

Committee Report

Item No: 7A

Reference: DC/20/01036
Case Officer: Bradly Heffer

Ward: Stow Thorney.

Ward Member/s: Cllr Terence Carter Cllr Dave Muller.

RECOMMENDATION – GRANT OUTLINE PLANNING PERMISSION WITH CONDITIONS

Description of Development

Application for Outline Planning Permission (Access to be considered) - Erection of up to 300 No dwellings, new vehicular access, landscaping, open space and drainage infrastructure.

Location

Ashes Farm, Newton Road, Stowmarket, Suffolk IP14 5AD

Expiry Date: 31/05/2021

Application Type: OUT - Outline Planning Application

Development Type: Major Large Scale - Dwellings

Applicant: St Phillips Land Limited

Agent: Fisher German LLP

Parish: Stowmarket

Site Area: 13.25 hectares

Density of Development:

Gross Density (Total Site): Approximately 22.6 dwellings per hectare.

Nett Density (based on a developed area of 9.3 hectares): 32 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/19/01996

PART ONE – REASON FOR REFERENCE TO COMMITTEE

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

The proposal is a major development proposal and therefore it is necessary for it to be considered by Planning Committee.

PART TWO – POLICIES AND CONSULTATION SUMMARY

CLASSIFICATION: Official

Summary of Policies

NPPF - National Planning Policy Framework

Adopted Core Strategy – Focused Review (2012)

FC1 - Presumption In Favour Of Sustainable Development
FC1_1 - Mid Suffolk Approach To Delivering Sustainable Development
FC2 - Provision And Distribution Of Housing

Adopted Core Strategy (2008)

CS1 - Settlement Hierarchy
CS2 - Development in the Countryside & Countryside Villages
CS4 - Adapting to Climate Change
CS5 - Mid Suffolk's Environment
CS6 - Services and Infrastructure
CS9 - Density and Mix

Adopted Local Plan (1998)

SB2 - Development appropriate to its setting
GP1 - Design and layout of development
HB1 - Protection of historic buildings
H2 - Housing development in towns
H4- Proportion of Affordable Housing
H7 – Restricting housing development unrelated to the needs of the countryside
H13 - Design and layout of housing development
H14 - A range of house types to meet different accommodation needs
H15 - Development to reflect local characteristics
H16 - Protecting existing residential amenity
T4 - Planning Obligations and highway infrastructure
T5 - Financial contributions to B1115 Relief road
T9 - Parking Standards
RT4 - Amenity open space and play areas within residential development
RT12 - Footpaths and Bridleways

Stowmarket Area Action Plan

6.13 – Allocation
6.14 – Development Briefs
6.15 – Landscape setting and views
6.16 – Transport – buses/cycle/walking
6.17 – Allotments
6.18 – Other site issues
6.19 – Infrastructure Delivery Programme

Ashes Farm Development Brief and Delivery Framework (2016)

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

Town/Parish Council (Appendix 3)

Stowmarket Town Council has commented as follows:

The Town Council re-iterates the comments that it submitted previously on this application and opposes the grant of planning consent principally on highways and transport grounds.

The Town Council acknowledges that that this site has been allocated for residential development. However, the Town Council also recognises the concerns that exist within the local community about the proposals. The proposed access from Newton Road to the site is felt to be wholly unsatisfactory because of its detrimental effect upon the amenity of local residents, implications for road safety along the B1115, the capacity of this minor road in being unable to cope with increasing traffic movements and its ability to provide appropriate access to a significant number of the proposed 300 new homes.

In addition, doubts exist about the adequacy of drainage and sewerage services to cope with existing demand, irrespective of the new proposal to erect an additional 300 properties.

National Consultee (Appendix 4)

Highways England has no objection.

Historic England has no comment on the proposals.

The **Environment Agency** has confirmed no objection to the proposals and provides advisory comments for the applicant.

The **NHS Clinical Commissioning Group** has advised that mitigation of the anticipated impact of the proposal on local healthcare provision would be sought through a contribution secured through s106 agreement.

Natural England has no objection to the proposals.

Anglian Water has identified its assets are within or close to the development boundary which may affect the layout of the site. In addition, AW is obligated to accept the foul flows from approved development and would ensure there is sufficient treatment capacity. It is confirmed that the sewerage system at present has available capacity. Lastly it is advised that the preferred method of surface water disposal would be via a SuDS.

County Council Responses (Appendix 5)

SCC Highway Authority recommends the inclusion of conditions on a grant of planning permission.

SCC Rights of Way has no objection to the proposals and identifies a number of points that the applicant must take into account.

SCC Travel Plan officer has identified a contribution, in order for Suffolk County Council to take on the implementation of the Travel Plan on behalf of the developer.

SCC Development Contributions has identified a series of contributions necessary to mitigate the impact of the development. Further details may be obtained in the relevant section of this report.

SCC Lead Local Flood Authority recommends approval of the application and propose a condition be added to a grant of approval.

SCC Archaeological Service would require the imposition of conditions on a grant of outline planning permission.

SCC Fire and Rescue has advised fire hydrants would be necessary for this development.

Suffolk Constabulary has provided a series of comments in relation to the development of the site. In the view of officers these would be a consideration at reserved matters stage when detailed layout proposals are formulated.

Internal Consultee Responses (Appendix 6)

The **Spatial Policy** team has confirmed it supports the determination of this application.

The **Strategic Housing** team's final views were not available at the time this report was produced and Members will be updated accordingly at the Committee meeting.

Place Services (Ecology) has no objections and recommends conditions to be attached to a grant of planning permission.

Place Services (Landscape) having viewed the proposals has comments that Officers consider may be addressed at the stage of reserved matters – bearing in mind the outline application status of this current proposal.

The **Arboricultural Officer** has confirmed no objection to the proposals.

Environmental Health (Noise) officer recommends the inclusion of conditions on a grant of permission.

Environmental Health (Sustainability) officer did note the original submission did not include information with regard to this aspect of the development, and a recommendation of refusal was made. However, following liaison with the officer agreement has been reached whereby a condition would be imposed, bearing in mind that this current proposal is an outline application. The condition would inform the development of detailed proposals.

Environmental Health (Land Contamination) officer recommends the inclusion of a condition and advisory comments on a grant of permission.

Environmental Health (Air Quality) officer has no objection to the proposal.

Suffolk Wildlife Trust requests that a Landscape and Ecological Management Plan is provided as a condition of planning permission. In addition, adequate off-site skylark territories should be provided.

The **Heritage Team** advises that the proposal would cause a low to medium level of less than substantial harm to the setting of the listed farmhouse adjacent to the site. Harm should be considered in the light of the statutory duty and national policy and weighed against public benefits of the scheme.

Waste Services has no objections to the proposals subject to the imposition of conditions.

East Suffolk Inland Drainage Board has no comment to make on the proposals.

B: Representations

The **Stowmarket Society** has commented as follows:

- A link has to be provided between Newton Road and Stowupland Road
- Footpath and cycle links need to be properly planned
- The environment of Newton Road and the allotments should be upgraded
- There is a limited scope of traffic analysis and that available is over-optimistic

At the time of writing this report at least 14 letters/emails/online comments have been received. It is the officer opinion that this represents 9 objections, 0 support and 5 general comments. A verbal update shall be provided, as necessary.

Views are summarised below: -

- Existing infrastructure in the town cannot accommodate this proposal e.g., roads, schools and doctors' surgeries.
- Traffic generated by the development will cause additional problems.
- Drainage and sewerage are already inadequate. This proposal will increase flood risk.
- Unacceptable disruption will be caused during the construction phase.
- Unacceptable loss of trees and hedging.
- The proposal will adversely affect privacy caused by overlooking.
- The land is unsuitable for development.
- The two areas closest to the river are not suitable for building as they are flood plain. The land is also a wildlife benefit.
- Cycling and pedestrian access to the site is wholly inadequate.
- The development will create an unacceptable visual impact.
- There is insufficient affordable housing provision.

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

PLANNING HISTORY

REF: DC/20/01036 Application for Outline Planning Permission **DECISION:** PCO
(Access to be considered) - Erection of up to
300 No dwellings, new vehicular access,
landscaping, open space and drainage
infrastructure.

REF: DC/21/03287 Full Planning Application - Residential Development **DECISION:** PCO
of 258no. dwellings (91no. affordable) with new
public open space, landscaping, access and
associated infrastructure.

Members are advised that the application reference DC/21/03287 is a live full application for development on the remainder of the allocated site, which is still under consideration. This particular site is known as Diapers Farm.

PART THREE – ASSESSMENT OF APPLICATION

1. The Site and Surroundings

- 1.1. The identified site for this proposal comprises three irregularly shaped areas of land located to the north of the town of Stowmarket. In combination the overall given area is approximately 13.25 hectares. The largest of the two areas are bounded to the north by the A14 trunk road, and a local distributor road, known as Newton Road, subdivides on an approximate north/south axis. The smallest area of land is located directly south of the junction of Newton Road and Spring Row. To the south of the overall site is established residential development. To the west the overall site is bounded by the railway line that links London with Norwich. To the east is a similarly sized area of farmland, associated with a group of agricultural livestock buildings identified as Diapers Farm.
- 1.2. The majority of the identified land (the larger parcel) has been used for agricultural purposes, whereas the two smaller parcels are grassed and contain established tree planting. Topographically the larger area of land has a distinctive fall from northeast to southwest. Notable features include a significant amount of established hedging and trees that serve to define boundaries – presumably reflecting established field patterns. The largest section of the overall site also directly abuts, and surrounds, the wider curtilage of Ashes farmhouse (which is a Grade II listed building) and its associated buildings. In addition, it abuts a number of allotments at its southernmost end.

2. The Proposal

- 2.1 The application submission seeks outline planning permission for the erection of up to 300no. dwellings on the identified site, and therefore appearance, landscaping, layout and scale would be issues to be determined through the submission of reserved matters application(s). However, Members are advised that full planning permission for the means of access to the site is being sought at this stage.

- 2.2 In this regard, the application submission includes a Transport Assessment that inter alia contains a plan showing detail of the access. This includes the provision of a bell-mouth access to the site, leading to a 7.3-metre-wide carriageway within the site. The plans also show the access being served by 2.4m x 90 m visibility splays. The new junction construction would also include the provision of a 2m wide footpath to link to the existing footpath along Newton Road, together with a pedestrian crossing.
- 2.3 The application submission is accompanied by supporting information that includes an illustrative masterplan showing a proposed organisation of development on the site. The plan shows the point of access location on Newton Road, serving a main spine road through the larger site, off which would be smaller looped roads and culs de sac. The routes of existing footpaths on and within the vicinity of this part of the site are shown and links to these features are also indicated. This plan also includes areas of higher and lower density residential development, areas of open space (including indicative locations for SuDS attenuation features) etc. The plan also shows the provision of a bund feature and acoustic fence where this part of the site abuts the southern boundary of the A14 trunk road. The remaining site areas on the western side of Newton Road are shown as being utilised for informal open space and (in the case of the larger of the two sites) accommodating a further SuDS attenuation feature.
- 2.4 The application submission also includes a landscape strategy drawing which identifies that the existing vegetation along Newton Road is '*...largely retained with the exception of the new road entrance (which passes through a section of coniferous plantation woodland) and some removals due to the creation of the attenuation ponds...*' Elsewhere the proposal seeks to retain as much vegetation as possible.
- 2.5 The drawing also indicates areas of new planting within the overall development, including avenue planting along the spine road. The following comment is made in this regard '*... Subject to exact positions being confirmed as part of the detailed design process, there will be tree planting proposed throughout the development along secondary roads, 'on-plot' tree planting (Including within rear gardens where it is deemed necessary to soften the street scene, tree planting to break up car parking spaces and tree planting within areas of incidental open space...*'
- 2.6 For further context, the following comments are included within the Planning Statement submitted as part of the application:

'...The site forms part of the 'Ashes Farm' residential allocation in the adopted Stowmarket Area Action Plan 2013. The Ashes Farm Development Brief & Delivery Framework, 2016, commissioned by Mid Suffolk District Council, confirmed the Zone 1 site, to which this application relates, has the capacity for approximately 300 dwellings, with the remainder of the allocation able to deliver a further 270 dwellings. The emerging Babergh and Mid Suffolk Joint Local Plan, which will supersede the Area Action Plan, seeks to re-allocate Ashes Farm for residential development and confirms the overall capacity of 570 as per the Delivery Framework. The proposed development will deliver a highly sustainable residential development which will have positive social, economic and environmental benefits, whilst also assisting the Council in delivering its adopted development plan aims, and assist in boosting significantly the supply of housing...'

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.*' In this regard, the relevant development plan consists of the Core Strategy

(2008), Core Strategy Focused Review (2012) and the Local Plan (1998) and the Stowmarket Area Action Plan (2013).

- 3.2 As Members are aware the NPPF, at paragraph 11, describes the application of the presumption in favour of sustainable development. To summarise, in the case of decision making this means approving applications in accordance with an up-to-date development plan without delay. In the circumstances of this application and the most important policies for its determination, bearing in mind the status of the site falling within an extant land allocation, and relating to housing development for a settlement at the top of the hierarchy, the development plan is considered to be up to date.
- 3.3 The relevant development plan document regarding the principle of development is the Stowmarket Area Action Plan (SAAP) (adopted 21st February 2013). This planning policy document sets out relevant planning policies to guide future development in Stowmarket and its immediate surrounding villages. It also allocates specific sites to ensure that there is sufficient land for future growth in employment, housing, retail and recreation. As part of the allocations, the site for this current application forms part of a larger area which is identified as being suitable for residential development. This overall site is known as 'The Ashes', having an estimated capacity, at the time the SAAP was adopted, for 400 units. The SAAP notes that the site has been identified as a 'broad location' for a housing allocation within the Council's adopted Core Strategy document (September 2008).
- 3.4 Members will observe an apparent tension between the supporting text to the allocation policy which estimates a yield of up to 400 homes, and the present application which, taken together with the Diapers Farm proposal that forms the other "half" of the 'The Ashes' whole allocation, would equate to a significantly greater number of dwellings: 558 no. in total. However, officers consider that it is conceptually possible to read this application – and the proposal for development on the Diapers Farm part of the allocation – in such a way so as to fully comply with the allocation policy.

This is because the actual allocation policy 6.13 is drafted as follows:

"The site shown in Maps 6.5 and 6.6 is allocated for residential and open space."

- 3.5 There is no minimum or maximum yield of dwellings within the allocation itself and the application(s) sit squarely within the designated area on the allocation maps. Furthermore, SAAP policy 6.14 required the production of a development brief before an application for planning permission is submitted. Such a development brief was required to follow the principles set out in paragraph 4.4 - 4.8 of the SAAP and take into account the Stowmarket Masterplan (where it is pertinent), the objectives and policies of the SAAP and other policies of the development plan.
- 3.6 Members will be aware that subsequent to the adoption of the SAAP, the necessary development brief was prepared in conjunction with officers and approved by the Council to form a guidance document known as the 'Ashes Farm Development Brief and Delivery Framework' (November 2016). The Development Brief followed the requirements of SAAP policy 6.14 and in respect of the master planning for the site reached a conclusion that potentially 572 homes could be delivered across the allocation. The current application(s) follow the principles laid out within that previously approved framework.
- 3.7 Officers therefore consider that the application is capable of being accepted in principle subject to working through those other policies that apply to the allocation, and assessment against the wider policies of the development plan.

The relevant policies of the SAAP will now be taken in turn.

3.8 Within the SAAP various policies are applicable to 'The Ashes' allocation; policies 6.13 – 6.19 relate specifically to the site. As noted, policy 6.13 identifies that the site is allocated for residential and open space. As this proposal includes residential and open space elements, it is considered to accord with the requirements of this policy. Policy 6.14 identifies that a development brief is produced in advance of an application for planning permission being submitted. In this regard, the Council did commission a development brief dated November 2016 and produced by Ingleton Wood, subsequently being endorsed by the Council to guide future development. Policy 6.15 identifies 10 criteria that are relevant to the site. It should be borne in mind that the criteria are relevant to the *entire* Ashes site (i.e., including Diapers Farm as well). For Members' information these are listed below, together with an officer comment on each element:

1. important visual nature of the area and retain distant views to and from the site.

Officer comment: it is considered that the submitted illustrative masterplan reflects the Council's own development brief in this regard.

2. need for appropriate structural landscaping and screening across the site.

Officer comment: landscaping and screening elements may be considered in detail at reserved matters stage, but the principles of feature retention may be established at this stage. Again, the illustrative masterplan is considered to be reflective of the development brief in this regard.

3. need to protect, or as a minimum soften, the impact of development on the skyline.

Officer comment: the parts of the development that are on the higher points of the identified site can be organised in order that the impact on the skyline can be considered. This may be achieved through the reserved matters stage.

4. provision of open space to the top of the site.

Officer comment: the location/provision of open space can reflect this requirement, as a consequence of development taking place.

5. land to the far west of the site, bounded by Newton Road, Spring Row and the A14, which is designated for open space uses.

Officer comment: the land would be reserved for open space purposes, as confirmed in the submitted application material.

6. retention of existing hedgerows and mature trees.

Officer comment: as advised elsewhere, some tree/vegetation removal would be required to construct an access into the site. The details of this specific impact may be considered at this stage as full planning permission is being sought for this particular element. Elsewhere on site the creation of a layout can be cognisant of this requirement.

7. 'gateway' to Stowmarket on the Stowupland Road.

Officer comment: this specific comment is judged to relate to the development of the Diapers Farm site, bearing in mind its proximity to Stowupland Road.

8. part of the site within Flood Zone 3b.

Officer comment: this particular criterion is noted as being reflective of the land that is located nearest to the river valley – and is to be retained as open space. That part of the site proposed for residential development falls within flood zone 1.

9. areas affected by flood risk must be of a use compatible with the NPPF Technical Guidance (page 6).

Officer comment: the above comment applies to this criterion as well. There is no proposal to introduce a vulnerable use such as residential development on to the identified land.

10. presence of Biodiversity Action Plan (BAP) habitats and species.

Officer comment: the outline application includes ecological survey information and conditions would be attached to a grant of outline planning permission that would ensure that the Council could meet its statutory duties in this regard.

- 3.9 Policy 6.16 of the SAAP relates to transportation issues and these will be considered within the relevant section of this report. Policy 6.17 identifies that existing allotment provision in the locality (adjacent to the Newton Road/Stowupland Road junction) shall be protected for development. In relation to this issue, the proposals do not include the allotment land. Policy 6.18 states that any future development must consider noise attenuation from the A14 trunk road, possible diversion or undergrounding of existing overhead electricity cables and healthcare infrastructure funding. Lastly, policy 6.19 identifies that development will be expected to contribute to the specific on-site and/or general requirements of the Council's Infrastructure Delivery Programme.

- 3.10 Returning briefly to the issue of the Development Brief, background information is included on the Council's website as follows:

'The Stowmarket Area Action Plan (2013) allocated 'The Ashes' for a mix of residential development and open space. In April 2016, following on from meetings with the landowners and their agents, the Council commissioned a team of consultants to facilitate discussions and prepare a delivery framework to identify and assess the constraints and develop viable solutions. The framework has provided options that will overcome the site constraints, increase the potential capacity and tested viability.'

- 3.11 Members will note that, inter alia, the exercise to create a Development Brief was in order to increase the potential capacity of the site above that advised in the SAAP. In this regard the following remarks are included in section 4.5 – Viability Appraisal Executive Summary:

*'...Ashes Farm is one of the key potential Greenfield residential development sites in Stowmarket proposed in the Core Strategy document and MSDC are focused on driving the deliverability of the site. Initial studies have shown that the site could potentially provide **572 dwellings** [officer emphasis] over several zones...'*

3.12 Members will be aware that progress on the consideration of the draft Joint Local Plan has been delayed, following initial examination that took place last year. However, following a meeting with the Inspectors appointed to undertake the examination, it is proposed to progress the current JLP as a 'Part 1' local plan. This will be followed by the preparation and adoption of a 'Part 2' local plan as soon as possible. Therefore, the policies in the current draft JLP have limited weight in the determination of planning applications. Nevertheless, by way of context, the JLP does identify (LA035) that the *overall* site identified in the SAAP as The Ashes is considered capable of accommodating approximately 575 no. dwellings. This figure is an increase from the estimated capacity of 400 no. in the SAAP, but is reflective of the figure advised in the subsequent Development Brief (which was itself prepared in accordance with the development plan allocation policy), as identified above.

3.13 The allocation does also list a number of criteria with which development would be expected to comply. As noted, the weight attached to the policies in the JLP can be afforded limited weight at this point. However, the reference is included in the report for useful background in the consideration of the current scheme. Bearing the above in mind, the comments of the Spatial Policy team were sought in relation to the application, and these are available to view on the Council's website. Within these, the following concluding remarks were made:

'...This is a long running allocation where the principle of development on the site is supported. It is acknowledged that the number of homes proposed in the SAAP is less, however through work undertaken by the Council in 2016 it was agreed that a higher level of development would be required to enable site delivery. This has subsequently been taken forward in the submitted JLP allocation LA035 and the application is consistent with the proposed level of development. Stowmarket is a considered sustainable location and the application site would be capable of contributing to meeting housing need...'

3.14 In summary, the application site forms part of a larger site that is identified as suitable for significant residential development in the adopted development plan; the second element of that overall proposal is a live application for the development area known as Diapers Farm. This area of Stowmarket was mooted for expansion in the Core Strategy, and this was, subsequently, confirmed in the SAAP which forms part of the adopted plan. The SAAP does give an estimated capacity figure for the overall site at 400 no. units. However, subsequent consideration by and on behalf of the Council has revised the estimated overall unit numbers that may be achieved on the site to approximately 572 no. (575 no. in the emerging JLP).

4. Nearby Services and Connections Assessment Of Proposal

4.1. Paragraph 73 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 and towns, provided they are well located and designed, and supported by the necessary infrastructure and facilities (including a genuine choice of transport modes)...'*

4.2 The status of Stowmarket as a town means that within the adopted development plan it is a main focus for development in the district. The location of the application site, being on the periphery of the town, would mean that the extensive range of services offered in the town are reasonably convenient – importantly, being accessible by bus services and on foot. Existing bus stops are located in Stowupland Road, approximately 300 m from the site's southern boundary. In addition, Members will note that it is an intention of the proposed development that it may be accessed by either a new or extended bus service; an obligation to contribute towards a service would be included within the s106 agreement accompanying an outline planning permission. The location

of mainline rail services within Stowmarket would also enable residents to access the wider regional and national geographical area utilising public transport. It is also noted that the local road infrastructure would enable access to the trunk road network, via Stowupland to the northeast.

5. Site Access, Parking And Highway Safety Considerations

- 5.1 The NPPF identifies at paragraph 110 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. Paragraph 111 recognises that development *'...should only be prevented or refused on highway 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 At the adopted development plan level the requirement for safe access is reflected in policy CS6, which identifies the need for new development to provide or support the delivery of appropriate infrastructure, and policy T10 which lists criteria that will be considered in regard of new development proposals. In addition, policy 6.16 of the SAAP, which forms part of the development plan, is also relevant to the consideration of the proposals. The policy, which relates to the entire Ashes Farm allocation states that development inter alia includes improved transport links, access from Newton Road, and cycle and footpath improvements both on site and linked to existing networks.
- 5.3 With regard to the means of vehicular access to the site, Members are reminded that full planning permission is being sought for this aspect of the proposals at this stage. The application submission includes a Transport Assessment (TA), and this document contains details of the access being taken off Newton Road. This is described as being located approximately 110 metres north of the B1113 Newton Road/ Spring Row junction. The works would consist of a 7.3 metre width carriageway and 10 metre kerb radii. A 2 metre wide footway would be provided on the southern side of the carriageway, with a 2 metre verge on the northern side. The TA advises that the required visibility splays for the junction (being 2.4m x 90m) can be achieved within the adoptable highway boundary. It is also noted that the visibility splay distances are based on a 30 mph speed limit being in place. Therefore, it would be necessary to extend the current 30 mph speed limit zone from the current enforcement position at the B1113/Spring Row junction to a position north of the A14 overbridge on Newton Road, and this has been agreed in principle with the Highway Authority. In addition, the proposed works would include a narrowing of the carriageway just south of the relocated speed limit, in order to encourage a reduction in vehicle speed.
- 5.4 In addition to the provision of the new junction as described above, the submitted TA gives details of other proposed works. These would include:
- Provision of a pedestrian/cycle link from the site to connect with the public right of way that connects the southern boundary of the site to Stowupland Road.
 - Formalisation of the parking spaces to the front of the allotments at the southern end of Newton Road to provide 18 parking spaces, together with an informal pedestrian crossing facility.
 - Provision of a new 2 m wide footway on Newton Road, and informal crossing points, to link the site access with the existing footway provision on the western side of this road.

- Improvement to the pedestrian infrastructure by widening and resurfacing the existing footway to the north of the Newton Road / Stowupland Road mini roundabout.

Notwithstanding, the outline nature of the application submission the TA includes an assessment of the adopted parking standards (contained within the Suffolk Guidance for Parking), and it is advised that *'...Parking will be determined at the reserved matters stage and provided in line with these standards...'*

- 5.5 Also pertinent to the consideration of this application is the traffic generation arising from this development, and the impact this would have on the road infrastructure. In this regard, it is also key to reiterate that this current application site forms part of a larger overall residential allocation and therefore cumulative impacts of traffic generation that would result from the development of the site, as a whole, are an important consideration.
- 5.6 In relation to this current proposal, the TA does identify two junctions where works would be required in order to mitigate the impacts arising from the development. These junctions are:
- Station Road / A1308 signalised junction
 - B1115 / A1120 priority junction
- 5.7 In relation to the Station Road / A1308 junction the TA states that *'...it is proposed to ban the right turn movement from A1308 north towards Station Road west. Survey data shows that this movement is underutilised (maximum of 12 movements per hour in 2024 future year). There is also an alternative route that drivers can take, instead travelling west via Bury Street. By banning this movement, space can be freed up to allow for two ahead lanes from A1308 south...'*
- 5.8 In regard to the B1115 / A1120 junction the TA advises that *'...In its current form, the junction is shown to operating above capacity in a future year scenario of 2024, including committed development. Going forwards, a detailed mitigation strategy for the junction will be formulated through discussions between SCC and the developers of both sites within the Ashes Farm allocation...'*
- 5.9 While the TA accompanying this current application does examine impacts arising from this particular development (together with development already committed), the combination of impacts arising from both developments needs to be considered in the interests of proper planning. Subsequent to the submission of this application, and also the submission of a full planning application on the adjoining land for the Diapers Farm development, Members are advised that discussions have taken place with each applicant's representatives regarding the specific issues raised by the impact of development on the B1115 / A1120 junction. In summary, a Memorandum of Understanding (MoU) has been established between the applicants for both sites comprising the overall Ashes allocation (together with a promoter of a currently unallocated site in Stowupland). This MoU confirms that an agreement is established between the parties whereby :
- A design to mitigate the impact on the junction arising from the developments is submitted for approval to the Council prior to 1st Occupation (across all sites)
 - Undertake and complete the approved scheme (under a s278 agreement under the Highways Act) prior to the 75th occupation (across all sites)
- 5.10 The MoU also identifies that the design and construction costs of the required junction improvement scheme will be shared by the parties under a formal agreement. Members are advised that the MoU is an agreement between the developer parties themselves, and neither the District Council nor the County Council would be a party to it. Nevertheless, the MoU would be

referenced in a s106 agreement that would accompany permissions that may be granted on the various sites – not least to ensure enforceability. In summary, the MoU clearly identifies the responsibility of the promoters of this current site, and that on the adjoining land to design, and construct, agreed improvements to the B1115 / A1120 junction within a timetable that meets the requirements of the Highway Authority. Members can be sure that regardless of which development comes forward (which may not be all three), the approved highway works will be delivered at a point before the impact on the highway network becomes severe. The application is therefore acceptable in this regard.

6. Design And Layout

- 6.1 As Members are fully aware, good design is a key aspect of sustainable development, as made clear in the NPPF. This requirement is reflected in adopted development plan policies CS5 and GP1, both of which identify that development will be of high-quality design that respects the local distinctiveness and built heritage of Mid Suffolk. The application submission, being in outline (with the exception of the access proposals), does not include details of the design of individual buildings and this issue would be considered as part of a reserved matters submission. That said, the application does include a Design and Access Statement (DAS) that advises of the design principles that have been applied, following a study of the application site and its context.
- 6.2 In this regard, the DAS does identify that the outline application covers a total area of approximately 13.25 hectares. Of this, it is proposed that the residential development would be located on the larger site which has given area of 9.29 hectares with a broad mix of dwellings being provided – from 1- to 4-bed units. In addition, open space would be provided on that part of the site to the west of Newton Road, which has an overall given area of 3.96 hectares.

The DAS also advises that three character areas would be created across the site as follows:

- Main Street – a tree lined spine route providing a transition from rural to residential context. It is advised that housing fronting the main street would consist of *‘...formal elevations with brick and render...’*
 - Avenue/Core – forming an overlap between the Main Street and the Green Frontage. *‘...Elevations will not be as formal as those on the Main Street, these dwellings will have simple elevational styles with brick and some render to key node points...’*
 - Green Frontage – reflecting the character of the surrounding landscape. *‘...Mature existing trees will be retained where possible with housing fronting onto the public open space. Boundary treatments of metal railings and or low brick walls will separate the public and private realms...’*
- 6.3 The DAS also advises that the range of dwellings that would be provided on the site would include one to four bed houses of predominantly two storey height. It is also advised that some three storey apartment buildings would also be built. Massing information indicates that the areas containing a mix of 2 and 3 storey units would be located towards the Main Street (central spine road) area. A hierarchy of movement through the site is illustrated, whereby the main spine road provides a core route through the site, transitioning to a looped system of secondary routes and associated private drives. The provision of a footpath route through the site, from Newton Road to the route of the public right of way that is located to the west of the site is also illustrated.
- 6.4 In relation to the formulation of development proposals for this site, due regard to the Council’s Development Brief document is necessary. Within this document, the site for this proposal is

located within an area identified as Zone 1. The Development Brief does identify that access to this site should be possible off Newton Road, leading to a loop road system. The Development Brief document also shows the location of residential development on the site, together with the provision of open space.

Bearing the above in mind, the submitted illustrative masterplan is considered to reflect the arrangement of the site as outlined in the Brief – showing a similar organisation of various spaces across the site. It is also noted that the Brief does identify inter alia that ‘...*Considering the areas identified for the higher and lower density on this zone, approx. 225 units in the higher density area and approx. 75 units in the lower should be possible...*’ In regard Members will note that this proposal is for up to 300no. units to be erected on the site, which accords with the Brief’s identified capacity.

- 6.5 In consideration of the above points it is borne in mind that the proposals are included in the submission are illustrative; the details would be considered at reserved matters stage. That said, as a planning judgement it is considered that the proposals as described in the supporting information would, in your officers’ view, represent a reasoned and responsive approach to a volume residential development taking place on the identified site. Therefore, it is recommended that a condition be attached to a grant of outline planning permission whereby the detailed submission(s) are substantially in accordance with the Design and Access statement, layout plan etc. This would also ensure that when reserved matters proposals are submitted, there is a ‘framework’ in place that can be used to inform the details of the submission.
- 6.6 In relation to the important issues of securing sustainable development within the site, Members will note the comments made by the Environmental Health Sustainability Officer in this regard. Nevertheless, it is pertinent to note that the application is submitted in outline, with all matters reserved apart from the means of access. Therefore, the consideration of sustainable construction elements, heating, energy generation etc. are not possible at this stage. That said, the Officer has also recommended a condition be included on a grant of outline planning permission that would require the submission of a Sustainability and Energy Strategy. Officers support the inclusion of this type of condition on a grant of outline planning permission.

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

- 7.1 Conservation and the enhancement of the natural environment is a fundamental theme of the NPPF and one which is reflected in development plan policies CS4, CS5, CL1 and CL8. The overall site identified for the development contains natural features such as hedging and trees, and these elements add significantly to the overall contribution that the site makes to visual amenity to the north of Stowmarket. In addition, the sloped topography of the part of the site that would contain the proposed residential development is a notable feature. In this regard the development of the site for residential purposes has to be cognisant of this and respond to the constraints and opportunities that the site presents in this regard.
- 7.2 Members are advised that the application submission includes a suite of documents to quantify various impacts that would arise from the proposed development; these include a Landscape and Visual Impact Assessment (LVIA) (including a series of viewpoints around the periphery of the site, Arboricultural Impact Assessment, various ecological assessments etc.) The information contained within these documents has been considered by relevant consultees and no objections have been received in relation to the submitted development proposals.
- 7.3 In relation to landscape impacts, again it needs to be borne in mind that the application submission is an outline proposal, and therefore there is insufficient detail available at this stage to fully consider the impacts on the landscape that would arise from the proposals. That said, the

submitted LVIA and viewpoint information has enabled a significant degree of consideration to take place. It is noted that the comments received from the Council's landscape consultees in this regard relate to issues of detail, which could be properly addressed at the reserved matters submission stage, as opposed to matters of principle that would need to be addressed now. There are a series of comments that would feed into the formulation of detailed proposals, and the applicant is aware of these.

- 7.4 In relation to impacts on hedging and trees on the site, the submitted Arboricultural Impact Assessment (AIA) advises that some tree removal would be necessary; including 7no. Category C trees and some Category U trees. The AIA further advises that '*...the remainder of the trees are to be retained and will be afforded protection by implementing a Construction Exclusion Zone using tree protection fencing (e.g., Heras). By following guidance set out within this report all retained trees should be fully protected during the works...*' It is inevitable that the development of the land would require the removal of some existing vegetation, particularly when considering that a means of safe vehicular access to the site has to be obtained and the boundary of this part of the overall site is defined in part by established hedging and some trees. Nevertheless, the AIA identifies that the loss of category A and category B trees is avoided. In addition, the formulation of reserved matters proposals can be undertaken with full regard to the constraint presented by existing vegetation. Members will note that the Council's Arboricultural Officer has no objections to the proposals, subject to works being undertaken in accordance with the protection measures outlined in the accompanying arboricultural report and this would be secured by condition.
- 7.5 In relation to ecological impacts, the supporting information included a Preliminary Ecological Appraisal. It is noted that the site is not located within, or does not contain, a statutorily designated site for nature conservation value. However, the woodlands, hedgerows and drainage ditch on site are of local conservation importance. The Appraisal notes that '*...Habitats on site are suitable for use by amphibians, reptiles, bats, badgers, and breeding birds...Habitats on site are also suitable for Water Vole and Otter. Further surveys for these species [Water Vole and Otter] are not considered necessary based on the current proposals...*'
- 7.6 In accordance with the recommendations of the Appraisal, further surveys were undertaken to establish the presence or otherwise of protected species on the site. In summary, the Council's Ecological consultants have considered the findings of the various submissions (including the findings of additional survey work that was requested by them) and have confirmed that no objection is raised to the proposals on the grounds of deleterious impacts on ecology. Members will note that a series of conditions are recommended for inclusion on a grant of planning permission and officers support this approach.

8. Land Contamination, Flood Risk, Drainage and Waste

- 8.1. The consideration of development proposals in relation to the issue of land contamination is highlighted within the NPPF. Paragraph 183 inter alia states '*Planning...decisions should ensure that a site is suitable for its proposed use taking account of ground conditions and any risks arising from land instability and contamination...adequate site investigation information, prepared by a competent person, is available to inform these assessments...*' In addition, paragraph 184 identifies that where a site is affected by contamination, responsibility for securing a safe development rests with the developer and/or landowner. Within the adopted development plan policy SC4 identifies that the Council will resist significant damage to water aquifers and seek to minimise the risk of contamination of underground water resources. In this case Members are advised that the application documentation includes a Phase 1 Site Appraisal which included assessment of land contamination issues and found that the land could be made suitable for residential development. The findings have been considered by the Council's Land Contamination Officer and no objection has been raised. The Officer does recommend that a condition be

imposed on a grant of planning permission (together with an advisory note) and its inclusion is supported by officers.

- 8.2 In relation to flood risk and drainage the NPPF identifies at paragraph 159 that '*...Inappropriate development in areas at risk of flooding should be avoided by directing development away from 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...*' In this regard parts of the application site are located within fluvial flood zones 2 and 3. These are the two areas of land that are located to the west of Newton Road (to the north and south of Spring Row) and being closer to the river Gipping. In this regard, neither site is proposed for residential development. The largest site to the east of Newton Road (proposed to be utilised for the proposed residential development) is located within flood zone 1 i.e., an area having a less than 1 in 1000 annual probability of river or sea flooding (<0.1%). Similarly, with pluvial flood prediction, while the sites to the west of Newton Road include pluvial flood areas, the remaining site is not impacted; the available mapping showing the nearest affected land is located within the curtilage of 'The Ashes'.
- 8.3 As part of the supporting documentation comprising the application submission, a Flood Risk Assessment was included, which has been considered by both the Environment Agency and Suffolk County Council as Lead Local Flood Authority; neither raising an objection to the proposals. The LLFA has recommended the imposition of a condition that would require the submission of a surface water drainage scheme concurrent with the submission of the first reserved matters application. Notwithstanding that the application is submitted in outline, it is advised that the development would utilise a SuDS as a means of surface water drainage, in accordance with current best practice.
- 8.4 In relation to waste, Members will note that the relevant service has no objection to the proposal. Various conditional requirements are recommended which are supported – the details would be included as part of a reserved matters submission(s).

9. Heritage Issues

- 9.1. The protection of heritage assets from inappropriate forms of development is an established tenet of planning control. Section 66 (1) of the Planning (LCBA) Act 1990 requires local authorities to give special attention to the desirability of preserving or enhancing the character or appearance of listed buildings, including setting. The NPPF at paragraphs 194 – 198 describes how development proposals affecting heritage assets should be considered. In addition, paragraph 199 makes clear that '*...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 NPPF also identifies at paragraph 202 '*...Where a development proposal will lead to less than substantial harm to the significance of a heritage asset, this harm should be weighed against the public benefits of a proposal...*'
- 9.2 Leading on from this, Core Strategy policy CS5, inter alia, identifies the Council's aim '*...to protect, conserve and where possible enhance the natural and built environment...*' in addition, policy HB1 deals with the protection of listed buildings, and specifically states that '*...particular attention will be paid to protecting historic buildings.*'
- 9.3 The application submission is accompanied by a built Heritage Statement. In the case of this proposal the Statement determined that two heritage assets '*... could potentially experience some effect to their settings from the future development of the site...*' namely 'The Ashes' a grade II building which is located immediately adjacent to the largest area of land comprising the overall development site and , in the wider area, the Grade I church of St

Peter and St Mary, located in the centre of the town. Other listed buildings were scoped out of further analysis on the basis that *'...their settings and significance are not reliant upon the Site, they have no known association with it, or they remain well removed and/or are heavily screened from it, so that it is not possible to appreciate their significance...'*

9.4 In relation to the asset known as 'The Ashes' this building is historically associated with the site as it is farmhouse originally dating from the early 17th century. The building is set in landscaped grounds and is accompanied by a number of late 19th century barns and newer agricultural/glasshouse buildings. In the wider area its setting includes the farmland that comprises the majority of the current application site. The Statement found that, overall, the impact of the proposed development on the setting of this building would be neutral. In relation to the church, its location is such that its immediate setting would not be impacted. In regard to wider setting issues, the site is determined to make a neutral contribution to the setting. It is considered that *'...No mitigation is assessed as required in respect of the Church...barring that the Proposed Development is well designed and landscaped in order to provide an attractive expansion of Stowmarket, of which the church forms the centrepiece...'*

9.5 Members will note that in regard to heritage impacts, Historic England has advised that it does not wish to comment, suggesting that the views of the Council's own advisers are sought. In this regard the Heritage Team has identified that the proposal would cause less than substantial harm to the setting of 'The Ashes' and its associated outbuildings and the perceived harm would be in the range of low to medium. It is noted that the following comments are also included in the consultation response

'...There seems to be scope for separating the farmhouse and barns from built development by adjusting the line of roads and the open space, and for reducing impact through density of development...Built development should be kept back from the immediate setting of the farmhouse and farm buildings by amendments to layout and with a view to minimising impact on the setting of the historic buildings.'

9.6 In consideration of the points raised above it is pertinent to note that the current submission is in outline. The only detail that is being considered at this stage is the means of vehicular access to the site. Therefore, the final location and position of buildings, internal routes etc. would be matters for consideration at the reserved matters stage(s). The points raised in the consultation response from the Heritage team could of course inform the formation of detailed development proposals. In addition, that Team would be consulted on a reserved matters submission, so would be able to consider the actual location of individual elements of the development in order to assess their likely impact on the setting of the identified heritage asset.

9.7 In such circumstance, where 'less than substantial' harm has been identified, the NPPF requires that harm, to which great importance be attached (para 199), to be weighed against the benefits of the proposal (para 202). Officers have undertaken that balance understanding that in accordance with statutory duty this is a matter of considerable importance and weight. The benefits that would flow from allowing development to proceed are of significance and principally relate to the provision of up to 300 dwellings on a site that is identified as being available and suitable for residential development, and which is considered to be in a sustainable location. Even where considerable importance is attached to the heritage harms within that balance, the benefits of the development outweigh them. The application is therefore acceptable in respect of its likely impact upon the historic environment albeit acknowledging that the harm identified must be weighed again in the overall planning balance.

10. Impact on Residential Amenity

- 10.1. Impacts on residential amenity arising from development proposals is a key planning consideration. The Council's adopted development plan policies SB2 and H3 make clear that development proposals would be considered inter alia in respect of the likely impacts that would arise in relation to residential amenity.
- 10.2. Bearing in mind that the application is submitted in outline, with all details reserved except for access, it is not possible at this stage to assess properly the likely residential amenity impacts that could result from the provision of built form on the identified site. However, given the size of the site and the indicative material submitted as part of the application, it is anticipated that it would be possible to locate new development on the land without unacceptable impacts being experienced by reason of overshadowing or overlooking.
- 10.3. Apart from the impacts that may result from physical development, other environmental impacts such as noise, fumes etc. need to be assessed. As part of the application submission, the supporting material included an Acoustic Design Statement and an Air Quality Assessment. These have both been considered by officers in the Council's Environmental Health team.
- 10.4. In so far as noise impacts are concerned, clearly the existing residential development within the vicinity of the site experiences the site at present as in agricultural use and, of itself, the site is not likely to give rise to disturbances at this time. The site and surroundings are however impacted by noise generated by the trunk road to the north. In this regard it is necessary to establish whether the site may be occupied by residential development, without the amenity of the occupiers of those dwellings being unacceptably impaired by this noise source.
- 10.5. In this regard, unsurprisingly it is concluded that new dwellings should be located away from this noise source, bearing in mind that reduction of the disturbance at source would not be possible. In addition dwellings should be oriented '*...such that facades of habitable rooms (living rooms, dining rooms and bedrooms) do not directly facing (sic) the A14 and that external amenity areas are not located directly adjacent with the A14...*' Members are advised that mitigation of noise impacts also includes the provision of a 2 metre high bund with a 2 metre high fence positioned along the northern boundary of the site with the trunk road. Again, the final details of this element would be secured by way of condition attached to the outline planning permission. Further elements that would be incorporated would include attenuation by glazing and/or ventilation. However, the report acknowledges that the final approach would be determined at the detailed application stage. Nevertheless, the report concludes that with appropriate mitigation in place, the site may be used for residential purposes without unacceptable harm being created in this regard.
- 10.6. Leading on from this, for *existing* residents the construction phase of a development clearly can also give rise to disturbances and this aspect also needs appropriate control. Members will be familiar with the imposition of a conditional requirement in relation to the agreement of a Construction Management Plan and the Environmental Health officer proposes this approach, which is supported by officers.
- 10.7. In regard to impacts on air quality, an Air Quality Assessment (AQA) was submitted as part of this outline application proposal. This assessment identifies that during the construction phase of development the most important consideration in relation to air quality is dust, whereas in the 'operational' phase i.e., when occupation of residential development takes place, the traffic generated by the development would be the key consideration. In regard to the first of these, mitigation of dust may be properly controlled through appropriate controls contained in a

Construction Management Plan. As regards the impacts of additional traffic generated by the development on air quality the AIA comments as follows:

'...Pollutant concentrations are predicted to be well within the relevant health-based air quality objectives at the facades of both existing and proposed receptors. Therefore, air quality is acceptable at the development site, making it suitable for its proposed uses. The operational impact of the Proposed Development on existing receptors is predicted to be 'negligible' taking into account the changes in pollutant concentrations and absolute levels...'

10.8 Members will note that in relation to the considerations of noise, and air quality, the relevant Environmental Health officers have not raised an objection to the proposals – recommending in the case of noise impacts, the inclusion of conditions on a grant of outline planning permission. Subsequent liaison has taken place between officers and the applicant's agent regarding the proposed conditions and the wording is now agreed. Your officers support the inclusion of these conditions.

11. Planning Obligations / CIL

11.1. Members are advised that ongoing liaison has taken place with the applicant's agent with regard to obligations that would need to be secured as part of this development proposal, and drafting is underway. In order to mitigate the impacts arising from the development (based on a 300no. unit scheme), it would be necessary for the applicant to enter into a s106 agreement with the District and County Councils which would secure the following:

- Primary education contribution - £1 538 100
- Secondary education contribution - £1 283 850
- Sixth Form expansion - £285 300
- Early Years Land (0.1 hectare) - £1
- Early Years new build - £553 716
- Libraries improvement and books etc - £64 800
- Waste Improvements - £33 900
- Travel Plan contribution - £128 150
- Traffic Regulation Order - £10 000
- NHS contribution - £172 800

11.2 Members will note that as part of the range of mitigation, a site (with an area of 0.1 hectares) for an early years setting would be required to be provided on the site. Details of the location of this element are not available at present, bearing in mind that the application is an outline proposal. However, control over the location is achievable through consideration of a subsequent reserved matters submission, the commitment to its provision being secured in the agreement.

11.3 The County Council as Highway Authority has also identified that the development of this site, and the adjacent Diapers Farm site, would give rise to the need to secure contributions towards a bus service (to serve the combined site). The contribution identified by the Highway Authority, across the two sites, totals £500 000 and this would be proportioned on a pro-rata basis. This would mean that a contribution of £268 817 would be sought from a development of 300no. units as is proposed under this application.

11.4 In addition to the above, the identified improvement of the A1120/B1115 road junction at Stowupland would have to be referenced within the agreement. As advised elsewhere in this report, the improvement of this junction will be necessary to accept the traffic generated by this development and that generated by the development of the adjacent Diapers Farm site. The

Highway Authority has confirmed that it would wish to control the necessary works through a s278 agreement, as opposed to receiving funds and undertaking the work itself. The cost of this junction improvement is currently estimated to be £767 000.

- 11.5 Subsequently officers have secured a Memorandum of Understanding (MoU) which may be viewed on the Council's website. This has been signed by the developers of this site and the Diapers Farm site, as well as developers with an interest in land in Stowupland which, if development came forward in the future, would also impact on the capacity of this junction. The MoU recognises that:
- Provide the design for a scheme that mitigates the impact of all three sites on the identified junction to the Council in consultation with the Highway Authority prior to 1st occupation (across all three sites).
 - To complete the approved scheme (under a s278 agreement) prior to the 75th occupation (across all three sites).
 - A planning condition will be imposed on an approved application for each site to ensure enforceability of the design and completion of the junction improvement scheme.
- 11.6 The terms of the MoU are intended to recognise a commitment by the developers of the various identified schemes that necessary improvements to the identified junction are undertaken in a form and timing that meets the requirements of the Highway Authority. The s106 agreement would include reference to the MoU and also, as noted, a specific condition would be imposed.
- 11.7 In addition to the above, Members are advised that this application submission included the applicant's assessment of the proposal's viability, which concluded that the provision of affordable housing was not achievable on the site, in addition to the provision of other mitigation elements. This assessment was reviewed on the Council's behalf; including periodical updates to capture all necessary mitigation elements (including the identified junction improvement). The findings of the final review of assessment have identified that the percent amount of affordable housing that is achievable on the site, taking into account all mitigation (including proportionate costs to the developer arising from the junction improvement) is 22%. The applicant's agent has confirmed agreement with the final assessment of viability.
- 11.8 Bearing in mind that at the time of initial submission, no affordable housing provision was proposed, it is considered that significant positive progress has been made on this particular issue. Members are advised that the provision of a 22% affordable housing figure is predicated on the units comprising a particular mix. Were this mix to be varied, this could impact on the overall assessment of viability, and hence the amount of affordable housing. The Strategic Housing team's comments in this regard were not available at the time this report was written and Members will be updated accordingly.
- 11.9 As regards the payment of CIL, the overall Ashes Farm site is one on a small list of Strategic sites where currently no CIL would be payable due to the high infrastructure costs for development of those particular sites. However, this position will be reviewed when the Council adopts a new charging schedule.

12. Town Council's Comments

- 12.1 The comments received from Stowmarket Town Council are fully acknowledged and appreciated. The scale of development proposed will clearly have a number of local impacts which need to be considered as part of the determination of this planning application. In regard to the specific issues raised, Members will note that the proposals do not give rise to an objection from either the Highway

Authority or National Highways (in relation to impacts on the highway) or the Lead Local Flood Authority, Environment Agency or Anglian Water (as regards impacts on drainage and sewerage services).

PART FOUR – CONCLUSION

13. Planning Balance and Conclusion

- 13.1. Section 38 (6) of the Planning and Compulsory Purchase Act 2004 requires applications for planning permission to be determined in accordance with the development plan, unless material considerations indicate otherwise. It is the case that the identified site is not included within the established settlement boundary for Stowmarket as defined in the Local Plan published in 1998. However, within the Stowmarket Area Action Plan (SAAP), adopted by the Council in 2013 and forming part of the current development plan, the application site forms part of an overall site, Ashes Farm, which *is* allocated for residential development and associated open space. Therefore, in principle it is considered that the use of the identified land for residential purposes accords with the development plan and therefore the requirements of the identified Act are met.
- 13.2. Leading on from this the Council has, in accordance with the requirements of the SAAP, undertaken the publication (in November 2016) of a Development Brief for the site – the Ashes Farm Development Brief and Delivery Framework. This document was intended to ‘...*identify and assess the constraints and develop viable solutions...*’ The document was subsequently adopted as future guidance on 16th December 2013. This document, although not forming part of Mid Suffolk’s development plan, but given effect by policy 6.14 of the SAAP, is capable of being used as a material consideration determining planning applications.
- 13.3. On this issue of principle, officers find no conflict with the adopted plan in relation to the principle of the proposed development taking place. The submitted scheme proposes the erection of a residential development of up to 300no. units on the identified site and the proposal is accompanied by an illustrative plan that is considered to reflect the key elements in the adopted SPD document.
- 13.4. In consideration of the proposals, the comments received by the Town Council are fully acknowledged and appreciated. However, it is considered that the impacts that are judged to arise from the development would be capable of appropriate mitigation, as is demonstrated by the consultation responses received.
- 13.5. On this basis it is your officers’ view that this proposal can be supported, and positive recommendation is therefore made to Members. The application accords with the development plan as a whole, and there are no material considerations which indicate that a decision should be taken contrary to that direction. The heritage harm that has been identified, alongside any other adverse impact (which are in practice capable of mitigation) is decisively outweighed by the benefits of the significant delivery of plan-led housing.

RECOMMENDATION

(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
 - Properties shall be built to current Housing Standards Technical requirements March 2015 Level 1. All ground floor 1 bed flats to be fitted with level access showers, not baths.
 - The council is granted 100% nomination rights to all the affordable units on initial lets and 75% on subsequent lets
 - All affordable units to be transferred freehold to one of the Councils preferred Registered providers.
 - Adequate parking provision is made for the affordable housing units including cycle storage for all units.
 - Commuted sum option available to be paid instead of on-site provision should the LPA agree to such request.

- On site open space and includes management of the space to be agreed and requirement for public access at all times.
- Contribution towards bus service
- Primary education contribution - £1 538 100
- Secondary education contribution - £1 283 850
- Sixth Form expansion - £285 300
- Early Years Land (0.1 hectare) - £1
- Early Years new build - £553 716
- Libraries improvement and books etc - £64 800
- Waste Improvements - £33 900
- Travel Plan contribution - £128 150
- Traffic Regulation Order - £10 000
- NHS contribution - £172 800

(2) That the Chief Planning Officer be authorised to GRANT Outline Planning Permission upon completion of the legal agreement subject to conditions as summarised below and those as may be deemed necessary by the Chief Planning Officer:

- Standard time limit (Outline/Full for means of access)
- Approved Plans (Plans submitted that form this application)
- Submission of reserved matters to be substantially in accordance with the submitted Master Plan
- Phasing Condition
- Details of the access and associated works to be submitted and approved
- Provision of visibility splays
- Provision of highway improvements prior to occupation

- Details of the mitigation measures at A1120/B1113 junction to be submitted and approved prior to commencement of development
- Travel Plan and provision of Travel Packs
- Details of estate roads and footpaths
- No occupation of dwellings until carriageways and footways serving that dwelling have been provided
- Details of parking including EV charging points and secure cycle storage prior to commencement of development
- Details of storage/presentation of refuse/recycling bins prior to the commencement of development
- Agreement of Construction Management Plan
- Submission of surface water drainage scheme concurrent with the first reserved matters submission in accordance with the Flood Risk Assessment
- Details of all Sustainable Urban Drainage system components submitted within 28 days of completion of the last dwelling
- Archaeology conditions
- Provision of fire hydrants
- Ecological mitigation and enhancement measures in accordance with Preliminary Ecological Appraisal.
- Agreement of a Construction Environmental Management Plan
- Skylark Mitigation Strategy prior to commencement
- Biodiversity Enhancement Strategy concurrent with reserved matters
- Landscape and Ecological Management Plan concurrent with reserved matters
- Wildlife Sensitive Lighting scheme concurrent with reserved matters
- Time limit on development before further Ecological surveys are required
- Submission of landscaping details
- Development undertaken in accordance with the submitted arboricultural report
- Market housing mix prior to or concurrent with reserved matters to be agreed
- Sustainability & Energy Strategy scheme to be agreed prior to or concurrent with reserved matters
- Submission of a Land Contamination strategy prior to commencement of development
- Construction Plan to be agreed.
- Agreement of details for acoustic glazing and ventilation of dwellings
- Details of external noise levels and proposed mitigation.
- Agreement of the specification for the noise barrier, as a 2m solid earth bund topped with a 2m high noise barrier. The barrier should be installed prior to the occupation of any dwellings on the development.
- Conditions recommended by Waste Services

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

- Proactive working statement
- SCC Highways and Rights of Way notes

- Support for sustainable development principles
- Informatives from the LLFA and Environment Agency

(4) That in the event of the Planning obligations or requirements referred to in Resolution (1) above not being secured and/or not secured within 6 months that the Chief Planning Officer be authorised to refuse the application on appropriate ground