)
- No access to main A14 route (2)
- Encroaches into Barking parish (2)
- Low water pressure (2)
- Inaccurate information

- FRA not up to date
- Air pollution
- Potentially contaminated land
- SUDs not appropriate given the soil composition
- Pretend rural character in design
- No sustainable design aspects
- Destruction of rural separation between Needham and Barking
- Too close to Barking Woods SSSI
- Detrimentally affect view of users of the footpaths
- Existing residents already experience significant noise and light pollution from football pitch
- Train station does not serve those going to London

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

PLANNING HISTORY

In 2016 the site was subject to an Outline Application for 152 dwellings (3506/16). Whilst the history on the site is acknowledged, the previous decision was made during a time where both planning policy and context were different. This proposal is therefore judged a fresh on its own merits.

REF: DC/18/05053	Screening Opinion- Approximately 290 dwellings, associated infrastructure, vehicular access, estate roads, public open space, drainage, utilities, parking, garaging and landscaping.	DECISION: EAN 19.12.2018
REF: 3506/16	Outline planning permission with vehicular access (all other matters reserved) for the construction of 152 residential dwellings (including market and affordable homes) garages, parking, vehicular access with Barking Road, estate roads, public open space, play areas, landscaping and amenity green space with sustainable drainage systems, with associated infrastructure, including provision for additional car parking and improved vehicular access to Needham Market Country Practice	DECISION: REF 04.08.2017
REF: 2548/16	Screening opinion for Outline planning consent for construction of 152 residential dwellings (including market and affordable homes), garages, parking, vehicular access with Barking Road, estate roads, public open space, play areas, landscaping and amenity greenspace with sustainable drainage systems, and associated infrastructure, including provision for additional car parking and improved vehicular access to Needham Market Country Practice on approximately 10 hectares of land, with all matters reserved, except access.	DECISION: EAN 22.06.2016

PART THREE – ASSESSMENT OF APPLICATION

1.0. The Site and Surroundings

- 1.1. The site extends 16.48 hectares which is solely comprised of Grade 2 agricultural land (very good quality) and is primarily within the parish of Needham Market, however a small portion along the south west of the site falls within the parish of Barking. The site adjoins but sits wholly outside of the 'Town' of Needham Market, and is therefore within the 'Countryside', as identified under policy CS1. The site is located to the north of Barking Road (B1078) and is adjacent to an existing residential estate east starting along Foxglove Avenue.
- 1.2. The site's topography is varied, with the northern area of the site being located at a higher level than to the south, representing a 17-metre difference in levels. Whilst there are some areas of trees along the north and western boundaries of the site these do not obscure or screen the views across into the site. Subsequently the site is in a visually prominent position on the approach from Barking into Needham Market. A sliver of the western area of the site falls within the Gipping Valley Special Landscape Area. The Barking Woods Site of Special Scientific Interest (SSSI) is located 825 metres to the south west of the site. There is a woodland area (Spriteshall Grove) which falls within the site along the western edge, all the trees within the woodland are protected by Tree Preservation Orders (TPOs). The site falls within a Mineral Safeguarding Area.
- 1.3. The site is not within or adjacent to the Needham Market Conservation Area, which starts along the High Street, nor are there any heritage assets within or adjacent to the application site. The Conservation Area is located 670 metres from the southern part of the site and 466 metres away from the northern part. The existing residential estate, adjacent to the site, acts as a buffer between the Conservation Area and the site. The majority of nearby listed buildings are within the High Street, the nearest other listed building outside of the Conservation Area is the Grade II listed Kennels Farm located 312 metres to the south west of the site.
- 1.4. There is a public right of way (Bridleway 15) named The Drift which runs along the northern boundary of the site going both eastwards into Foxglove Avenue and westwards towards Barking. On the southern side of Barking Road is another public right of way (footpath) which runs southwards and westwards within the parish of Barking amongst agricultural fields.
- 1.5. The nearest dwellings to the site are primarily concentrated on the eastern boundary along Foxglove Avenue, wrapping around the northern boundary as part of the existing residential estate. There are several other dwellings located more sporadically to the south of the site (Verona, The Lodge and Colchester Barn). To the west are agricultural fields which extend into and meet the main built-up area boundary of Barking. To the eastern corner of the site is the GP Surgery Needham Market Country Practice.
- 1.6. The southern area of the site and the road adjacent (Barking Road) fall within Flood Zones 2 and 3 which are the areas most at risk from fluvial (river) flooding. This part of the site and road also fall within an area at a high risk from pluvial (rainfall) flooding.

2.0. The Proposal

- 2.1. The proposal is for the erection of 279 dwellings with a single vehicular access into the site taken from Barking Road and a smaller emergency and pedestrian access into the site taken from the north along The Drift (bridleway). 100 of the 279 dwellings would be affordable units. The housing mix of the dwellings is not yet confirmed as this is an Outline Application, however it could be conditioned to be submitted for approval concurrently with a Reserved Matters Application.
- 2.2. As the proposal is currently in the form of an Outline Application, specific matters of appearance, scale, layout and landscaping of the dwellings and wider site are not matters for consideration. That said in submitting such an application it is incumbent upon an applicant to demonstrate how the development being applied for can appropriately respond to its situational context.
- 2.3. Whilst the following matters cannot be confirmed at this stage, the applicant has provided an indicative plan helping demonstrate the type of development that could materialise on site. The gross density of the development, when measured from the indicative masterplan, is 16.9 dwellings per hectare. In relation to the indicative masterplan, the separation distances that could be achieved between the existing dwellings along Foxglove Avenue and the proposed dwellings is a minimum of 39 metres.

3.0. Principle of Development

- 3.1. Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that if regard is to be had to the development plan for the purpose of any determination to be made under the Planning Acts, then that determination must be made in accordance with the plan unless material considerations indicate otherwise.
- 3.2. Policy CS1 identifies a settlement hierarchy based on the services, facilities and access within the locality and accordingly directs development towards the most sustainable areas in regard to location. Under policy CS1, Needham Market is identified as a 'Town' and Barking is a 'Countryside Village'. The site sits between these two settlements within the 'Countryside'. Policies CS2 and H7 are subsequently engaged where development is proposed within the countryside. Policy CS2 looks more broadly at all forms of development within the countryside and policy H7 looks specifically at housing in the countryside. Policy CS2 sets out a range of countryside compatible development but includes restricting housing unrelated to the needs of the countryside. H7 echoes the sentiment of CS2 by steering housing towards existing settlements away from the countryside. Elements of these policies are not wholly consistent with the NPPF and therefore they are afforded less than full weight. However, they nonetheless seek to encourage sustainable and compatible forms of development which do not detrimentally impact on the countryside, steering development to the most sustainable areas, an approach which is consistent with the aims of the NPPF.
- 3.3. Policies CS4, and CS5 are further relevant in determining the acceptability of the principle of development on site, by assessing the relationship with existing development and the character of the locality, specifically with regard to flood risk, pollution, landscape and biodiversity. These policies hold full weight as they are wholly consistent with the aims of the NPPF.
- 3.4. Policies CS1, CS2 and H7 are afforded less than full weight as they adopt a prescriptive and blanket approach towards development which is not wholly consistent with the flexibility the NPPF seeks to encourage when assessed against paragraph 213 of that document.
- 3.5. Whilst policies CS1, CS2 and H7 may in isolation be considered 'out-of-date' in the circumstances of this application, in so far as they are not wholly consistent with the aims of the NPPF, and have, to some extent, been overtaken by other matters 'on the ground', they are not

the only pertinent policies engaged in the decision-making process of this application. Based on the scale and particulars of this application, there are many other equally as relevant and pertinent policies in play in determining the application and which are considered to be 'most important' within the parlance of the NPPF. Such other policies (as listed above) are considered to be wholly consistent with the Framework and in isolation they hold full weight. To engage the 'tilted balance' on the basis that some policies in isolation do not hold full weight, would be to neglect and ignore that the other policies, which are equally if not more important, in determining the application are wholly consistent with the NPPF. Thus, to engage the 'tilted balance' on the basis that some of the 'relevant' and 'most important' policies do not hold full weight, would be to ignore and neglect the wider basket of policies which are consistent with the NPPF, and the very spirit of the NPPF in its aims for a plan led approach. On the basis of the consistency and weight of the wider basket of policies 'relevant' and 'most important' to this application, the 'tilted balance' of the presumption in favour of sustainable development, as set out within paragraph 11d) of the NPPF is not engaged. Moreover, the Council can demonstrate that it has an adequate 5-year housing land supply, currently measured at 7.67 years (October 2020) and has passed the most recent Housing Delivery Test.

- 3.6. The decision not to engage the 'tilted balance' when assessing this application is particularly relevant in light of the *Wavendon Properties Limited v SSCLG and Milton Keynes Council* [2019] EWHC 1524 (Admin). The Wavendon Case confirmed that whilst one of the 'most important' policies in the decision-making process can be considered to be 'out-of-date' this in itself is not enough to engage the 'tilted balance'. As in this instance, the 'most important' policies, when taken as a whole, are considered to be consistent with the NPPF and therefore engaging the 'tilted balance' in this case would be incorrect.
- 3.7. The Council's Strategic Housing and Economic Land Availability Assessment (SHELAA) (October 2020) produced in support of the emerging Joint Local Plan identifies whether there is sufficient land available to meet projected housing and economic growth within the districts. As part of this, sites are broadly assessed for their availability based on a range of factors, including suitability. Whilst no planning status or merits of sites are engaged within this assessment, it nonetheless provides a useful starting point to determine the current status of the land in regard to its suitability. This application site is included within the SHELAA under site reference SS0028; in the SHELAA potential issues of the site are identified, these include the safety of access through a flood zone, minerals, biodiversity and potentially contaminated land.
- 3.8. Whilst both the emerging Joint Local Plan and the draft Needham Market Neighbourhood Plan currently hold limited weight, they provide useful indications on the direction of travel of the Council. Under both documents, the site is not allocated for development. The emerging Joint Local Plan continues to designate Needham Market as a 'Town' and Barking as a 'Hinterland Village' under policy SP03. The site is mentioned within the Needham Market Neighbourhood Plan in regard to a relief road, whilst this is discussed further in section 5.0. of this report, the proposed development notably does not take this relief road into account. Therefore, while there might be an indication that the site *could* be proposed for allocation in the future, it does so through the consideration of a comprehensive approach to development on the western fringes of the town and in order to facilitate a specific item of infrastructure. The application development is in effect piecemeal and an exclusive parcel of land that has no regard to any broader masterplan or strategy as indicated within the draft Neighbourhood Plan and so even if any weight were to be attached to that aspiration within the Neighbourhood Plan, the proposed development would be in conflict with it.
- 3.9. Whilst the site may adjoin an existing residential development, it would result in the infilling of a buffer and gap that currently separates the parishes of Needham Market and Barking. The

resultant development would therefore encroach into the countryside and gap altering the relationship and landscape between Needham Market and Barking. Inherently, based on the existing pattern of development along Foxglove Avenue and the wider residential estate, the development of the site would appear discordant and incongruous and would have no visual relationship with the existing development within Needham Market contrary to policy CS5.

- 3.10. In light of the above justification, the proposed erection of 279 dwellings on site is therefore not considered to be acceptable in principle. The site's location, strictly within the countryside, would be contrary to policies CS1, CS2, CS5 and H7. Whilst some of these policies may have less than full weight, they nonetheless have a useful position in determining areas most suitable for development. Residential development on this site would represent and adopt a discordant and incongruous form, with a forced and incoherent relationship with the existing adjacent development.

4.0. Nearby Services and Connections Assessment of Proposal

- 4.1. As a town Needham Market has a variety of services and facilities to support residents. The nearest of these services and facilities to the site include: Bosmere Community Primary School, Community Centre (both north east of the site) and the GP Surgery Needham Market Country Practice and Pharmacy and the Co-Op (south east of the site).
- 4.2. Based on the size of the site, two measurements have been taken to show the distances from the north and south of the site to the nearest services, facilities and public transport provision.

From the northern access of the site, the following key distances were calculated:

- 643 metres to the Co-Op along Barking Road
- 320 metres from Bosmere Community Primary School
- 643 metres to Needham Market Train Station

From the southern access of site, the following key distances were calculated:

- 643 metres to the Co-Op along Barking Road
- 1126 metres to Bosmere Community Primary School
- 965 metres to Needham Market Train Station

In the context of walking distances, the Chartered Institution of Highways and Transportation (CIHT) Guidelines for Providing for Journeys on Foot identifies acceptable distances for various journeys such as commuting, walking to school and recreation. The following walking distances are identified:

Desirable - within 500 metres

Acceptable - within 1000 metres

Considered - within 2000 metres

As per the above all the distances are within the considered parameters. However, it is the quality of the connection that also makes a difference in judging the extent to which future occupiers are likely to walk to them (considered further in section 5.0.).

- 4.3. There is only one bus route connecting Needham Market to Stowmarket, Claydon, Great Blakenham and Ipswich. The buses are regular, but the bus stop (The Swan) is located 965 metres away from the south of the site and 482 metres from the north of the site.

- 4.4. The existing cycling provision within the locality is limited and is comprised of the bridleways (15 and 17) north of the site which lead into Needham Market. There is otherwise no cycling infrastructure to the south of the site along Barking Road.
- 4.5. As discussed in Section 5.0. in further detail, in the event of flooding there is the risk that occupants in the dwellings in the southern section of the site would be forced to travel further than the distances measured above as they may not be able to gain safe access onto Barking Road and may have to travel northwards out of the site first.

5.0. Site Access, Parking and Highway Safety Considerations

- 5.1. Whilst this is an Outline Application it includes access as a matter for consideration.
- 5.2. For 279 dwellings one single access point is proposed to the southern side of the site connecting onto Barking Road. This access goes through Flood Zones 2 and 3 and is in an area at high risk from pluvial flooding, it is therefore highly likely that this access would flood regularly trapping residents within the site without vehicular means of access in or out of the site. SCC Highways have recommended refusal as there needs to be more than one main access and at least one main access needs to be sited outside of Flood Zones 2 and 3 to serve 279 dwellings. One access is sufficient to support a maximum of 150 dwellings according to design guidance. While guidance only, the practical difficulties associated with the specific circumstances of this application proposal highlights the issue at hand. SCC Highways have confirmed there has been a history of complaints being made about flooding along Barking Road and surrounding areas.
- 5.3. It is proposed that an emergency access could be taken off of The Drift (bridleway) to the north. The Drift is currently a dirt track measuring 5 metres in width and slopes steeply upwards where the emergency access is proposed. A private access road, which connects to Quinton Road, joins the bridleway to the east, but is smaller in width than the bridleway, measuring 4 metres. The private access road also provides a link to Needham Market Football Club opposite the site. Based on the spatial constraints of the bridleway and private access road, it is highly unlikely that they could be altered and upgraded to accommodate vehicular traffic, including emergency vehicles. SCC Public Rights of Way and SCC Highways have objected to the creation of an emergency access in this location as it would be inappropriate and unsuitable in any event and is likely to adversely affect and discourage the use of the bridleway. Moreover, as the emergency access would cross a bridleway, the bridleway would have to be upgraded to a byway in order to be used by vehicles. Changing the bridleway to a byway would be subject to securing a separate consent from SCC Public Rights of Way. This consent would have to be in place prior to determination to ensure an emergency access could be created in this location. As this consent has not been secured at this stage and based on the comments received by SCC Public Rights of Way, it is unlikely this consent would be granted in any event, therefore, the Council cannot be certain that the necessary consent that would facilitate the creation of an emergency access could be secured in the event planning permission is granted.
- 5.4. The plans and documents submitted have several inconsistencies between them and it is noted that on some of the plans the northern emergency access is referred to as a 'main access', which is misleading. Furthermore, there are no details on the width, surfacing, users, monitoring or operation of this emergency access. Moreover, the site location plan does not connect to highway land to the north where the emergency access is proposed and instead adjoins a bridleway. The

nearest highway land is along Quintons Road which is separated from the application site by both bridleway and private land, and no details have been provided to show how the emergency access would adjoin to highway land. Even if the applicant has a right of access over the private land, no information has been submitted regarding the extent of and form of access rights.

- 5.5. Based on the lack of information and clarity on the emergency access north it is reasonable to assume that there are several possible outcomes for the use of the emergency access. Firstly, the emergency access could solely be used by emergency vehicles in flood events, however this would continue to trap residents on the site as they would have no alternative vehicular means of access. Alternatively, based on the increasing frequency of flood events with climate change, this may become a regularly used emergency access during flood events by both emergency vehicles and the residents of 279 dwellings, resulting in traffic being diverted through the residential estate east. Again, the increasing frequency of flood events may result in the access being used as an additional main access in and out of the site all year round without any control, which could result in a significant amount of unplanned traffic travelling through the residential estate east of the site. The northern access is a wholly inappropriate and unsuitable access for all eventualities, including emergency use. None of the aforementioned outcomes are considered acceptable from the perspective of Planning, SCC Highways and SCC Public Rights of Way to serve the future residents of 279 dwellings.
- 5.6. The traffic generated from 279 dwellings has been assessed by SCC Highways who confirmed that Barking Road has got capacity to accommodate these increased flows. However, the traffic modelling in the applicant's Transport Assessment has not taken the emerging Joint Local Plan allocations into account as it was produced in February 2019. Therefore, planned growth and some committed development has not been accounted for. Whilst the emerging Joint Local Plan has limited weight, it presents a direction of travel, including future planned growth, two of the allocations also already benefit from planning permission granted in the latter part of 2019 and therefore constitute forms of 'committed development'. These are LA031 (former Needham Market Middle School) for 41 dwellings and LA032 (former Mid Suffolk District Council Offices) for 94 dwellings. The final allocation is LA030, which is Land West of Stowmarket Road for 66 dwellings. In total this planned growth accounts for an additional 201 dwellings, the traffic from which has not been taken into account. As the planned growth has not been included in the Transport Assessment, SCC Highways cannot be certain of the impacts this unplanned growth may have in cumulation with the planned growth. This application represents unplanned growth, and as Barking Road is close to capacity it could mean that highway mitigation, which has not been planned for nor previously anticipated, is required for planned growth. The proposal will undoubtedly take capacity away from planned growth without certainty of impacts.
- 5.7. The current 30mph speed limit along Barking Road does not fully cover the proposed southern access. The applicant has therefore stated they would increase the 30mph speed limit 24 metres further along the frontage to cover the access. Whilst SCC Highways recommend that this extension is increased 100 metres to cover the entire frontage of the site, its extension 24 metres would however be acceptable. The extension of the 30mph speed limit would be secured through the imposition of a Grampian condition requiring a Traffic Regulation Order (TRO) to the effect that no development can commence without the TRO being resolved.
- 5.8. As part of the development a short section of 3-metre-wide shared cycleway and footway is proposed to link the south of the site to the existing footway to the west, whilst these links are necessary there has been no consideration of the practicalities of these links. The proposed shared cycleway and footway would link onto existing older footways, which measure between 1.2 and 1.8 metres in width. Current guidelines state that footways should be a minimum of 2 metres in width. Whilst these are existing footways, there has been no practical consideration on

how future residents of 279 dwellings would experience and use active transport and the existing footway/ cycleway network. As there is a sudden decrease in width, not only will cyclists have to use the road, but it is likely pedestrians will be pushed onto the road, which for wheelchair users and children's pushchairs is particularly hazardous and may act as a deterrent from walking. The existing footways along the south of the site are within highway land and therefore they could reasonably be improved around the site to increase sustainability, encourage safe active travel and better link the site to Needham Market. Furthermore, SCC Highways have received many complaints about speeding along Barking Road and therefore it is considered a particularly hazardous area for pedestrians. Thus, the combination of increased footfall and varying footway widths may force pedestrians to walk on the road, increasing the risk of accidents and deterring them from sustainable travel. Whilst it may adjoin the settlement boundary for Needham Market, the current and proposed connectivity of the site to Needham Market prevents any meaningful integration with the town.

- 5.9. As the proposal is for a development that would generate significant amounts of movement, a Travel Plan is required as per paragraph 111 of the NPPF to assist in reducing the reliance on private motor vehicles. No travel plan has been submitted, as such there has been no strategy submitted to encourage and promote suitable and effective sustainable means of travel to and from the site.
- 5.10. The draft Needham Market Neighbourhood Plan, seeks to explore, propose and support the creation of relief road alleviating and diverting traffic along the High Street and at the Barking Road junction. It is understood that SCC Highways have provided a response during the consultation to this stage of the plan which indicates that they have no intention of supporting the relief road in their adopted Local Transport Plan (2011-2031) as it is not considered feasible or a critical infrastructure need. Moreover, the approximate cost for highways works of this scale (£88 million) would not be facilitated nor met by any contributions made by the developer should this site be approved for development. Notwithstanding SCC Highways position, the likely cost of the relief road and that the plan currently holds limited weight, the plan purports to suggest that this relief road would be developed and delivered through an overarching and coherent strategy for the western side of Needham Market. This proposal does not consider or address this proposed relief road in any way and instead represents and constitutes an incoherent piecemeal approach to development within the area.
- 5.11. Whilst layout is not a matter for consideration at this stage, it is considered that adequate parking provision could be accommodated on the site in accordance with SCC Parking Guidance (2019).
- 5.12. The proposal in respect of highways is therefore contrary to development plan policies CS4, T10, T11, T12 and RT12 and paragraphs 98, 102, 103, 108, 109, 111 and 127 of the NPPF. The proposal cannot demonstrate safe and suitable access for all, with the single main access going through areas at a high risk from flooding and the emergency access proposed being wholly unsuitable for use. The location of the emergency access would detrimentally affect the use of the bridleway, which also requires consent to be upgraded to a byway prior to determination to be

used by vehicles. Moreover, as the proposal is for 279 dwellings a single access point is inadequate. The Transport Assessment does not take into account neither all committed development nor planned growth. No travel plan has been submitted to demonstrate that the site will benefit from sustainable travel modes. The development sits incoherently with the existing footway/ cycle network within Needham Market and does not seek to improve or create a well-designed place by improving existing provision and connectivity of both cycling and pedestrian infrastructure.

6.0. Design and Layout

- 6.1. As the proposal is currently at the outline stage with all matters reserved except access, consideration of design and layout is limited at this stage.
- 6.2. Whilst the masterplan shows the curtilage of several dwellings within the southern area of the site falling within Flood Zones 2 and 3, it is considered that there is adequate space to be able to reconfigure the layout of the site in order to sequentially site all dwellings completely within Flood Zone 1 (the least vulnerable to fluvial flooding).

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

- 7.1. Place Services Ecology reviewed the submitted ecological information and raised a holding objection. Insufficient information has been provided in respect of European Protected Species (Hazel Dormice and bats), Protected species (reptiles) and Priority species (farmland birds- Skylarks). Whilst reports were submitted, these reports date back to 2016 and are therefore considered out of date. Based on the loss of agricultural land, Skylarks nesting territories will be lost and therefore a Farmland Bird Mitigation Strategy must be adopted to secure offsite compensation for the maximum number of territories that could be present on site currently. As insufficient information has been submitted the Council cannot discharge its duties under S40 of the Natural Environment and Rural Communities Act 2006.
- 7.2. Natural England reviewed the proposal in respect of the Barking Wood SSSI located to the south west of the site and raised no objection to the proposal and its impact on the SSSI currently. However adequate green infrastructure will be expected in a Reserved Matters Application to prevent future inappropriate use of the SSSI.
- 7.3. The Council's Arboricultural Officer confirmed that whilst there is a wooded area to the western edge of the site containing trees protected by Tree Preservation Orders, these could be appropriately protected and there would be no direct impact from the development on the trees.
- 7.4. Suffolk's Landscape Character Assessment identifies that the northern elevated part of the site is comprised of Ancient Plateau Claylands and the southern portion is Rolling Valley Farmlands. The Council's Landscape Sensitivity Assessment (September 2020) identified that the site is an area that would have a moderate landscape sensitivity to residential development, stating that "*The landscape makes a positive contribution to the rural setting and character of Needham Market and provides a rural backdrop to existing settlement...The development of the site is likely to be perceived as encroachment into the countryside. Other sensitive features including the sloping landform, undeveloped backdrop provided to existing settlement, open views and deciduous woodland habitat*". The development of the site would represent an encroachment into the open countryside. The site has both a wider importance abutting and partially falling within the Gipping Valley Special Landscape Area and adopts more localised significance, as its prominent elevated location acts as a transitional buffer between the urban area of Needham Market and rural area of Barking.

- 7.5. Based on the above, Place Services Landscaping raised an objection to the proposal from the perspective of landscape harm. They identified that the submitted Landscape Visual Impact Assessment does not adequately appraise the area and whilst recommended mitigation would reduce some impact, this is not sufficient to overcome the landscape harm that would result from the development of the site.
- 7.6. The proposal would therefore be contrary to development plan policies CS5, CL2 and CL8 and paragraphs 170 and 175 of the NPPF, which seek to protect landscape qualities and biodiversity, confirming that the intrinsic value of the landscape and biodiversity is of great importance and weight and should be viewed within its wider context not just in isolation in the context of specific sites.

8.0. Land Contamination, Flood Risk, Drainage and Waste

- 8.1. Environmental Health assessed the application and the submitted Phase I Report from the perspective of land contamination and subsequently raised no objection to the proposal.
- 8.2. Environmental Health assessed the application in respect of its impact on air quality. Whilst the site is not within an Air Quality Management Area, as the development could result in 500 plus vehicle movements a day, a screening assessment guided by the Institute of Air Quality Management needs to be submitted to ensure there is no adverse impact on the air quality of the area. This information has not been submitted and therefore the Council cannot be sure that this development would not result in any adverse impact and therefore adopt a precautionary approach.
- 8.3. The site falls within the Minerals Safeguarding Area and exceeds the 5ha threshold, therefore a borehole and grading analysis needs to be carried out on the site prior to determination. If material is found on site and it is deemed to be economical viable for extraction, a condition would be required to the effect that this material would need to be extracted prior to commencement. No borehole and grading analysis has been carried out on site to determine if there are any minerals in the ground and whether they are economically viable. Therefore, insufficient information has been provided on this ground contrary to policy MP10 of the Suffolk Minerals and Waste Plan, which seeks to secure any economically viable minerals, as supported by paragraphs 203 and 204 of the NPPF, which states that as minerals are a finite resource their management is essential.
- 8.4. Based on the size of the site and the high risk of fluvial and pluvial flooding, a Flood Risk Assessment is required. Both the Environment Agency and Local Lead Flood Authority raised holding objections to the proposal. The Flood Risk Assessment is dated from 2018 and cannot be relied upon as flood maps were most recently updated in January 2020. Further documentation and updated information is required, this includes, a drainage strategy, Flood Response Plan, consideration of ordinary watercourse and climate change, contour plan, impermeable areas plan, preliminary (indicative) layout drawings, preliminary site investigation report, preliminary hydraulic calculations and any evidence of third-party agreements to discharge to their system. No further nor updated reports have been submitted, therefore there is insufficient information for the Council to ensure that the site will not increase flood risk elsewhere and that the development itself is safe from flooding for its lifetime and therefore adopts a precautionary approach.
- 8.5. The proposal would therefore be contrary to development plan policies CS4, H17, MP10 and paragraphs 155, 163, 165, 170, 203 and 204 of the NPPF, potentially putting existing and future residents at risk from pollution and flooding.

9.0. Heritage Issues

- 9.1. The Council's Heritage Team did not wish to offer full comments on the application but provided some comments to justify their approach stating that: '*The proposal has potential to affect the setting of any nearby heritage assets. The only one likely to be affected, in view of its location and character is Kennels Farm, a listed farmhouse on the rising ground to the south of Barking Road which I have visited in connection with a previous application. Its setting is predominantly rural with the urban edge of the town to the north. The proposal would bring that edge closer, increasing the quantum of residential development and slightly widening its arc as viewed from the listed building. But as the development would not fundamentally change the character of land in the setting, I concluded that a formal assessment of significance and impact by myself was not necessary in this instance*'.
- 9.2. Having discussed the matter further with colleagues in the Heritage Team, officers have concluded that there would be a 'very very low to very low level of less than substantial harm' to the setting of the Grade II listed Kennels Farm by the proposed development. As a level of harm has been identified, regardless of its level, paragraph 196 of the NPPF is thus engaged. The statutory duties within the Listed Buildings Act impose a presumption against granting planning permission where harm is identified and harm of any quantum, is a matter of considerable important and weight. Paragraph 196 requires harm to be weighed against public benefits. In this instance officers are satisfied that 279 dwellings, including 100 affordable homes would be a significant 'public benefit' for the purposes of paragraph 196, which outweighs the level of harm identified. Such harm, however, nevertheless falls to be considered again in the overall balance along with the benefits.

10.0. Impact on Residential Amenity

- 10.1. The indicative plans demonstrate that the quantum of development proposed could enable separation distances between existing dwellings along Foxglove Avenue at a minimum of 39 metres and adequate green space. Moreover, by way of the site's location and indicative masterplan there would be no loss of light, privacy or overlooking for both existing and any future occupants in and around the site.
- 10.2. Whilst issues of light, privacy and overlooking could be mitigated against in a finalised design, the proposal undoubtedly does not represent a 'well-designed' place for existing residents or future occupants of the site, contrary to paragraph 127 of the NPPF. The connections to Needham Market are inadequate and unsafe with opportunities for active travel impeded by inadequate infrastructure. As assessed by statutory consultees, insufficient information has been submitted to indicate that existing and future occupants would be protected and safe from noise, air and light pollution and flood risk.
- 10.3. Whilst no information has been submitted around the use of the 'emergency access' if the access is to be used by main vehicular traffic of the site, there would undoubtedly be a conflict of use between the access and users of the bridleway, increasing the risk of accidents and discouraging users of the bridleway. The proposal could significantly alter the experience of the bridleway to the north of the site.
- 10.4. Environmental Health assessed the proposal from the perspective of Noise, Odour, Light and Smoke and raised a holding objection based on insufficient information relating to the noise and light impacts. Based on the site's proximity to Needham Market's football ground and training pitch, an Environmental Noise Assessment is required to determine any detrimental impacts on

future occupants of the site. The existing flood lighting at the club should also be taken into account. Whilst it is acknowledged that there are existing dwellings near to the football ground, the applications site is located closer to and in a different position to the existing residential estate. As there have been several complaints to the Environmental Health Team from existing residents, it is imperative this information is supplied to ensure the impacts on any future residents are assessed. As insufficient information has been submitted, the Council cannot be certain on the impacts and therefore adopt a precautionary approach.

- 10.5. The proposal is therefore contrary to development plan policies CS4, SB02, GP01, RT12, H17 and paragraphs 98, 127 and 170 of the NPPF.

11.0. Planning Obligations / CIL

- 11.1. The development would be required to make contributions to CIL. The NHS has confirmed they would expect CIL monies to be used to fund further capacity within the NHS's local facilities to accommodate residents of the 279 dwellings.
- 11.2. The emerging Joint Local Plan identifies potential strains on primary school and pre-school places and Stowmarket's Household Water Recycling Centre from growth within Needham Market. Contributions would be required to be made to the following via a S106 agreement; travel plan implementation, public rights of way improvements, affordable housing, education, waste and libraries these would be secured via a S106 agreement.

12.0. Parish Council Comments

- 12.1. Both the parishes of Needham Market and Barking have provided comments on the application. These comments have been taken into account and the above report has explored and assessed the planning related issues raised in detail.

PART FOUR – CONCLUSION

13.0. Planning Balance and Conclusion

- 13.1. Decision taking begins with the development plan and it is of vital importance that planning decisions are plan-led. The NPPF, an important material consideration, reiterates this fundamental point.
- 13.2. The application is deficient in a number of ways, with insufficient information being provided in respect of highways, flooding, ecology, minerals, air quality, noise and light pollution. The Council cannot be satisfied that the development would be acceptable in relation to those matters in the absence of appropriate detail. It is therefore wholly reasonable that the Council have adopted a precautionary approach where insufficient information has been provided, as the level and type of impact cannot be understood nor appropriately assessed and mitigated on the basis of the information submitted.
- 13.3. Whilst the site may be within walking distance of services and facilities, it represents a wholly incongruous and discordant form of development in consideration of the immediate and wider context of the area. Furthermore, the infrastructure for supporting active travel is lacking, incoherent and not well integrated with the existing infrastructure. The development represents a highly detrimental encroachment into the countryside, served by inadequate and unsafe access in all scenarios.
- 13.4. The Council can demonstrate an adequate 5-year housing land supply (measured at 7.67 years), furthermore the basket of policies engaged in determining this application, when taken as a whole, are consistent with the aims of the NPPF by supporting sustainable and appropriate forms of development. The application therefore does not benefit from the engagement of the 'tilted balance'.
- 13.5. Assessed against the policies of the NPPF taken as a whole, the application performs no better. It would be contrary to the development plan and national planning policy and there are no material considerations that justify a departure from those policies; the harm that has been identified significantly and demonstrably outweighs the benefits.
- 13.6. In conclusion this proposal for outline permission for the erection of 279 dwellings with access to be considered represents a wholly inappropriate and discordant form of development, which does not reflect but rather undermines the overall strategy of Mid Suffolk's Development Plan.

RECOMMENDATION

- 1) That Members resolve to: refuse planning permission, for the following reasons:
 - i) The proposal strictly conflicts with Mid Suffolk's Core Strategy policies CS1 and CS2 and Local Plan policy H7, as it is located outside of the settlement boundary for Needham Market and is within the countryside. The development does not accord with the exceptional circumstances tests applied under policies CS2 and H7 and is not considered a countryside compatible development. The proposal would extend the urban edge of Needham Market into a sensitive countryside landscape gap, which would represent an incongruous and discordant growth on the western edge of Needham Market which would not be well integrated and would have minimal relationship with the existing settlement, contrary to Core Strategy policy CS5.

- ii) There is a single main access into the site along the southern boundary, which is inadequate to serve 279 dwellings and runs through an area at a high risk from pluvial and fluvial flooding. In the event of flooding there would be no means of suitable access in or out of the site. The development would be significantly affected by flooding and is thus contrary to Core Strategy policy CS4. The proposed emergency access onto The Drift (bridleway) north is wholly inappropriate for both irregular and regular or widespread use and would pose a danger to and discourage users of the bridleway. Notwithstanding its unsuitability, insufficient information has been submitted relating to the emergency access and the site location plan does not show how this access point connects onto the highway. Moreover, the bridleway would need to be upgraded to a byway in order to be used by vehicles, for which separate consent is required prior to determination and this has not been resolved. Furthermore, insufficient information has been submitted in respect of sustainable transport means through the provision of a suitable travel plan. The existing footway and cycleway network, together with the proposed 3-metre-wide southerly connection has not been coherently and holistically integrated in the proposal, resulting in poor connectivity from the site into Needham Market, whilst simultaneously acting as a deterrent to active and sustainable travel and increasing dangers to pedestrians walking along the southern boundary of the site. The Transport Assessment inadequately addresses and accounts for both committed development and planned growth within the area. The impacts on the highway network for existing and future occupants on the site and within the locality would be significant and unacceptable, contrary to Local Plan policies T10, T11, T12 and RT12 and paragraphs 98, 102, 103, 108, 109, 111 and 127 of the NPPF.
- iii) The landscape would be irreparably and detrimentally altered through its development. This area provides an important landscape buffer and gap between Needham Market and Barking, through the transition of an urban area to a rural area. The site slopes and is in a visually prominent and elevated position on the approach into Needham Market. The landscape quality of the area is notably sensitive providing a rural backdrop to Needham Market and its development would undermine the character and appreciation of the intrinsic value of the landscape in isolation and within its wider context. Development of the site would result in the loss of very good (Grade 2) agricultural land without adequate justification. The landscape harm arising from the proposal would stand in conflict with Core Strategy policy CS5, Local Plan policies CL2 and CL11 and paragraph 170 of the NPPF.
- iv) Insufficient information has been submitted to demonstrate that the site could be safely developed from the perspective of flood risk. Therefore, it is not certain whether the development would be safe for its lifetime, nor whether it would increase flood risk elsewhere. This is contrary to Core Strategy policy CS4 and paragraphs 155, 163 and 165 of the NPPF.
- v) Insufficient information has been submitted to enable full and sufficient assessment of the ecology of the site, potential ecological impacts and the necessary mitigation required as a result of the development. This is contrary to Core Strategy policy CS5, Local Plan policy CL8 and paragraphs 170 and 175 of the NPPF.

- vi) Insufficient information has been submitted to ensure that there would be no adverse impact on air quality within the site and its surroundings, from significant vehicle movements as a result of the development. The proposal is therefore contrary to Core Strategy policy CS4, Local Plan policy H17 and paragraph 170 of the NPPF.
- vii) Insufficient information has been submitted to demonstrate that existing noise and light pollution from Needham Market Football ground and training pitch would not detrimentally affect future occupants of the site on the basis of their location and proximity to the club. The proposal therefore conflicts with Local Plan policy H17 and paragraph 170 of the NPPF.
- viii) Insufficient information has been submitted to determine what type of minerals are located on site and whether these minerals are economically viable and thus need to be extracted from the site. The proposal therefore conflicts with Suffolk Waste and Minerals Plan policy MP10 and paragraphs 203 and 204 of the NPPF.

The development conflicts with the development plan when taken as a whole and there are no material considerations which indicate that a decision should be taken other than in accordance with the development plan.

- 2) In the event that an appeal against the refusal of planning permission is received, delegate authority to the Chief Planning Officer to defend that appeal for the reasons set out under (1) above, being amended and/or varied as may be required.