

## **Committee Report**

**Item No:** 8C

**Reference:** DC/21/05063

**Case Officer:** Daniel Cameron

**Ward:** Onehouse.

**Ward Member/s:** Cllr John Matthissen.

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## **RECOMMENDATION – GRANT OUTLINE PLANNING PERMISSION SUBJECT TO SECTION 106 AND CONDITIONS**

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### **Description of Development**

Application for Outline Planning Permission (some matters reserved, access, layout and scale to be considered) Town and Country Planning Act 1990 - Erection of 20No houses/bungalows (including 7 affordable) open space; sustainable urban drainage systems; and associated infrastructure.

### **Location**

Land South of, Forest Road, Onehouse, IP14 3HQ

**Expiry Date:** 29/12/2021

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

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

**Applicant:** Harris Strategic Land

**Agent:** Mr James Bailey

**Parish:** Onehouse

**Site Area:** 1.37ha

**Density of Development:** 14.5 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:** Yes, DC/21/02855 and DC/19/02899

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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:

It proposes a level of residential development above the threshold set out within the scheme of delegation and therefore, requires a decision by planning committee.

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CLASSIFICATION: Official

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

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### **Summary of Policies**

NPPF - National Planning Policy Framework  
NPPG-National Planning Policy Guidance

FC01 - Presumption In Favour Of Sustainable Development  
FC01\_1 - Mid Suffolk Approach To Delivering Sustainable Development

CS01 - Settlement Hierarchy  
CS02 - Development in the Countryside & Countryside Villages  
CS05 - Mid Suffolk's Environment

GP01 - Design and layout of development  
H07 - Restricting housing development unrelated to needs of countryside  
H13 - Design and layout of housing development  
H15 - Development to reflect local characteristics  
H16 - Protecting existing residential amenity  
H17 - Keeping residential development away from pollution  
CL08 - Protecting wildlife habitats  
T09 - Parking Standards  
T10 - Highway Considerations in Development

Stowmarket Area Action Plan

### **Neighbourhood Plan Status**

This application site is not within a Neighbourhood Plan Area.

### **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**

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

##### **Onehouse Parish Council – Comments Received 17<sup>th</sup> October 2021**

Councillors object to the proposals.

The development will diminish the strategic gap between Stowmarket and Onehouse which has already been reduced with the granting of permission for the developments in Union Road.

This is prime agricultural land and should be protected and not developed.

There will be a loss of amenity to the properties opposite the proposed exit of the development

which is higher land, car lights will shine into their windows.

Highway safety is a major concern. This is already a difficult section of road to navigate with the bend and additional traffic from this development and those already approved in Union Road will have a vast impact in the area. Very close to the proposed entrance is where Onehouse PC is hoping to site an electronic speed sign as this section of road is considered very dangerous.

The public footpath is to the North of Forest Road meaning all children either walking to school or catching the bus from this development will need to cross Forest Road.

The siting of the vehicular access onto Forest Road will create a staggered crossroads with the junction of Northfield Road with Forest Road. There are already difficulties with visibility exiting Northfield Road which will be exacerbated by the access to this site.

There is no safe pedestrian access to the Chilton Leys bend and the additional traffic from this development will cause additional danger.

Although the application states that the hedgerow will be retained, it is clear that a significant amount will need to be removed to allow for the necessary visibility splays, this would have a detrimental effect on the wildlife habitat and biodiversity in the area.

Flooding occurs in the area on a regular basis and Councillors are not assured that this will be resolved if this development takes place.

Onehouse PC understands that the initial application/enquiry to MSDC was for 10 dwellings not the now proposed 20 at this stage. Residents are very concerned at potential final numbers and impacts if granted.

Infrastructure in the area is already under strain and cannot accommodate the current approved developments. Schools, doctors and dentists are oversubscribed before the completion of the three major developments in the area.

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

##### **Anglian Water – Comments Received 8<sup>th</sup> October 2021**

The foul drainage from this development is in the catchment of Great Finborough Water Recycling Centre that will have available capacity for these flows.

The sewerage system at present has available capacity for these flows via a gravity connection to the foul sewer in Forest Road. If the developer wishes to connect to our sewerage network they should serve notice under Section 106 of the Water Industry Act 1991. A number of informatives are noted in this regard.

##### **Natural England – Comments Received 13<sup>th</sup> October 2021**

Natural England has no comments to make on this application.

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

##### **Archaeology Service – Comments Received 19<sup>th</sup> October 2021**

This site lies in an area of archaeological potential recorded on the County Historic Environment Record. It is an archaeologically un-investigated area near listed buildings of 15th and 16th century age near to the Chilton Leys development, for which evaluation has revealed Prehistoric, Roman and Anglo-Saxon remains. On the basis of this and its favourable topographic location there is high potential for the

discovery of below-ground heritage assets of archaeological importance within this area, and groundworks associated with the development have the potential to damage or destroy any archaeological remains which exist.

There are no grounds to consider refusal of permission in order to achieve preservation *in situ* of any important heritage assets. However, in accordance with the *National Planning Policy Framework* (Paragraph 205), any permission granted should be the subject of a planning condition to record and advance understanding of the significance of any heritage asset before it is damaged or destroyed.

#### Developer Contributions – Comments Received 19<sup>th</sup> October 2021

S.106 or CIL	Type	Capital Contribution
CIL	Education	
	- Secondary expansion	£71,325
	- Sixth form expansion	£23,775
CIL	Library improvements	£4,329
CIL	Waste	£2,260
S.106	Education	
	- Primary new build	£102,540
	- Early Years new build	£41,016
S.106	Monitoring fee (per trigger)	£412
S.106	Highways	TBC

#### Fire and Rescue Team – Comments Received 5<sup>th</sup> October 2021

A condition is required for fire hydrants.

#### Flood and Water Team – Comments Received 4<sup>th</sup> October 2021

The Local Planning Authority should seek to ensure that the proposed development covered by the application complies with national, local policy, best practise and guidance in relation to flood risk and surface water management.

Should the LPA be minded to approve this application, then the LLFA recommends that a condition be applied to ensure that details of the surface water drainage scheme for the site be submitted concurrent with any subsequent reserved matters application.

#### Highways Team – Comments Received 18<sup>th</sup> October 2021

Whilst the principle and location of the access, visibility splays and indicative layout are generally acceptable to the Highway Authority, a new development of this scale should provide sustainable access to local amenities including schools. As proposed, occupiers would be largely dependent on motor vehicle travel or would be required to walk on a road not considered suitable for pedestrian use, particularly vulnerable pedestrians. Subsequently, it does not accord with NPPF paras. 110 and 112 and pedestrians walking in the road would result in an unacceptable impact on highway safety (NPPF para. 111). **Subsequently, we object to the proposal until the above comment has been addressed.**

With regard to the above comment, section 2.11 of the submitted Transport Statement advises that a S106 contribution has been made as part of the nearby Northfield View development for the provision of a footway connection. This is not the case, a PROW (Public Rights of Way) contribution is due to be made for a PROW link between existing footpaths FP14 and FP25 (the form and location of which is to be determined). This is not a contribution for a footway connection that will serve this development. Subsequently, discussions are ongoing with members of the SCC PROW team on this matter.

The proposed main access layout is generally acceptable to the Highway Authority including the visibility splays as illustrated on drawing ZC291 - PL - SK - 200 P02, however we request that the footway on the eastern side is extended further beyond the proposed crossing point to protect the visibility splay and pedestrian crossing point from being obscured by vegetation between cutting schedules.

Whilst the indicative masterplan layout shown on drawing CSA/5398/107 Rev C is generally acceptable, the majority of the road (beyond the initial length of road incorporating a turning head shown grey) may not be suitable for adoption by the Highway Authority. This comment does not need to be addressed but is included for future reference at reserved matters stage.

**N.B – It is understood that the contribution to create a link between footpaths 14 and 25 has been received by SCC. It is further understood that delivery of said link has been programmed by SCC.**

#### **Further Highways Team – Comments Received 21<sup>st</sup> December 2021**

Further to the submission of a plan illustrating a footway connection to the proposed bridleway facility from the Northfield View development, we are satisfied with the proposal subject to the imposition of conditions on any grant of planning permission.

#### **Public Rights of Way – Comments Received 8<sup>th</sup> October 2021**

The proposed site does not contain a public rights of way (PROW) although Onehouse Public Footpath 25 lies adjacent to the eastern boundary of the development.

We accept this proposal but ask that a number of informatives relating to public rights of way are taken into account.

#### **Travel Plan Officer – Comments Received 29<sup>th</sup> September 2021**

On reviewing the documents submitted, I have no comment to make, as the size of the development does not meet the Travel Plan thresholds in the Suffolk Travel Plan Guidance.

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

##### **Environmental Health – Air Quality – Comments Received 6<sup>th</sup> October 2021**

I can confirm that the scale of development, at 20 dwellings, is not likely to be of a scale that would compromise the existing good air quality at, and around the development site. When assessing the impacts of developments we give regard to the existing air quality at the site as provided by DEFRA background concentrations and also the number of likely vehicle movements. DEFRA and the Institute of Air Quality Management provide benchmarks of the scale of development that *may* start to cause a deterioration of air quality that requires further assessment. IAQM indicate that concerns may start to occur on developments which generate 500 vehicle movements a day – this development falls short of this threshold and as such further investigation is not warranted.

##### **Environmental Health – Noise/Odour/Light/Smoke – Comments Received 8<sup>th</sup> October 2021**

I have no objections in principle. However, construction activities near to existing residential premises have the potential to cause a detrimental effect on the local amenity during the duration of the site works, as such it is requested that construction hours of work, burning of material on site, dust control and a construction management plan be conditioned to any approval. In addition, conditions are also noted with regards to the lighting of the site once occupied as well as for connection to the foul water sewer.

##### **Environmental Health – Land Contamination – Comments Received 11<sup>th</sup> October 2021**

Having reviewed the application I can confirm that I have no objection to the proposed development from the perspective of land contamination. I would only request that the LPA are contacted in the event of unexpected ground conditions being encountered during construction and that the below minimum precautions are undertaken until such time as the LPA responds to the notification. I would also advise that the developer is made aware that the responsibility for the safe development of the site lies with them.

#### **Environmental Health – Sustainability – Comments Received 21<sup>st</sup> October 2021**

Upon review of the application a condition should be applied to any approval to detail a scheme for the provision and implementation of a water, energy and resource efficiency measures to be applied to the lifetime of the development. Said scheme should include details of carbon reduction, electric vehicle charging points, heating for the properties, waste reduction.

#### **Place Services – Ecology – Comments Received 29<sup>th</sup> October 2021**

No objection subject to securing ecological mitigation and enhancement measures.

#### **Public Realm – Comments Received 13<sup>th</sup> October 2021**

Public Realm Officers consider the level of open space and the provision of a naturalistic play area are appropriate for this development. We have no objections to this development from an open space or play provision perspective.

#### **Strategic Housing – Comments Received 14<sup>th</sup> October 2021**

The proposal includes a policy-compliant amount of affordable housing and the proposed affordable housing mix is supported.

#### **Waste Services – Comments Received 8<sup>th</sup> October 2021**

No objection subject to conditions to ensure a waste tender can access and manoeuvre within the site and that bin storage and collection points are provided to each proposed dwelling.

#### **Other Responses (Appendix 7)**

##### **East Suffolk Drainage Board – Comments Received 5<sup>th</sup> October 2021**

The site is near to the Internal Drainage District (IDD) of the East Suffolk Internal Drainage Board (IDB) and is within the Board's Watershed Catchment (meaning water from the site will eventually enter the IDD). Maps are available on the Board's webpages showing the Internal Drainage District ([https://www.wlma.org.uk/uploads/ESIDB\\_Index\\_plan.pdf](https://www.wlma.org.uk/uploads/ESIDB_Index_plan.pdf)) as well as the wider watershed catchment ([https://www.wlma.org.uk/uploads/ESIDB\\_Watershed.pdf](https://www.wlma.org.uk/uploads/ESIDB_Watershed.pdf)).

I note that the applicant intends to discharge surface water to a watercourse within the watershed catchment of the Board's IDD. We request that this discharge is facilitated in line with the non-statutory technical standards for sustainable drainage systems (SuDS), specifically S2 and S4. Resultantly we recommend that the discharge from this site is attenuated to the Greenfield Runoff Rates wherever possible.

##### **Mid Suffolk Disability Forum – Comments Received 3<sup>rd</sup> October 2021**

The Mid Suffolk Disability Forum would like to see a commitment to ensuring that all dwellings will meet Part M4 of the Building Regulations in an outline planning application. Stating that the dwellings will have level access does not fulfil the need for adequate housing for disabled people - it is not sufficient to just state that disabled people will be able to get inside a dwelling.

All dwellings should be visitable and meet Part M4(1), and 50% of the dwellings should meet the 'accessible and adaptable' standard Part M4(2).

It is our view that at least 3% of the dwellings in housing developments of over 10 dwellings should be bungalows to assist people with mobility problems and to assist people who wish to downsize from larger dwellings. However, in this instance we do not feel that two X 3 bed bungalows is sufficient. Consideration should be given to also providing 2 bed bungalows.

Every effort should be made to ensure all footpaths are wide enough for wheelchair users, with a minimum width of 1500mm, and that any dropped kerbs are absolutely level with the road for ease of access.

Surfaces should be firm, durable and level. No loose gravel, cobbles or uneven setts should be used.

Care should be taken to ensure the play area is accessible to children with disabilities.

## **B: Representations**

At the time of writing this report at least 32 letters/emails/online comments have been received. It is the officer opinion that this represents 31 objections and one neutral comment neither in support nor objection to the application. A verbal update shall be provided as necessary.

Material considerations noted within the objections are summarised below:

- Loss of agricultural land for housing.
- Visibility for vehicles is poor and road is narrow. Further cars would be added to the highway network by this application.
- Existing issues with the highway network will be made worse.
- Likely removal of hedgerows from the site.
- Concern over the use of highway network for deliveries of materials to the site.
- Flood issues on site spilling onto road.
- Light pollution to dwellings to the north of the site from car headlights.
- Ecological harm and loss of habitat.
- Concern about number and type of dwelling proposed. Will that be what is secured?
- Potential for site to coalesce with Stowmarket.
- Forest Road is part of National Cycleway 51. Additional traffic poses a danger to cyclists.
- Concern additional homes will further reduce water pressure in area.
- Affordable homes proposed will not be in reach of local people.
- Lack of footpath to site.
- Roads unsuitable for construction vehicles.
- Lack of public transport serving Onehouse.
- No provision of medical facilities, schools or retail to support the development.
- Proposed scheme out of character with Onehouse.
- Site located outside of current settlement boundary.
- Allocation within JLP is for 10 dwellings.
- Could the development provide self-build plots?
- Limited services and facilities available within Onehouse.
- Lack of parking along Forest Road.
- Extensive development is already being provided nearby.
- Housing supply position is adequate within Mid Suffolk.
- Concern that additional development will come forward.
- Parking on site is sub-standard.
- Development close to a Grade II listed building.
- Illustrative outline plans may not come forward at reserved matters stage.

Issues noted within the neutral comment are as follows:

- Retention of hedgerow to site frontage is welcomed.
- Footpath connections should be expedited as a matter of urgency, it would provide a safe walking route for members of the public.
- Extension of the 30mph speed limit should be considered.

(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**

<b>REF:</b> DC/21/05063	Application for Outline Planning Permission (some matters reserved, access, layout and scale to be considered) Town and Country Planning Act 1990 - Erection of 20No houses/bungalows (including 7 affordable) open space; sustainable urban drainage systems; and associated infrastructure.	<b>DECISION:</b> PCO
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## **PART THREE – ASSESSMENT OF APPLICATION**

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

- 1.1 The site comprises an area of 1.37ha of land currently in an agricultural use and located to the immediate south of Forest Road. It is currently laid to grass with a hedgerow noted to the boundary to Forest Road. The wider agricultural use of the site extends to the south. An agricultural access is located at the eastern boundary of the site and a footpath runs adjacent to it connecting to The Shepard and Dog public house to the south. It does not cross into the application site.
- 1.2 The site abuts the existing settlement boundary of the village of Onehouse. Residential development is noted to north of the site and to the west. Aerial photography of the area shows a wider rural landscape dominated by agriculture with field patterns, hedgerows and pockets of trees apparent. The site sits within the Ancient Rolling Farmlands Special Landscape Area (SLA).
- 1.3 Three Grade II listed properties are noted beyond the western boundary of the application site and are identified as Elder Cottage, Croft Cottage and Rose Cottage, with Croft and Rose Cottages sharing a list entry as a pair of cottages.
- 1.4 Attention is drawn to two nearby sites benefitting from planning permission located to the east of the application site – Northfield View which is already under construction and its neighbour which recently was granted outline planning permission under reference DC/20/01110. The sites are located on the eastern side of Starhouse Road and to the north and south of Union Road respectively. Together these sites will deliver approximately 1,000 new dwellings in total.
- 1.5 The site does not lie within a conservation area and no tree preservation orders are noted on the application site. It is located in flood zone 1.

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CLASSIFICATION: Official



## **2. The Proposal**

- 2.1 This application proposes the erection of twenty (20) residential dwellings on the site, seven (7) of which are proposed to be affordable dwellings. The application is made in outline such that the principle of development is under consideration. Access, layout and scale are also to be considered. These matters are normally reserved for consideration in a subsequent application; however, their inclusion here means that members have scope to consider wider issues than they would otherwise be able to. In particular these matters are considered to relate to the access to the highway network, road layout within the application site, position of housing within the site, position of SuDS and play area within the site and the height of the proposed dwellings within the site. To this end, a greater degree of certainty with regards to development on the site is available to Members than would otherwise be the case with an outline application with a greater degree of matters being reserved.
- 2.2 Matters relating to the appearance of dwellings within the site as well as landscaping detail are reserved and therefore do not fall within the scope of this application. They are subject to separate consideration within a subsequent reserved matters application. Said reserved matters application would need to adhere to the details set out within this application were outline planning permission to be granted.
- 2.3 Access to the site is proposed to be taken from Forest Road, with internal road layouts to create a single spine road within the site with development to be served from private accesses from the spine road. No access or turning head is proposed within the site that would or could create a future access point to the fields to the south of the site. The route of the existing public right of way is proposed to be unaffected while a new path is proposed to connect into it which will run along the southern boundary of the application site. The existing agricultural access to the neighbouring field is also to remain for access to the surrounding fields.
- 2.4 Development within the site is mainly two-storeys in height, although a small number of bungalows are also noted. The supplied indicative housing mix is as follows:

Market Housing:

<b>Plot Size</b>	<b>Quantity</b>
2 bed house	3
3 bed bungalow	2
3 bed house	7
4 bed house	1
<b>TOTAL</b>	<b>13</b>

Affordable Housing:

<b>Plot Size</b>	<b>AR/SO</b>	<b>Quantity</b>
1 bed house	AR	2
2 bed house	AR	2
3 bed house	AR	1
2 bed house	SO	1
3 bed house	SO	1
	<b>TOTAL</b>	<b>7</b>

Location and tenure of affordable housing would be provided and agreed as part of the future reserved matters application if outline planning permission is granted.

- 2.5 Landscaped space is proposed to all site boundaries. To the south, planting is proposed to create a new boundary to the agricultural fields and would form part of the route of the additional path proposed to join footpath 25. A gap of open space is proposed to the western end of the site with a naturally equipped play area to be provided. It also serves to create a gap between the proposed dwellings and the listed buildings noted to the west of the site. Development is similarly pulled back from the eastern boundary of the site. This provides space for SuDS features within the site and to allow the agricultural access and public footpath to continue to be utilised. To the northern boundary, hedgerow is to be retained and strengthened with additional native species planting. While landscaping is not a matter for consideration within this application, the submission of a landscape strategy plan means that subsequent details submitted in a reserved matters application would need to accord with these details.

### **3. The 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 the determination must be made in accordance with the plan unless material considerations indicate otherwise.*'
- 3.2 Mid Suffolk District Council can demonstrate in excess of a five-year housing supply. Such that there is no requirement for the Council to determine what weight to attach to all the relevant development plan policies in the context of the tilted balance test, by virtue of not being able to demonstrate said housing supply. This said, there is a need for Council to determine whether relevant development policies generally conform to the NPPF. Where they do not, they will carry less statutory weight.
- 3.3 The NPPF requires the approval of proposals that accord with an up to date development plan without delay, or where there are no policies, or the policies which are most important are out of date, granting permission unless the NPPF policies provide a clear reason for refusal, or adverse impacts of doing so would demonstrably outweigh the benefits. The age of policies itself does not cause them to cease to be part of the development plan or become "out of date" as identified in paragraph 219 of the NPPF. It states that:
- "existing policies should not be considered out-of-date simply because they were adopted or made prior to the publication of this Framework. Due weight should be given to them, according to their degree of consistency with this Framework (the closer the policies in the plan to the policies in the Framework, the greater the weight that may be given)."*
- 3.4 Policy CS1 of the Core Strategy identifies a settlement hierarchy as to sequentially direct development, forming part of a strategy to provide for a sustainable level of growth. The Policy identifies categories of settlement within the district, with Towns representing the most preferable location for development, followed by the Key Service Centres, Primary then Secondary Villages. The countryside is identified as the areas outside of those categories of settlement referred to above.
- 3.5 Policy CS2 of the Core Strategy restricts development in the countryside to defined categories. This list of allowable development explicitly excludes the creation of market housing such that the proposed development does not fall within any of the listed categories.

- 3.6 Policy H7 of the Local Plan 1998 seeks to restrict housing development in the countryside in the interests of protecting its existing character and appearance.
- 3.7 The proposal site is located in the countryside, adjacent to the settlement boundary of Onehouse and therefore does not accord with policies CS1, CS2 and H7. That said, as development proposed for a secondary village, some allowance within CS1 is made for residential infill and development to meet local need.
- 3.8 The exceptional circumstances test at Policy CS2 applies to all land outside the settlement boundary, as does saved Policy H7. This blanket approach to the location of development is not consistent with the NPPF, which favours a more balanced approach to decision-making. The NPPF does contain a not dissimilar exceptional circumstances test, set out at paragraph 80, however it is only engaged where development is isolated. The definition of isolation with regards to this policy has been shown within court judgements to relate to the remoteness of a site from a settlement. Given the functional and physical proximity of the application site to Onehouse the development is not isolated and paragraph 80 of the NPPF is not engaged.
- 3.9 Having regard to the advanced age of the Mid Suffolk settlement boundaries and the absence of a balanced approach as favoured by the NPPF, the statutory weight attached to the above policies is reduced as required by paragraph 213. The fact that the site is outside the settlement boundary is therefore not a determinative factor upon which the application turns.
- 3.10 The presumption in favour of sustainable development and the need for a balanced approach to decision making are key threads to Policy FC01 and FC01\_1 of the Core Strategy and are also the most recent elements of the Mid Suffolk development plan, adopted in 2012. Policy FC01\_1 however is not considered up to date as it does not allow for the weighing of public benefits against heritage harm, a key tenet of the NPPF.
- 3.11 Therefore, it cannot be shown that the policies of the Council carry sufficient weight to be determinative to this application. Paragraph 11d) of the NPPF is relevant, it requires that where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:
- i. *the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed;*
  - ii. *any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.*
- 3.12 The application site was allocated within the emergent Joint Local Plan (JLP) under reference LS01 and was to deliver ten (10) dwellings. It is also noted that the settlement boundary for Onehouse was proposed to be extended to accommodate this site such that it would no longer be read as part of the countryside for planning purposes. Further, the principle of residential development within settlement boundaries is accepted within the emergent JLP.
- 3.13 In examination of the JLP the Inspector has raised an issue with the precise dwelling numbers outlined for allocated development sites within the JLP and has identified that approximate figures would be more appropriate in this instance. It is considered that the fact the application proposes a greater number of dwellings than set out within the JLP is not fatal to the consideration of the application.
- 3.14 While the JLP cannot be held to hold material weight with regards to this site some significance must be given to work which underpinned the proposed allocation as the site would not be

allocated within the document if residential development on the site was considered to be unsustainable.

3.15 Paragraph 49 and 50 of the NPPF note that arguments against an application on the grounds of prematurity (being brought forward in advance of the adoption of the emergent plan) are unlikely to justify a refusal of planning permission other than in limited circumstances. Where a Local Planning Authority chooses to do so, they are expected to clearly indicate how the granting of permission would undermine or prejudice the outcome of the plan-making process.

3.16 Turning back to the three dimensions of sustainable development:

*Economic Dimension* – The provision of residential dwellings will give rise to substantial employment during the construction phase of the development owing to the scale of development proposed. The New Anglia 'Strategic Economic Plan' (April, 2014) acknowledges that house building is a powerful stimulus for growth and supports around 1.5 jobs directly and 2.4 additional jobs in the wider economy for every home built. The proposal will result in job creation and will have positive regional economy benefits.

Additional infrastructure requirements are a consequence of the development. It must also be noted that none of the infrastructure authorities have objected to the scheme, with all concluding that CIL and Section 106 contributions can be used to manage future infrastructure demand.

*Social Dimension* – The development offers a policy compliant level of affordable housing equating to a total of 7 affordable units, representing a social benefit to the district which weight is attached. A proposed mix is given in support of the application. The Council's Strategic Housing Officer has provided comments accepting the mix. There is nothing before officers at this time to suggest the suggested mix cannot be realised at reserved matters if outline permission were to be granted and would be agreed at a later date between the Council and applicant as part of the provisions of any Section 106 Agreement.

The delivery of housing is also a benefit of the application and while the Council can demonstrate a five-year housing land supply, this cannot be read as a cap on development.

*Environmental Dimension* - The site is located in the countryside in policy terms, as it is outside the settlement boundary however, the site has a strong functional relationship to the village, being located directly adjacent to its settlement boundary and is not considered isolated in a functional sense. Harm to the setting of the nearby listed building is noted. The level of harm is identified as less than substantial and is considered in more detail within the relevant section of this report. This being said, some benefit is identified through the provision of additional landscaping as well as net gains for biodiversity which can be secured through conditions.

3.20 In considering the benefits of the application, it is clear that there are some economic, social and environmental benefits associated with the site. In terms of harms there is some weight that could be attributed to the countryside location of the site, however, its functional relationship to the village of Onehouse makes a degree of spatial sense to locate development in this location. That development of the site would conflict with policies CS1, CS2 and H07 of the adopted Development Plan is noted but is not considered to be sufficient to support a refusal of the application on those grounds.

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

- 4.1 Onehouse is identified as a secondary village within the adopted Development Plan and is located 3 miles from the centre of Stowmarket such that it is reliant on services and facilities provided within its neighbour to meet the day to day needs of its residents. Development at Northfield View by Taylor Wimpey is located approximately 400m along Forest Road to the east of the application site and would provide connection to an upgraded footpath route which connects to Chilton Way and Onehouse Road giving access to Stowmarket High School and Mid Suffolk Leisure Centre. Timings of journeys along the route at present are indicated to take around 15 to 20 minutes from the application site.
- 4.2 Consultation with the Highway Authority notes that funding for the upgrading of the route from Taylor Wimpey is held by Suffolk County Council and that the works are currently being programmed for delivery. It is noted that part of the route along Forest Road would, at present, be made along an unlit route without the benefit of made footways, although a good-sized verge is provided along the entirety of the route along Forest Road. Works to the footpath network within the are include a connection from the footpath adjacent to the site along Forest Road to the Northfield View site such that once completed a walking connection could be made along a made route.

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

- 5.1 Access to the site is provided via Forest Road. A pedestrian footway is to be delivered on the western and eastern sides of the access and a footway is to be delivered through the site to connect with the existing public right of way. The width of the proposed roads within the site are sufficient to meet the requirements of emergency vehicles as well as refuse tenders.
- 5.2 All of the new dwellings are proposed to be served by level accesses and the two bungalows are proposed to be served by level accesses with slip-resistant surfaces in line with the relevant requirements of Building Regulations.
- 5.3 Policy T10 of the Local Plan requires the Local Planning Authority to consider a number of highway matters when determining planning applications, including the provision of safe access, the safe and free flow of traffic and pedestrian safety, safe capacity of the road network and the provision of adequate parking and turning for vehicles. Policy T10 is a general transport policy which is generally consistent with Section 9 of the NPPF on promoting sustainable transport, and therefore is afforded considerable weight.
- 5.4 Paragraph 111 of the NPPF confirms that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe. While their previous objection is noted, the most recent consultation with the Highway Authority notes that the application is acceptable in this regard and further, sufficient parking is delivered within the site to accord with the adopted parking standard.

## **6. Design and Layout**

- 6.1 The submitted illustrative masterplan shows up to twenty (20) dwellings within the site flanked by open space to the western, southern and eastern boundaries of the site. Dwellings are shown orientated towards Forest Road, the footpath adjacent the site and open space within the site. This results in a density of thirty (30) dwellings per hectare within the site with a maximum dwelling height of two storeys.

- 6.2 Over half of the site is retained for open space and a play area and sufficient space within the site is also retained for SuDS drainage.
- 6.3 A number of roofs within the site are orientated to face south such that if photovoltaic panels were to be affixed to them, they would be able to make maximum benefit and further would be able to make use of passive solar gain to heat the properties. Those properties which do not face south are in the minority but would still be able to obtain some benefit from photovoltaic panels arranged to face east and west. Further detail in this regard is proposed to be conditioned to be brought forward in line with any future reserved matters application.
- 6.4 It is considered by Officers that the proposed scheme would fit well with the character of the surrounding area, subject to detail coming forward at reserved matters stage of appearance. Any decision on the appearance of the site would be retained by Members such that scrutiny could be applied at the required time.

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

- 7.1 Policy CS5 of the Core Strategy seeks to protect and conserve landscape qualities taking into account the natural environment and the historical dimension of the landscape as a whole rather than concentrating solely on selected areas, protecting the District's most important components and encouraging development that is consistent with conserving its overall character. However, blanket protection for the natural or historic environment as espoused by Policy CS5 is not consistent with the Framework and is afforded limited weight.
- 7.2 Paragraph 170 of the NPPF states that the planning system should contribute to and enhance the natural and local environment by protecting and enhancing valued landscapes, geological conservation interests and soils.
- 7.3 On-site vegetation is proposed to be retained and incorporated within the layout of the development. This is then to be enhanced further with additional planting within the site. The submitted Landscape Strategy Plan can be conditioned to provide the basis for further landscaping detail which would come forward as part of any reserved matters scheme.
- 7.4 It is not considered that the site would detrimentally affect the surrounding special landscape area. It would remove an element of the agricultural land which gives the SLA its defining characteristic, however, the site is adjacent existing residential development so in long views would be seen as a part of Onehouse itself. Further, it would provide a defined edge to the village, which at present extends to a greater degree along the northern side of Forest Road than on the southern side. Therefore, it is not considered that this application would remove an area which contributes to the physical separation of Onehouse from Stowmarket.
- 7.5 In terms of ecology, additional biodiversity net gain can be achieved within the site owing to additional planting and moreover would be subject to conditions raised by the Council's retained ecologist to ensure said net gain was delivered within the site.

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

- 8.1 The application is supported by a Geo environmental Assessment which has been reviewed and assessed by the Local Planning Authority's in-house Environmental Health team. No objections are noted subject to an informative to ensure that the developers' responsibilities in this regard is added to any positive determination.

- 8.2 No objection is noted with regards to surface water flooding which is to be stored within an open SuDS system. The suggested condition is noted. Similarly, no objection is noted from Anglian Water with regards to connection to the foul water sewer. The informatives suggested as similarly noted.
- 8.3 The Council's Waste Collections Team have also not returned an objection to the application. Internal roads are considered to be suitable for a waste tender to access the site and also turn within it such that there is not a need for a tender to reverse out of the site. The recommended condition is noted.

## **9. Heritage Issues**

- 9.1 Policy HB1 of the Local Plan seeks to protect the character and appearance of buildings of architectural or historic interest, particularly protecting the settings of Listed Buildings. Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 states that special attention shall be paid to the desirability of preserving a listed building, its setting or other architectural or historic features from which it draws significance. In practice, a finding of harm to the historic fabric of a listed building, its setting or any special features it possesses gives rise to a presumption against the granting of planning permission.
- 9.2 The Council's Heritage Team were consulted on the application and do not consider it necessary to provide comment in this instance. The proposed application would not adversely impact the nearby listed buildings directly although some impact would likely be felt to their settings. Impact on the setting of a listed building is not considered to consist of a substantial level of harm or complete loss of a given asset. Therefore, it is considered that at worst the level of harm associated with this application is less than substantial.
- 9.3 Paragraph 202 of the NPPF states that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, as is the case here, the harm should be weighed against the public benefits of the proposal. The level of heritage harm must therefore be weighed, and considered in the context of the environmental, social and economic benefits that the scheme will be bring about, which are identified elsewhere in this report. This matter will be further considered in the conclusion below.
- 9.4 Consultation with the Suffolk County Council Archaeology Service notes that while the site lies in an area of potential archaeological interest this is not considered to be grounds to refuse the application. They recommend conditions to secure the archaeological investigation of the site prior to development which would accord with the requirements of Saved Policy HB14.

## **10. Impact on Residential Amenity**

- 10.1 Saved Policy H13 of the Local Plan seeks to ensure new housing development protects the amenity of neighbouring residents. Saved Policy H16 of the Local Plan seeks to protect the existing amenity of residential areas. Paragraph 130 of the NPPF sets out a number of core planning principles as to underpin decision-taking, including, seeking to secure a high standard of amenity for all existing and future occupants of land and buildings.
- 10.2 Given layout and scale are matters to be considered within this application, certainty can be given to the placement of dwellings within the site, as well as their heights. There is nothing within the submitted drawings that indicate that the proposed dwellings would be subject to a compromised amenity by way of inadequate private amenity space.

- 10.3 Further, dwellings are arranged in such a manner that it is not considered that adverse impacts would be felt by existing neighbours to the site by way of reduced levels of natural light or overlooking. The western boundary of the site is particularly generous in this regard.
- 10.4 Back-to-back distances within the site are acceptable and it is not considered that adverse harm would be created for the future occupants of the site through poor levels of natural light. With specific regard to overlooking within the site this is not considered to be an issue as detail of the specific designs of the proposed dwellings would be a reserved matter and would be dealt with through a subsequent application. Therefore, the Local Planning Authority would retain control over window placement to the upper levels and roofs of proposed dwellings and be able to adequately control this aspect of the proposed development to control overlooking.

### **11. Planning Obligations / CIL**

- 11.1 The development would be subject to CIL which would be managed through the standard CIL processes. Section 106 obligations are noted with regards to education provision and the delivery of affordable housing and would be secured within a Section 106 Agreement to be completed prior to the issue of any planning permission.

### **12. Parish Council Comments**

- 12.1 The comments made by Onehouse Parish Council are noted and to an extent are addressed within the body of this report. Specific attention is drawn to the following issues not mentioned earlier within the report.
- 12.2 The site is located on agricultural land. The most recent land survey for the region noted that the land was category 3 land, which is not protected by planning policy.
- 12.3 No amenity concerns are raised regarding car lights affecting the amenity of properties to the north side of Forest Road. Any light shine from car headlights would be fleeting and would only affect those properties during hours of darkness when residents are likely to have curtains drawn.
- 12.4 Infrastructure concerns are noted, however, the current funding model to ensure that infrastructure capacity is delivered in step with or following development. Development to the north and south of Union Road is supported by extensive Section 106 Agreements to expand and support infrastructure within the area and this development would contribute CIL and its own Section 106 obligations to aid in the delivery of infrastructure.

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## **PART FOUR – CONCLUSION**

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### **13. Planning Balance and Conclusion**

- 13.1 The application site is located adjacent to the settlement boundary of Onehouse and within the countryside for the purposes of planning policy. The site was allocated within the JLP and the underlying work supporting the JLP does carry a degree of significance, the site was seen to be a likely one for residential development and was considered to amount to sustainable development.
- 13.2 The location of the larger developments either side of Union Road, a short distance to the east of the site, provide a car free walking and cycling route into Stowmarket. Upgrading of the footpath route through those sites is scheduled by SCC as the relevant Highway Authority and funding for



the works are held by them. This application seeks to improve pedestrian connections to that link through the provision of a made footpath to the northern side of Forest Road. While Parish Council comments on users having to cross Forest Road to make use of the route are correct, this is the case for existing dwellings on the southern side of Forest Road at present and the speed limit on Forest Road at this point is 30mph.

- 13.3 The format of this application offers a good degree of certainty to Members on the form and scope of development proposed to come forward. If approved, Members would have certainty over the following aspects of the development: the access to the highway network, road layout within the application site, position of housing within the site, position of SuDS and play area within the site and the height of the proposed dwellings within the site. Reserved matters would be required to cover off details of appearance and landscaping and would be required to be determined by Development Control Committee so control over these aspects of the development would still be available to Members.
- 13.4 Conditions have been suggested to ensure that sufficient detail would come forward concurrently with submission of Reserved Matters to ensure that additional information to aid Members would be available with regards to the sustainability measures, including integration of renewable technologies and insulation within the build of the proposed dwellings and full details of the surface water drainage scheme.
- 13.5 A less than substantial level of harm may be noted to the setting of the nearby listed buildings, however, given the positive benefits of the development by way of delivery of affordable housing, delivery of open space and connectivity improvements, delivery of play space and biodiversity net gains within the site, it is considered by Officers that the level of less than substantial harm is outweighed in this instance.
- 13.6 The recommendation put before Members is to grant outline planning permission for the application site subject to the completion of a Section 106 Agreement and subject to the conditions and informatives listed below:

## **RECOMMENDATION**

The recommendation before members is to approve the application subject to the following:

- (1) **Subject to the prior agreement of a Section 106 Planning Obligation on appropriate terms to the satisfaction of the Chief Planning Officer as summarised below and those as may be deemed necessary by the Chief Planning Officer to secure:**
- Affordable housing as set out within the scheme (delivery of seven on-site units).
  - Public Realm (delivery of open space and play area).
  - Developer Contributions as set out within the response.
- (2) **That the Chief Planning Officer be authorised to GRANT Planning Permission upon completion of the legal agreement subject to conditions as summarised below and those as may be deemed necessary by the Chief Planning Officer:**
- Standard time limit for Outline Planning Permission (three years to agree reserved matters and a further two years from point of agreement of reserved matters to commence).
  - Reserved matters (appearance and landscaping) details to come forward for agreement.

- Reserved matters to be in accordance with the approved plans (N.B Access, layout and scale are agreed as part of the outline as such those aspects of the development are not subject to change).
- Scheme of sustainability to come forward concurrent with the submission of reserved matters.
- Details of surface water drainage scheme to come forward concurrent with the submission of reserved matters.
- A scheme of archaeological investigation to come forward prior to commencement.
- A report on the findings of archaeological investigation to be submitted prior to any occupation.
- Details of the location of fire hydrants within the scheme to be agreed prior to works above slab level on site and to be delivered and ready for use prior to occupation.
- Construction management plan to be submitted and agreed prior to commencement of the scheme. This should also include hours of construction work, details of dust suppression/control as well as details for worker parking on site and the routing of large delivery vehicles to the site and other associated requirements.
- No burning of construction materials shall be undertaken on the site.
- Scheme for the protection of natural features on the site (not shown to be removed) to be agreed prior to commencement and to be in place throughout construction.
- Scheme of lighting for the site to be submitted and agreed prior to any occupation on site. Said scheme shall be in line with ecology concerns detailed within their response.
- Details of connection to the foul water sewer shall be demonstrated prior to occupation.
- Bin storage and presentation details to be submitted concurrent with reserved matters.
- Ecological construction management plan to be submitted and agreed prior to commencement.
- Landscape and ecological management plan to be submitted concurrent with reserved matters and be in accordance with the submitted landscape strategy.
- Access (including footways either side) to be delivered prior to the first occupation of any dwelling.
- Detail of footway connection to Northfield View along Forest Road to be submitted and agreed. Footway to be completed prior to occupation of the first dwelling or within 6 months of completion of works to the bridleway (within the Taylor Wimpey site) whichever is the later.
- Details of estate road and footpaths within site to be agreed prior to commencement (layout, levels, gradients, surfaces, lighting, traffic calming and surface water drainage within the highway).
- No dwelling to be occupied without being served by made estate roads and footpaths.
- Details of refuse and recycling storage and collection to be provided concurrently with submission of reserved matters.
- Parking details to be secured concurrent with reserved matters and delivered prior to occupation of each unit. Details to include cycle parking and electric vehicle charging points.
- Visibility splays to the main site access to be delivered in line with approved details. Thereafter no obstruction to said splays shall be constructed, planted or permitted to grow above 0.6m.

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

- Proactive working statement.
- Anglian Water informatives detailed in their consultation response.
- Internal Drainage Board requirements as detailed within their consultation response.
- Public Rights of Way informatives detailed in their consultation response.
- Informative on the developer's responsibilities with regards to land contamination.
- Highways informative.

**(4) That in the event of the Planning obligations or requirements referred to in Resolution (1) above not being secured and/or not secured within a reasonable period that the Chief Planning Officer be authorised to refuse the application on appropriate ground**