

## **Committee Report**

**Item 7A**

**Reference:** DC/19/02656

**Case Officer:** Rose Wolton

**Ward:** Elmswell & Woolpit.

**Ward Member/s:** Cllr Helen Geake. Cllr Sarah Mansel.

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### **RECOMMENDATION – GRANT PLANNING PERMISSION WITH CONDITIONS**

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#### **Description of Development**

Outline Planning Application. (All matters reserved) Provision of land for the extension of Woolpit Primary Academy School. Erection of up to 40 dwellings, associated works and infrastructure.

#### **Location**

Land South Of, Old Stowmarket Road, Woolpit, Bury St Edmunds Suffolk IP30 9RU

**Expiry Date:** 07/09/2020

**Application Type:** OUT - Outline Planning Application

**Development Type:** Major Small Scale - Dwellings

**Applicant:** Pigeon Capital Management 2 Ltd

**Agent:** Turley

**Parish:** Woolpit

**Site Area:** 2.18 Hectares

**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:** Yes

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### **PART ONE – REASON FOR REFERENCE TO COMMITTEE**

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

It is a “Major” application for: a residential land allocation for 15 or more dwellings

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### **PART TWO – POLICIES AND CONSULTATION SUMMARY**

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## **Summary of Policies**

### **Core Strategy 2008**

- CS01 – Settlement Hierarchy
- CS02 – Development in the Countryside & Countryside Villages
- CS03 – Reduce Contributions to Climate Change
- CS04 – Adapting to Climate Change
- CS05 – Mid Suffolk's Environment
- CS06 – Services and Infrastructure
- CS09 – Density and Mix (of Housing)

### **Core Strategy Focused Review 2012**

- FC01 – Presumption in Favour of Sustainable Development
- FC01.1 – Mid Suffolk Approach to Delivering Sustainable Development

### **Mid Suffolk Local Plan 1998**

- SB02 – Development Appropriate to its Setting
- HB08 - Safeguarding the character of conservation areas
- HB01 - Protection of historic buildings
- T09 - Parking Standards
- GP01 - Design and layout of development
- H03 - Housing development in villages
- H04- Proportion of Affordable Housing
- H07 - Restricting housing development unrelated to needs of countryside
- H14 - A range of house types to meet different accommodation needs
- H15 - Development to reflect local characteristics
- H16 - Protecting existing residential amenity
- CL08 – Protecting wildlife habitat
- CL09 – Recognised wildlife areas
- CL11 – Retaining high quality agricultural land
- T04 – Planning obligations and highways infrastructure
- T09 – Parking Standards
- T10 – Highway considerations in development
- T11 – Facilities for pedestrians and cyclists
- T12 – Designing for people with disabilities
- RT04 – Amenity open space and play areas within residential development
- RT12 – Footpaths and bridleways
- SC04 – Protection of groundwater supplies
- SC08 – Siting of new school buildings

NPPF - National Planning Policy Framework

Woolpit Neighbourhood Plan – Policies to Note: WPT1 (Spatial Strategy), WPT2 (Location and Scale of New Housing Developments), WPT6 (Housing Type), WPT18 (Design), and WPT19 (Design and Character).

### **Neighbourhood Plan Status**

The application site is within a Neighbourhood Plan Area. Members are advised that the Woolpit Neighbourhood Plan has been submitted to the District Council, and the Reg 16 Submission Consultation began on Monday 16<sup>th</sup> December, ending 7<sup>th</sup> February 2020. The Plan then went to Independent Examination, with that process ending late February 2020. On the 5<sup>th</sup> of October 2020, Mid Suffolk's Cabinet Committee agreed that the Woolpit Neighbourhood Plan should continue to a local referendum; this is subject to the implementation of all modifications set out in the independent Examiner's Report. No date has been given for the referendum for the Neighbourhood Plan at this stage. Accordingly, although the plan does not have full weight, more weight can be given to the Plan at this stage.

### **Consultations and Representations**

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

#### **A: Summary of Consultations**

##### **Town/Parish Council (Appendix 3)**

###### **Woolpit Parish Council**

The Woolpit Parish Council raises no objection to this proposal. With a recommendation that a footpath between the Health Centre carpark and the School Entrance be provided.

###### ***Officer comment:***

***The Parish Council's support for this application is noted. Members are advised that officers have secured a connection from the planned health centre car park and the expanded school site. Wider pedestrian connectivity through the surgery site will be dependent upon the co-operation of the practice manager but that is beyond the applicant's control.***

***The car park expansion site is being delivered under the outline permission for what is now the first phase of development currently being built out by David Wilson Homes. Officers have ensured that in negotiating the layout for the application currently before Members there will be good connectivity.***

## **Elmswell Parish Council – Received 08.12.2020**

Objection. The following comments are made:

*“Elmswell Parish Council objects to this application as it serves to compound the problems presented by the failure to properly rationalise the provision of primary education in the area. The pressing need is for Elmswell children of primary school age to go to school in Elmswell. The stresses of bussing young children over A14 twice daily for 200 days each year and the position of the extra traffic management burden from this and from the private car traffic, inevitably generated is unsustainable and should not be countenanced.*

*A new strategic overview of primary education in the area is much needed”.*

### **Officer comment:**

***Whilst the concerns of Elmswell Parish Council are noted. Delivery of primary school places is a matter for the County Council as the local education authority. It will be noted that it is [proposed to a primary school contribution via a S106 Agreement along with an additional parcel of land [for £1] that will be used to expand the playing field at the adjacent school.***

### **National Consultee (Appendix 4)**

#### **Highways England**

Raises no objection to this proposal. The following comment is made:

*“Referring to the planning application referenced above, dated 7 June 2019, application for the provision of land for the extension of Woolpit Primary Academy School and the erection of up to 40 dwellings, associated works and infrastructure, land south of Old Stowmarket Road, Woolpit, Busy St Edmunds, Suffolk, IP30 9RU, notice is hereby given that Highways England’s formal recommendation is that we offer no objection. Highways Act Section 175B is not relevant to this application”.*

#### **Anglian Water**

Raise no objection to this proposal, subject to condition:

*“No hard-standing areas to be constructed until the works have been carried out in accordance with the surface water strategy so approved unless otherwise agreed, in writing, by the Local Planning Authority.*

*REASON: to prevent environmental and amenity problems arising from flooding”.*

#### **Natural England**

No Comment.

## **Suffolk Police**

No Objection in principle, recommend a change to layout at reserved matters to address concerns raised. The following comment is made:

*“Parking and garaging areas are set too far back for plots 13, 17, 18, 28, 29 and 39. Police prefer properties to each have their own garages and that garages are placed immediately next to properties.*

*Parking for plots 14, 18, 19 and plots 21-23 are too far to the side of their respective properties for any surveillance. Police recommend that vehicles are parked either to the immediate side, or in front of properties. Rear parking and/or rear parking should not be incorporated as it is a known generator for crime.*

*Rear parking has been incorporated for plots 24-25, 30-31, 37-38. The Police do not recommend rear parking, as it provides no surveillance and can make a homeowner more vulnerable. The footpath area proposed to connect the new development with the local surgery is a concern, as it provides access to the rear of plots 14-15 at least possibly other plots along that area too. There are two main areas that are a concern from the point of view of perceived antisocial behaviour being able to occur, namely along the open spaces area by 16, 18-20, 21 and plot 26, particularly by the rear of the plots 16 and 18-19. Secondly, along the south eastern side to the east of plot 38 where there is an open spaced area. The parking area for plots 1-9 is a concern. It is not known how the buildings will comprise and what active windows will be incorporated to provide vital surveillance for the owners vehicles and to provide surveillance of the far south western side that backs onto the existing properties near to the health centre.*

## **Environment Agency**

No Comment.

## **County Council Responses (Appendix 5)**

### **SCC Developments Contributions Manager**

Raises no objection to this proposal, subject to securing certain agreements within the Section 106. The following comments are made:

*“This letter replaces my previous letter dated 27 June 2019....to aid simplicity, as Mid Suffolk’s CIL covers libraries, waste and secondary school infrastructure, these have been removed from this letter but the County Council may make a future bid for CIL money of £8,640 towards libraries provision, £4,400 to waste provision and £166,425 to secondary and sixth form provision.*

*In line with the Department for Education’s recent guidance on securing developer contributions for education, the County council is seeking a range of options to mitigating the growth in the vicinity by ensuring there are enough primary places available. Growth in Elmswell is beyond what the expanded Elmswell primary school can accommodate so the strategy in the emerging joint Local Plan is for primary school places (from a pupil place planning perspective) to be available in Woolpit with a safe route under 2 miles by a new cycleway/footway connecting the two villages.*

*This application includes provision of land for the extension of Woolpit Primary Academy School. A feasibility study commissioned by SCC concludes that a feasible expansion project is significantly more expensive compared to completed expansion projects in the County and when set against the Department for Education's benchmark expansion costs. It is therefore, not known at this stage whether SCC will gain support from the DfE to proceed with the expansion. Whilst the numbers on roll are currently lower than expected at Woolpit Primary Academy, which may be in part due to the school being judged as Requires Improvement by Ofsted at its latest inspection in November 2018, many of the Woolpit residing pupils who are attending schools elsewhere will be displaced back to their catchment school due to growth in those catchments and the pupil admissions process. The leadership team at the school are working alongside the Thedwastre Education Trust to ensure that standards and children's progress are improves across the school. Therefore, Woolpit Primary School's roll needs to reflect that 71 pupils are currently attending surrounding schools (Rougham, Thurston, Elmswell and Norton) and a further 40 pupils attend schools further afield.*

*Therefore, a number of risks arising from whether an expanded Woolpit Primary School could support the growth emerging in the area. In principle, SCC has agreed to enter into a land option for the land forming part of this application with the provision that there is a connection for the foul and surface water connections as these can't be dealt with on the land for the extension for the School. However, at this point in time it has not been confirmed that the school will be able to expand.*

*Therefore, due to the scale, location and distribution of housing growth in the locality, the emerging strategy to deliver a sustainable approach for primary school provision is based on:*

*a) Expanding the existing school; or*

*b) retaining the current primary school and delivering a second (new primary school in Woolpit)*

*When taking into account recent decisions and pending planning applications in Woolpit and Elmswell, the numbers on roll at Woolpit Primary Academy as well as the number of pupils living in Woolpit attending other schools our latest forecasts identify that there will be no surplus places at the catchment Primary School to accommodate the childing arising from this scheme.*

*Therefore, the education strategy is to secure a land option for a new primary school, as well as securing a land option for the expansion of the existing primary school. This accords with the recent DfE guidance, which states at Para.17... 'we recommend that you identify a preferred and contingency school expansion project in a planning obligation, as long as both would comply with the Section 106 tests. This will help you respond to changing circumstances and new information, such as detailed feasibility work leading you to abandon a preferred expansion project'.*

*If expansion is deliverable the developer contributions mechanism would fall under the District's CIL funding. As the expansion proposal has not been confirmed, the current approach is for a new primary school for the village with proportionate land and build costs secured by section 106 contributions. Should the expansion be confirmed the obligation in the S106 agreement will cease or be returned. This follows the approach set out for planning permissions 2112/16 and 1636/16. A proportionate developer contribution, based on the primary age pupils requiring funding from the proposed development is calculated as follows:*

- £20,508 per pupil place
- From 40 dwellings based on the mix and surplus place it is calculated that 9 primary age pupils will arise
- Therefore, 9 pupils x £20,508 per place = £184,572 (2020/21 costs).

Total primary school S106 contribution - £184,572 + £11, 646 = £196,218.  
 3196,2018/40 Dwellings = £4905.45 per dwelling.

*Should expansion at the existing school be confirmed, the obligation will cease.*

### **Secondary School – Transport Contributions**

*6 secondary-age pupils are forecast to arise from the proposed development. Developer contributions are sought to fund school transport provision for a minimum of five years for secondary- age pupils. Therefore, contributions of £1,205 x 6 pupils x 5 years = £36,150, increased by the TPI. Contribution held for a minimum period of 10 years from the date of the final dwelling occupation. The contribution will be used for secondary school transport costs*

### **Pre- School Provision**

*Total S106 contribution = £82,032*

### **Legal Costs**

*SCC will require an undertaking for the reimbursement of its own legal costs, whether or not the matter proceeds to completion.*

### **Monitoring Fee**

*The CIL regs allow for the charging of monitoring fees. In this respect the county council charges £412 for each trigger point in a planning obligation, payable on completion of the deed.”.*

### **SCC Rights of Way**

Raise no objection to this proposal, offering informative comments in regard to permission required outside of this planning permission.

### **SCC Highways – Received 03.09.2020**

No Objection, subject to conditions and S106 contribution and cycleway contribution. The following comments are made:

*“The revised plan indicates an improved connection for pedestrians and cyclists between the site, the proposed school extension and the village through the previous permitted site and towards Old Stowmarket Road.*

*We would like to reiterate the request for a contribution from the development, this will enable sustainable access to come to fruition as there will be a cycle link to Elmswell Rail Station. To construct the cycle link between Elmswell and Woolpit, SCC has estimated the design and construction will be approximately £850/dwelling. Therefore, we would be seeking a contribution of £34000 for the scheme.*

*It is our opinion this development can demonstrate it can achieve safe and suitable access to the site for all users and would not have a severe impact on the road network (NPPF Para.108 and 109) therefore we do not object to the proposal. We recommend the conditions previously outlined in our response dated 25<sup>th</sup> June 2019". .*

### **SCC Archaeological Service**

No objection. However, would like to add that in addition to the justification in the original comments; archaeological investigations in recent weeks adjacent to this application area identified a Bronze Age enclosure which included a Bronze Age inhumation. This does not affect the previous advice.

### **SCC Fire and Rescue**

Raise no objection to this proposal, subject to a condition securing fire hydrants.

### **SCC Floods and Water Management**

Raise no objection to this proposal, subject to conditions.

### **SCC – Travel Plan Co-Ordinator**

Does not wish to make any comments. The comments are expressed through SCC Highways Authority.

### **Place Services Ecology**

No Objection, subject to ecological mitigation and enhancement measures.

## **Internal Consultee Responses (Appendix 6)**

### **Infrastructure Team**

Raise no objection to this proposal. The following comments are made:

*"This development site lies within the high value zone for MSDC CIL Charging and would, if granted planning permission, be subject to CIL rate of £115m2 (subject to indexation). The Developer should ensure they understand their duties in relation to compliance with the CIL Regulations 2010 (as amended). Guidance is available as a pre-application service and via information within the CIL webpages.*

*Please be aware that a CIL liability notice will not be produced until the Reserved Matters is granted".*

### **Environmental Health – Air Quality – Received 28.07.2020**

Raise no objection to this proposal. The following comments are made:

*"I have referred to the Environmental Protection UK (EPUK) Guidance 2017 – Land Use Planning and Development Control: Planning for Air Quality, in assessing this application with regard to air quality. The development would not meet the criteria in the EPUK Guidance for requiring an air quality assessment. Therefore, I have no objection to make with regard to this application".*

### **Environmental Health – Land Contamination – Received 28.07.2020**

Raise no objection to this proposal, subject to a condition. The following comments are made:

*“The Environmental Protection Team has no objection to the proposed development, but based on evidence within the report ref: 777046-MLM-ZZ-XX-RP-J-0001 dated 01/11/18 following the phase one contaminated land assessment undertaken by MLM group which highlights that further intrusive investigation is required”.*

### **Environmental Health – Noise/Odour/Light/Smoke – Received 28.08.2020**

Raise no objection to this proposal, subject to conditions. The following comments are made:

*“I have no objection, in principle, to the proposed development, I recommend, however that a planning condition is attached which restricts the hours of noise intrusive work during construction of the development.....I also recommend that no development shall take place until a Construction Method Statement has been submitted to and approved, in writing, by the Local Planning Authority”.*

### **Environmental Health – Sustainability Issues**

No Objection, Subject to conditions.

### **Heritage Team**

No comment.

### **Public Realm**

No objection in principle, the following comments are made:

*“The Public Realm team welcome the proposed treatment of the public open space to create wildflower meadows and to enhance the area for biodiversity. The team has concerns over the level of play provision included in the development. It would be expected that for a development of this size (190 houses) that play provision including older children (up to age 12) would be included on the site. There is no other play facility within the area that is easily accessible to any children resident on this development. Public Realm therefore consider that the play provision included in the development is inadequate”. It should be noted that this is a Reserved Matters consideration, not outline.*

*“The Public Realm Team support the inclusion of the LEAP and approve of the proposed equipment that appears to be in keeping with the overall site”.*

Raise no objection to this proposal. Comments regarding play equipment to be addressed at the Reserved Matters stage, as well as a local management company to be agreed within the S106.

### **Strategic Housing (Affordable/Major Dwel/G+T)**

Following the submission of new documentation as of November 2020, with regards to the illustrative housing mix information, the proposal is found to be acceptable.

### **MSDC - Waste Manager (Major Developments)**

Raise no objection, subject to conditions. The following comments are made:

*“Ensure that the proposal is suitable for a 32 tonne RCV to manoeuvre around the site and that the surface is suitable for a RCV to drive on. All bins would need to be brought up to the main service road for collection and left at the edge of the curtilage. Please provide a map of all the*

*wheeled bin presentation points for approval. Plot 1-6 would require a bin store for the communal bins which would need to be adequate to accommodate a set of 1100l bins alongside a 1x240l glass bin. The threshold should be flush and dropped curb should use if bin needs to be take over a curb to be emptied. Plot 20, 21 and 22 bins to be at the end of the shared access, Plot 32, 33, 34, 35 and 36 to be presented at the end of the shared access. Plot 39 and 40 to bins to presented at the end of the shared access”.*

### **Communities (Major Development)**

No specific comments.

### **B: Representations**

At the time of writing this report at least 15 letters/emails/online comments have been received. It is the officer opinion that this represents 15 objections, 0 support and 0 general comment. A verbal update shall be provided as necessary.

Views are summarised below:-

- Affects to Local Ecology/Wildlife
- Conflict with NPPF
- Design
- Development too High
- Dominating/Overbearing
- Increase in Pollution
- Increased Traffic/Highways Issues
- Landscape Impact
- Light Pollution
- Loss of Light
- Loss of Open Space
- Loss of Outlook
- Loss of Privacy
- Noise
- Out of Character
- Overdevelopment
- Overlooking
- Residential Amenity
- Fear of Crime
- Inadequate Access
- Inappropriate in Conservation Area
- Increase in Anti-Social Behaviour
- More Open Space Needed on Development
- Building Work
- Drainage
- Impact on Property Value
- Inadequate Parking
- Loss of Parking
- Inadequate Public Transport Provision

(Note: All individual representations are counted and considered. Repeated and/or additional communication from a single individual will be counted as one representation.) Members should note that full copies of all representations are made available online to view, and can be accessed here: <https://planning.baberghmidsuffolk.gov.uk/online-applications/simpleSearchResults.do?action=firstPage>

## **PLANNING HISTORY**

1636/16 - Outline planning permission with all matters reserved except for access for the erection of up to 120 dwellings. Construction of a car park to be associated with Woolpit Health Centre. Access to the site and individual accesses to five self-build plots and associated open space. (Proposal includes highway improvements to Heath Road and Old Stowmarket Road, including double mini roundabout at The Street, Old Stowmarket Road and Heath Road junction). – Granted 04.07.2018

DC/19/05196 - First submission of details application (for approval of reserved matters) for outline planning permission 1636/16 amended by Section 96a permission DC/18/03517. Layout, Scale, Appearance and Landscaping to be considered for the erection of 115No dwellings. – Granted 16.04.2020.

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## **PART THREE – ASSESSMENT OF APPLICATION**

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### **1. The Site and Surroundings**

- 1.1. The site is located to the east side of Woolpit, south of the Phase 1 development site for up to 115 dwellings permitted under planning ref: 1636/16 (it should be noted that this development now has Outline and Reserved Matters Approval, and has commenced works), and north of the Woolpit Primary Academy School. Woolpit is designated as a Key Service Area centre within the Core Strategy. The site itself has no designation within the Development Plan and lies outside the defined settlement boundary; but is bound by existing or committed development on 3 sides; the site abuts the settlement boundary to the north and south.
- 1.2. The site's current use is agricultural, however not actively farmed at this time.
- 1.3. South Boundary: This would form the proposed school extension site, with continuation of the school playing field. This boundary would be adjacent to the existing school.
- 1.4. East Boundary: This would form an area of open space, which would back onto existing agricultural land and track road, separated by mature trees and other plant life as boundary treatments.

- 1.5. North Boundary: This would form the connection to the approved Phase 1 development site.
- 1.6. West Boundary: This would connect to an area of open space provided through the Phase 1 development site, as well as back on to existing neighbouring properties and Health Centre.

## **2. The Proposal**

- 2.1. Outline planning permission with all matters reserved for up to 40 dwellings, associated works and infrastructure, as well as provision of land for the extension of Woolpit Primary Academy School. The proposal includes 35% affordable housing, as well as a mix of housing to accommodate local needs and changing demographics, including bungalows and smaller units. The housing mix will be considered at the Reserved Matters stage. It should be noted that an indicative layout plan showing the proposed housing mix at reserved matters stage has been submitted with this application and is has been approved by the Strategic Housing team; this assures confidence that an appropriate mix and design of development can be agreed at the Reserved Matters Stage. If Members are satisfied with the suggested mix and layout they are advised to support the recommended condition that makes mix one of the Reserved Matters details along with requiring the RM layout and mix to closely follow the indicative layout and associated mix detail submitted with the outline application.
- 2.2. Accordingly, this application seeks to establish the principle of development. On this basis, details such as appearance and siting are reserved, but an indicative plan is proposed to demonstrate that at least one approach to future development on this site can be achieved at a reserved matters stage. There is also a Parameter Plan, which has been submitted which sets out the guiding principles for the development of the site in terms of use, layout, access and building heights as discussed with Ward Members previously. Any detailed scheme subsequently submitted at Reserved Matters stage would need to accord with the development principles shown on the Parameters Plan if so conditioned as described above.
- 2.3. While outline, there are a handful of other certainties in this case for determination at this stage. Firstly, the development is for a maximum of 40 dwellings. The type, height, number of bedrooms, number of storeys of the dwellings remain reserved, but reserved matters would not be for more than 40 dwellings. The Parameters Plan includes design principles which are intended to provide some comfort to the Council and local residents, including the incorporation of bungalows along the south boundary, open space provision and cycle and pedestrian links to further the sustainability of the site. The Parameters Plan also provides design principles of the school expansion site, offering pedestrian and vehicle access, and turning space for coaches.
- 2.4. The parameters plan shows the access to the development on the northern side, emerging from the Phase 1 development site. This would be the only vehicular access on to the site, with the remaining access routes to be for cyclists and pedestrians. This access is fixed following the approval of the reserved matters of the Phase 1 site to the north.

2.5. The school expansion site is proposed to be located to the south of the proposed residential area, adjacent to the existing school.

### **3. The Principle Of Development**

3.1. At this time Mid Suffolk has a five year housing land supply of 7.67 years, as of the latest review in 2020.

3.2. Woolpit is defined as a Key Service Centre within the Adopted Settlement Hierarchy [CS 2014] and as a Core Village in the Draft JLP.

3.3. The Adopted Core Strategy [CS1] states:

*“The majority of new development (including retail, employment and housing allocations) will be directed to towns and key service centres.....”*

3.3. The NPPF requires that development be sustainable. The NPPF (Para.8) defines three dimensions to sustainable development; the economic role, social role and environmental role. These roles should not be considered in isolation.

Para.9 of the NPPF identifies that environmental, social and economic gains should be sought jointly. Therefore, the Core Strategy Focus Review 2012 (post NPPF) Policy FC1 seeks to secure development that improves the economic, social and environmental conditions in the area and proposal must conserve and enhance local character. Para.78 of the NPPF sets out that to promote sustainable development in rural areas, housing should be located where it will enhance or maintain the vitality of rural communities. The proposal therefore, must be determined with regard to sustainable development as defined by the NPPF.

3.3. Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that “...where making any determination under the planning Acts, regard is to be had to the development plan, the determination shall be made in accordance with the plan unless material consideration indicates otherwise...”. In this case, the development plan consists of the Core Strategy (adopted 2008), the Core Strategy Focussed Review (adopted 2012) and the Local Plan (adopted 1998). The site abuts the settlement boundary of Woolpit in the emerging Joint Local Plan. Within the emerging Joint Local Plan, Woolpit continues to be identified as a Key Service Centre and focus for growth in the district. It is considered to be a sustainable location for development; and in terms of location, the site is considered to be in accordance with the overall growth strategy in the currently Adopted and emerging plans.

3.4. Members are advised that within the emerging Joint Local Plan the site identified for this planning application attaches to a larger site (Phase 1 development site permitted under planning ref 1636/16) which is allocated land (ref LA094), with a given area of 6.52 hectares, that has been permitted as a residential development of up to 120 dwellings; the Reserved Matters scheme has now been approved and construction works have commenced. The overall site is one of five growth sites for Woolpit proposed within the Joint Local Plan. The stage that the Joint Local Plan has reached in its formation means that it has limited weight as a material consideration at this stage. This being said, it does

provide an indication of the intended direction of travel with regard to the Council's approach to sustainable growth within Woolpit, in order to meet its ongoing needs locally and within the District. The fact that Phase 1 of the development on the allocated land has already been given permission, and the Council had already set out its intent to allocate the site for development is an important one and it is important for Members to consider the consistency of that decision given the individual circumstances of this application. Once this permission has been implemented the Application site will be surrounded on 3 sides by development.

- 3.5. It should also be noted that the Woolpit Neighbourhood Plan has been submitted and due to go to local referendum in the coming months. The proposal would accord with the provisions of Policy WPT2 of the emerging Neighbourhood plan to be seen at referendum. This Policy has been largely endorsed by the Examiner subject to minor modifications. The Policy WPT2 is proposed to read as follows:

*All new residential proposals will be supported subject to their:*

*Being within the capacity of the existing infrastructure and road layout of the village, or providing the necessary additional capacity;*

*Being well related to the existing pattern of development;*

*Preserving or enhancing the character and appearance of the Conservation Area. All proposals should take into account any cumulative impact taken with other existing housing commitments in the village. They should also demonstrate that:*

*The scale and character of the proposal respects the landscape, landscape features, streetscape, heritage assets and important spaces and key views into and out of the village;*

*The proposal will conform positively to the local character, shape and scale of the area;*

*The development (for example through its scale) will preserve or enhance the existing focal points, and the village centre and its Conservation Area;*

*The proposed housing density is consistent with the village character and adjacent housing. Woolpit should remain a village, and to preserve its village character, major developments must be appropriately subdivided and landscaped in order to meet this objective.*

*A landscape and visual impact appraisal will be required for all major development proposals outside the existing settlement boundary unless they are located in an area of low landscape and visual sensitivity as shown in the Landscape Appraisal. In all areas outside the settlement, development proposals would have to demonstrate due regard to the particular sensitivities identified in the Woolpit NP Landscape Appraisal (March 2018) and seek ways to mitigate effectively against potential harmful impacts, particularly in areas with higher sensitivity.*

3.6 This application delivers much needed affordable housing at 35% and a school playing field extension and helps to complete a high-quality development in this part of Woolpit. The proposal is considered acceptable in principle and it has attracted the support of Woolpit Parish Council.

#### **4. Nearby Services and Connections Assessment Of Proposal**

4.1. Paragraph 72 of the NPPF identifies that the provision of large numbers of new dwellings

*“...can often be best achieved through planning for larger scale development, such as new settlements or significant extensions to existing villages or towns, provided they are well located and designed, and supported by the necessary infrastructure and facilities....”*. Within the adopted development plan, the village of Woolpit is identified as a Key Service Centre, It is identified that main residential growth will be focused at Stowmarket, Needham Market and Eye, with the Key Service Centres also accommodating appropriate levels of residential growth.

4.2. By definition, Woolpit as a Key Service Centre is a natural focus for development because of its accessible facilities and services.

4.3. In the case of the application site, it is located adjacent to and abuts the established settlement boundary for the village. Following completion of the Phase 1 David Wilson Homes Scheme to the north of the site will be surrounded by development on three sides and it would therefore represent an infill site in many respects. Woolpit contains a number of facilities that would be utilised by the population that would be created as a result of the proposed development taking place. These include various shops, a primary school, village hall, pubs, employment opportunities etc. in addition, the village does benefit from regular bus services that run throughout the week, other than Sundays, and these would be within convenient walking distance of the proposed development.

4.3. As part of the development proposal, the scheme would include the provision of a cycle and pedestrian link between the Health Centre car park and the School extension site, therefore contributing towards the creation of improved cycle/pedestrian links in the village. It would also provide a new vehicular and pedestrian access to the existing primary school to enable its expansion.

4.4. The proposed development is therefore considered to be located sustainably in relation to services and connection provision.

#### **5. Site Access, Parking And Highway Safety Considerations**

5.1. The NPPF identifies at Para.108 that in assessing specific applications for development, it should be ensured that, inter alia, significant impacts on the transport network and highway safety can be cost effectively mitigated to an acceptable degree. Para.109 recognises that

development “....Should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe....”.

- 5.2. The requirement for safe access is reflected in development plan Policy CS6, which identifies the need for new development to provide or support the delivery of appropriate and accessible infrastructure, and Policy T10 which lists criteria that will be considered in regard of new development proposals.
- 5.3. As Members will note, the impacts arising from the traffic generated by the proposed development is one of the concerns identified by objectors. The layout plan shows the main vehicular access will emerge from the south of the Phase 1 development site which has been approved as part of the reserved matters for that scheme, with the remaining access points being for cycle and pedestrian use. Realistically this is the only achievable point of access and the layout for phase 1 was approved in the knowledge that the estate spine road may service a second phase of development. SCC as local highway authority is satisfied with the main access approved previously [phase 1] and has raised no objection to an additional 40 units being served from it. Access was originally a reserved matter of this application, however, to ease the public and Ward Members, the Parameters Plan shows where the final access will be.
- 5.4. The principle of these pedestrian and cycle links is established through the proposed Parameter Plan which any reserved matters application would need to accord with. The SCC Highway Authority also raise no objection on highway grounds, please refer to the consultation response above; officers are satisfied in this regard.
- 5.5. It should be noted that the Applicants have committed to provide a financial contribution through a Section 106 agreement to ensure the improvement of pedestrian and cycle links between Woolpit and Elmswell (See consultation from SCC Highways above). It should also be noted the Parameters Plan confirms that the scheme will provide pedestrian and vehicle access onto the school extension site, with manoeuvring provision for coaches and buses.
- 5.6. In terms of connectivity between Phase 1 and Phase 2 and the surgery, the car park extension site and the school extension site the parameters plan highlights the good level of access between these elements.

## **6. Design and Layout [Impact On Street Scene]**

- 6.1. Section 12 of the NPPF refers to design, it provides that good design is a key aspect of sustainable development it should contribute positively to making places better for people. Decisions should aim to ensure that development will function well and add to the overall

quality of the area, establish a strong sense of place, create attractive and comfortable places to live, work and visit, optimise the potential of the site to accommodate development, create and sustain an appropriate mix of uses and support local facilities and transport networks. Furthermore, it provides that development should respond to local character and history, and reflect the identity of local surroundings and materials, while not preventing or discouraging appropriate innovation. The NPPF goes on to state it is “proper to seek to promote or reinforce local distinctiveness” and permission should be “refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions” (Para.130). In addition, Policy CS5 provides that “All development will maintain and enhance the environment, including the historic environment, and retain the local distinctiveness of the area” and echoes the provision of the NPPF.

- 6.2. The proposal is outline and both appearance and layout are reserved. While this is the case, Members should still be certain that a development can be demonstrated that would be unlikely to have any unacceptable detriment on amenity or otherwise cause harm in order to judge the principle that such development can be achieved. The proposal includes a Parameters Plan which sets out the high-level design principles for the site as well as an indicative layout plan demonstrating how the site can be developed on this basis. This allows for clearer understanding that such a development or similar up to 40 dwellings can be carried out in accordance with key design principles discussed with officers and the local community. Issues such as potential overlooking have been recognised, and it is considered the only area where this would have impact is on the south west boundary. The neighbouring properties have long rear gardens, and the proposed dwellings along that area of the boundary would be two storey and bungalows have been incorporated to ensure that the overlooking potential is limited. The remainder of the two storey properties would be focussed towards the central area of the site, so as to avoid adverse overlooking potential to warrant refusal. This being said, this is outline, where housing mix, height's, scale and appearance will be considered at Reserved Matters. Members should note that through the Parameters Plan, the Applicant has committed to providing bungalows along the south boundary to avoid overlooking potential towards the existing neighbours.
- 6.3. Reasonable open space is indicated on the eastern boundary and understanding of site constraints in terms of ecological and landscape interests are considered with the layout proposal. This layout plan is considered to be of good design overall and while it may not be the layout implemented in precisely the same form the principles of the site layout and measures to address amenity issues along this boundary are established by the Parameters Plan.
- 6.4. This demonstrates there is not likely to be significant or any unacceptable harm in principle and reserved matters is the appropriate stage to deal with the remaining detailed layout and design considerations.  
It should be noted that the area designated for the school expansion site is on the south side, adjacent to the existing school playing field. The school site would have an access for pedestrians and cars, as well as space for manoeuvring of coaches and buses.
- 6.5. Furthermore, the development is for up to 40 dwellings, meaning the figure is not set and options to reduce development to ensure appropriate layout can be dealt with at reserved

matters stage if necessary; however, it is considered that 40 dwellings on this site is appropriate and achievable at this stage.

## **7. Landscape Impact, Trees, Ecology, Biodiversity And Protected Species**

7.1. The site is a field and within the countryside, abutting the settlement boundary and connecting to an existing development (1636/16). On this basis there is limited impact on the wider landscape, but in this case the site is enclosed on almost three sides by the village and the Phase 1 development site. The site is more open to the east, however, due to existing vegetation along the eastern boundary along with the terrain and form of Woolpit the extent of openness is limited. It is judged that suitable landscaping on site would be able to screen the site without too much trouble and the Parameters Plan demonstrates that open space will be located to the east, further limiting any landscape impact. The details of the proposed landscaping can be considered at a reserved matters stage; however, such landscaping is considered to ensure that the development is acceptable in landscape and environmental terms.

## **8. Land Contamination, Flood Risk, Drainage and Waste**

- 8.1. The NPPF at Para.180 identifies inter alia that planning decisions should ensure that a site is suitable for its proposed use. In addition, Para.180 makes clear that where a site is affected by contamination, responsibility for securing a safe development rests with the developer and/or landowner. In addition, Local Plan Policy SC4 identifies the Council's intention to ensure that new development proposals minimise the risk of contamination of underground water resources. Members are advised that the application contains Contamination Assessments.
- 8.2. This information has been considered by the Council's Land Contamination Officer and it is noted that no objection to the proposal is raised. Members are advised that the Officer would require the imposition of the standard condition on grant of planning permission.
- 8.3. In relation to flood risk and drainage, the NPPF identifies at Para.155 that "*...Inappropriate development in areas at risk from flooding should be avoided by directing development away from the areas at highest risk....*". Leading from this, development Policy CS4 identifies that "*...the council will support development proposals that avoid areas of current and future flood risk...*".
- 8.4. In this regard it is noted that the entire site for the proposed development is located within flood zone 1. Therefore, the site is not considered liable to unusual flooding events, and in that regard accords with the identified requirements of the NPPF and development plan policy. It should be noted that the LLFA raise no objection to this proposal, subject to conditions.

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

- 9.1. Under the NPPF Para.185 states to provide that *“in determining planning applications, local planning authorities should take account of; the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation; the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and the desirability of new development making a positive contribution to local character and distinctiveness”*. Furthermore, Para.193 states *“when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset’s conservation. The more important the asset, the greater the weight should be. Significance can be harmed or lost through alteration or destruction of the heritage asset or development within its setting. As heritage assets are irreplaceable, any harm or loss should require clear and convincing justification”*.
- 9.2. In this case, the reference can be given to both Lady’s Well, a scheduled ancient monument and Woolpit Church. The existing development and approved Phase 1 development to the north of the site, obscures the views to the heritage assets, there is a significant distance and the relationship with roads and fields between reduces the visual connectivity even more. It is not considered that the development would have any significant impact on any designated and non-designated heritage assets. It should be noted that the Council’s heritage team wished to make no comment on the proposal.

## **10. Impact On Residential Amenity**

- 10.1. Policies within the adopted development plan require, inter alia, that development does not materially or detrimentally affect the amenities of the occupiers of neighbouring properties. It is considered that this proposal does not give rise to any concerns of loss of neighbour amenity by reason of form and design that cannot be dealt with at reserved matters stage. The submitted Parameters Plan and the Indicative Layout Plan show that bungalows and landscaping to provide screening have been incorporated on the south western boundary, where it is considered the neighbours would be most affected by the proposal. This reduces the overlooking potential significantly, as well as light blocking potential. Given the measures proposed for this site boundary, there is limited residential amenity harm.

## **11. Biodiversity**

- 11.1 Current discussions indicate that there is no significant or unacceptable harm to biodiversity interests that could not be allowed for within the site and conditioned as recommended. Please refer to the consultation response from Place Services – Ecology. Mitigation and enhancement measures have been conditioned and will run concurrently with the Reserved Matters application.

## **11. Planning Obligations**

- 11.1. The application is liable for CIL and, therefore, Suffolk County Council has outlined the monies that it would be making for a bid for to mitigate the impact of the development on existing infrastructure.
  - 11.2. In accordance with the Community Infrastructure Levy Regulations, 200, the obligations recommended to be secured by way of a planning obligation deed area (a) necessary to make the Development acceptable in planning terms (b) directly related to the Development and (c) fairly and reasonably relate in scale and kind to the Development.
  - 11.3. The application, if approved, will amongst other things require the completion of a S106 agreement to secure the on-site delivery 14 no. affordable dwellings.
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## **PART FOUR – CONCLUSION**

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### **12. Planning Balance and Conclusion**

- 12.1. In order to achieve sustainable development, the Framework identifies that economic, social and environmental gains must be sought jointly and simultaneously.
- 12.2. The Council embraces its statutory duties in relation to the historic environment and considerable importance has been attached to the harm. It is considered that this proposal would not cause any significant or unacceptable harm to any designated or non-designated heritage assets. The application satisfies the policies of the development plan and the NPPF.
- 12.3. It is fully acknowledged and appreciated that, at this point, the site identified for the proposed development is outside of an area that is allocated for residential development and settlement boundaries. That said, despite a conflict with the policy in this regard, it abuts the established settlement boundary for Woolpit, which has Key Service Centre status within the adopted Local Plan. The application site is considered to be located in a sustainable position, being adjacent to the village and accessible. The fact that the site falls outside of the current settlement boundary is not, in itself, considered to be a sound reason to reject the proposed development, particularly given the status of the identified policies; that the emerging Joint Local Plan still carries limited weight, that the proposal accords with Policy WPT2 of the emerging Woolpit Neighbourhood Plan and the proposed development is so well connected to the Phase 1 development, the new surgery car park site and provides for an expansion of school land [also well connected].
- 12.4 It is considered that the proposal is sustainable development bearing in mind its location, access to local service provision, etc. in addition, the population generated by this development would assist in helping to sustain local services. The proposal also provides an expansion to an existing primary school which would improve local infrastructure and is considered a benefit to the scheme. Equally, the provision of market and affordable housing (in line with Government's objective of significantly boosting the supply of homes under the NPPF) and the financial contributions to improved links between Woolpit and

Elmswell are also considered benefits to the scheme. The impacts arising from the development could, it is felt, be adequately mitigated through S106 agreement and the imposition of conditions on a grant of planning permission. Lastly, the outline nature of the application means that the Council would be able to consider detailed development proposals through submission of reserved matters. Any such submissions would need to accord with the development and design principles set out within the proposed Parameters Plan ensuring that the scheme will deliver key requirements to ensure a high quality design in accordance with the relevant planning policies. The application is considered to accord with the policies of the NPPF when taken as a whole; the NPPF directs that planning permission should be granted.

- 12.5. In terms of the environmental pillar of sustainable development, the site is an area of undeveloped land, adjacent to open countryside and between an existing residential development and developing residential development. The impact on the character and appearance of the area, biodiversity and flood risk is considered to be neutral.
- 12.6. By reason of its location in a Key Service Centre Village, the proposal is not considered to place absolute reliance on the private car as a means of transport which would minimise potential environmental harm in this respect.
- 12.7. Whilst the proposal would not result in environmental benefit, proposed mitigation by way of landscaping, sustainable land drainage and increased linkage to the villages existing pedestrian network is considered to offset any harm. The proposal, is therefore, considered to have a neutral impact in terms of the environmental dimension of sustainable development.
- 12.8. Having regard to the above, it is assessed that there are not adverse impacts that would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole. Noting the significant benefits to be realised in allowing the development to proceed, it is considered that there are numerous and compelling reasons to grant planning permission other than in accordance with the existing development plan and even where weighed against any identified harm.
- 12.9. The application proposal is, therefore, considered to represent sustainable development.

## **RECOMMENDATION**

That the application is GRANTED planning permission and includes the following conditions:-

**(1) Subject to the prior completion of a Section 106 Planning Obligation on appropriate terms to the satisfaction of the Chief Planning Officer to secure:**

- Affordable Housing

This shall include:

- 14 rented Affordable Units (35%)

- Financial contribution towards a new cycle link (£34000)
- Transfer of land for an extension to the primary school [laying field for £1
- Financial Contribution towards land and build costs of a new Primary school in the village (£184,572). If the school expansion site is confirmed as a land option, then there shall be clause to ensure that the S106 Agreement is returned. Should the land for the school extension site not be required for school purpose, then the land will be made available for MSDC to be used as open space.
- Financial contribution towards Secondary School Transport (£36,150)
- Financial contribution towards Pre-School provision (£82,032)

THEN

**(2) The Chief Planning Officer be authorised to GRANT OUTLINE Planning Permission subject to conditions as summarised below and those as may be deemed necessary by the Chief Planning Officer:**

- Standard time limit (3yrs for implementation of scheme for the submission of Reserved Matters
- RM to be submitted in accordance with the submitted Parameters Plan ref 017-033-302 P3
- RM to include housing mix and size [no of bedrooms/people]
- Approved Plans (Plans submitted that form this application)
- Concurrent with reserved matters a scheme for the provision and implementation of water, energy and resource efficiency measures
- Electric Vehicle Charging scheme to be agreed
- Construction works and deliveries operating hours
- A Construction Management Strategy

- Materials to be agreed
- Bin presentation and storage to be agreed concurrent with reserved matters
- Surface Water Strategy (ensuring the satisfactory storage and disposal of surface water)
- Sustainable Urban Drainage System (ensuring a suitable system has been implemented and that all flood risk assets and owners are recorded)
- Scheme of Archaeological Evaluation
- Written report on the results of the Archaeological Evaluation
- Written Scheme of Investigation
- Archaeological Project Design Strategy
- Preliminary Ecological Appraisal
- Landscape and Ecological Management Plan to be agreed
- Biodiversity Enhancement Strategy to be agreed
- Badger Method Statement to be agreed
- Lighting Design Scheme for Biodiversity
- Fire Hydrants to be agreed
- Carriageways and Footways binder course level
- Estate Road and Footpaths
- Residents Travel Pack
- Parking and Manoeuvring
- Strategy for land contamination investigation

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

- Pro active working statement
- SCC Highways notes
- Support for sustainable development principles
- Floods and Water Management Notes

**(4) That in the event of the Planning obligations or requirements referred to in Resolution (1) above not being secured within 6 months or such further time as the Chief Planning Officer considers reasonable to conclude the agreement where he is satisfied genuine and reasonable progress is being made then the Chief Planning Officer be authorised to refuse the application on appropriate ground/s**