

Committee Report

Item No: 7B

Reference: DC/21/06379

Case Officer: Mahsa Kavyani

Ward: Elmswell & Woolpit.

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

RECOMMENDATION – REFUSE PLANNING PERMISSION

Description of Development

Full Planning Application - Erection of 19No dwellings (including 6No Affordable) and construction of new vehicular accesses.

Location

Land East Of, Ashfield Road, Elmswell, Suffolk

Expiry Date: 25/04/2022

Application Type: FUL - Full Planning Application

Development Type: Major Small Scale - Dwellings

Applicant: Hartog Hutton Ltd

Agent: Philip Cobbold

Parish: Elmswell

Site Area: 0.9 hectare /9000sqm

Density of Development:

Gross Density (Total Site): 21 in 1 hectare

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

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

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

PART ONE – REASON FOR REFERENCE TO COMMITTEE

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

The application is a major application for a residential development for 15 or more dwellings.

PART TWO – POLICIES AND CONSULTATION SUMMARY

Summary of Policies

CLASSIFICATION: Official

NPPF National Planning Policy Framework 2021
NPPG-National Planning Policy Guidance

Core Strategy Focused Review 2012:

FC01 - Presumption In Favour of Sustainable Development
FC01_1 - Mid Suffolk Approach to Delivering Sustainable Development
FC02 - Provision and Distribution of Housing

Core Strategy 2008:

CS01 - Settlement Hierarchy
CS02 - Development in the Countryside & Countryside Villages
CS04 - Adapting to Climate Change
CS05 - Mid Suffolk's Environment
CS09 - Density and Mix

Mid Suffolk Local Plan 1998:

GP01 - Design and layout of development
H07 - Restricting housing development unrelated to needs of 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
T09 - Parking Standards
T10 - Highway Considerations in Development

Elmswell Neighbourhood Plan

Supplementary Planning Documents:

Suffolk Adopted Parking Standards (2019)

Neighbourhood Plan Status

This application site within Elmswell's Neighbourhood Plan Area.

The Neighbourhood Plan is currently at: - Reg 14 Draft Plan stage, accordingly, the Neighbourhood Plan has Limited weight,

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)

CLASSIFICATION: Official

Elmswell Parish Council - objects to this application for the following reasons:

The site is in the countryside outside of the Settlement Boundary within which new development will properly take place.

With regard to the strong policy imperatives aimed at protecting the existing character and appearance of the countryside, this proposal offers no justification for exceptional treatment and does not present a case for special consideration under categories identified and defined in the Local Plan, the Core Strategy or the National Planning Policy Framework.

Councillors make this statement with reference to the following factors:

1. MSDC has achieved a Housing Land Supply of more than 5 years. The Draft 5YHLS position statement November 2021 indicates that there is a 9.5 year housing land supply, almost double what government requires. In line with NPPF objectives in paras 78 and 83, Planning permission has been granted for substantial housing growth within or adjoining the Elmswell settlement boundary, and delivery of these developments is well advanced. On this basis, there should be no overriding presumption in favour of development that does not meet local policies. While some previously adopted policies are "out of date" and to be replaced in the new draft Local Plan, many are still aligned with objectives of the NPPF.
2. Most relevant here are FC1 and FC1.1 regarding Sustainable Development, CS5 relating to natural landscape and Mid Suffolk's environment, which aligns with NPPF 127 and 170. The conflicts with these policies and guidance are material considerations. The proposal is an extension into the countryside, with no exceptional justification, and is harmful to the open rural character and landscape of the area.
3. This proposal does not constitute sustainable development using the NPPF overarching economic, social and environmental objectives. The economic benefit of construction employment is short term, and the contribution to the local economy from occupiers would be very modest. The social benefit is questionable, given the distance and difficulty in reaching village facilities and activities on foot. There would be no environmental benefit, rather the incursion of buildings into the countryside would diminish the natural landscape, habitat and biodiversity.
4. This is not an 'exception' site providing affordable housing, and would not make any significant contribution to the vitality of the village.
5. Considering these points, together with the NPPF as a whole and policies FC1 and FC1.1, the proposal cannot be judged to be a sustainable development.
6. There is no pavement on Grove Lane or part of Ashfield Road and footpaths across the fields to the village are only recreational, not level, unlit, and virtually unusable in/after bad weather. The lack of close, convenient and safe access to facilities by walking or cycling means greater reliance on car journeys. Grove Lane is not wide enough to safely accommodate passing vehicles and pedestrians and cyclists. The lane is heavily used by a variety of commercial traffic, much of which gives little consideration to the residents. There is considerable use by extremely large vehicles, which are unable pass each other without driving on to the verge. Grove Lane cannot be regarded as inherently safe for children, the elderly or those with animals. It cannot be considered a sustainable location for additional dwellings.

7. The site is an uncultivated grassed field surrounded by hedges, making a high-profile positive contributions to the appearance of the local landscape and potential for biodiversity and wildlife habitat. The proposal seeks to disrupt the existing pattern of development and the village's transition into open countryside. Regardless of design, any type of built form would harm the open countryside, with no appreciable public or local benefit to outweigh that harm. This is contrary to policies GP1, FC1.1, CS5 and CL8, which require developments to conserve and enhance the local character and respect the local distinctiveness of Mid Suffolk, including its natural landscape and protection of biodiversity. As these policies are broadly aligned with objectives in paragraphs 127 and 170 of the NPPF, this conflict must be given significant weight.
8. The proposal seeks to create an enclave whose residents would be dependent on car use to reach village facilities and amenities. In effect, it seeks to create a large satellite population with no sustainable means of connection to the village. The Transport Statement quotes NPPF paras 108-110 on highway objectives: "That it is safe for all users" and "That it promotes sustainable, high-quality alternatives to the private car and to achieve developments accessible to all vehicles and people". The proposal flies in the face of both of these strictures and goes further to suggest that the lack of a pavement from Grove Lane as far as Oak Lane is not a problem as pedestrians can use the grass verge as a walking route to and from the village. Local residents have long complained about the lack of a proper pavement on this part of Ashfield Road and have warned of near misses with the large volume of cars and HGVs that use it. The verge is uneven, muddy, subject to erosion by large vehicles and encroachment by hedges, dangerous to walk along in bad weather and in the dark, and impossible for anyone pushing a buggy, holding onto small children or carrying shopping. It is completely impassable for anyone who has reduced mobility. There is no verge at all on the other side of the road, forcing pedestrians going towards Grove Lane from the village to walk with their backs to the traffic, contrary to Highway Code rules. This is especially dangerous if an obstruction forces pedestrians to step into the carriageway. This verge is neither safe nor high-quality, and to suggest that it constitutes a safe walking route to village amenities betrays a cynical disregard for pedestrian safety on the part of the applicant.
9. Suffolk County Council Highways Officers highlight exactly these concerns in their formal Objection which confirms that the proposal presents, in terms of NPPF paragraph 111, 'an unacceptable impact on highway safety.'

Place Services (Ecology) – No objection subject to ecological mitigation measures and enhancement measures

Anglian water – The foul drainage from this development is in the catchment of Elmswell Water Recycling Centre which currently does not have capacity to treat the flows the development site. Anglian Water are obligated to accept the foul flows from the development with the benefit of planning consent and would therefore take the necessary steps to ensure that there is sufficient treatment capacity should the Planning Authority grant planning permission.

National Consultee (Appendix 4)

Historic England – On the basis of the information available to date, in our view you do not need to notify or consult us on this application under the relevant statutory provisions.

County Council Responses (Appendix 5)

Suffolk County Council

As Lead Local Flood Authority (LLFA), have reviewed application ref DC/21/06379

The following submitted documents have been reviewed and we recommend a holding objection at this time:

- Site Location Plan Ref 4458-01
- Site Layout Plan Ref 4458-02d
- Flood Risk Assessment and Drainage Strategy Ref 259/2020/FRADS P4

A holding objection is necessary because the site is predicted to be a risk of surface water flooding, this is contrary to national and local policy/guidance. There are omissions within the submitted Flood Risk Assessment and Drainage Strategy Ref 259/2020/FRADS P4.

1. National Planning Policy Framework (2021) Paragraph 159. Inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at highest risk (whether existing or future). Where development is necessary in such areas, the development should be made safe for its lifetime without increasing flood risk elsewhere.

2. Mid Suffolk District Council's Core Strategy Policy CS 4 Sept 2008 Flood Risk: The council will support development proposals that avoid areas of current and future flood risk, and which do not increase flooding elsewhere, adopting the precautionary principle to development proposals.

3. The Suffolk Flood Risk Management Strategy 2016 Paragraph 2.5 - Planning authorities should only approve development where it can be demonstrated that the proposal satisfies all the following criteria:

- a. it does not increase the overall risk of all forms of flooding in the area through the layout and form of the development and use of appropriate SuDs
- b. it will be adequately protected from flooding;
- c. it is and will remain safe for people for the lifetime of the development

The applicant is also proposing to utilise a hybrid SuDS system without demonstrating why a full SuDS system cannot be utilised.

SCC Highways - Objection until the following comments have been addressed:

A development of this scale should provide safe and suitable access to local amenities, including the primary school and sustainable transport connections without the need for motor vehicle travel. The presence of a narrow, unmade path in the western side verge of Ashfield Road is noted, but this does not provide a suitable, year round walking route for any type of vulnerable road user.

NPPF 110 requires that 'safe and suitable access to the site can be achieved for all users' and NPPF 112 requires that developments should 'give priority first to pedestrian and cycle movements, both within the scheme and with neighbouring areas' and 'address the needs of people with disabilities and reduced mobility in relation to all modes of transport'.

Ashfield Road is a highly trafficked, unlit C class road and subsequently, the need for pedestrians to walk in or enter the road to access local amenities would result in 'an unacceptable impact on highway safety' (NPPF 111).

Significant improvements to the existing route would be required to address the above comments. It is also noted that the proposed visibility splays onto Ashfield Road are not clearly illustrated on the submitted drawings. This is necessary to enable the Highway Authority to assess whether they can be achieved within the highway verge and/or land controlled by the applicant.

SCC Passenger Transport Comments:

We don't have any services along Ashfield Road at present, and this development certainly isn't big enough to fund one, or tempt someone to run past commercially. Ordinarily at this point I would ask that they at least create a safe pedestrian route to the nearest stops, but I don't think even that will be possible due to the lack of footway.

SCC travel plan - Thank you for consulting me about the proposed residential development at Land East of Ashfield Road in Elmswell. On reviewing the planning documents submitted I have no comment to make, as the development does not meet the threshold of requiring a Travel Plan in accordance with the Suffolk Travel Plan Guidance.

SCC fire and rescue - The plans have been inspected by the Water Officer who has the following comments to make.

Access and Fire Fighting Facilities

Access to buildings for fire appliances and firefighters must meet with the requirements specified in Building Regulations Approved Document B, (Fire Safety), 2019 Edition, Volume 1 - Part B5, Section 11 dwelling houses, and, similarly, Volume 2, Part B5, Sections 16 and 17 in the case of buildings other than dwelling houses. These requirements may be satisfied with other equivalent standards relating to access for fire fighting, in which case those standards should be quoted in correspondence. Suffolk Fire and Rescue Service also requires a minimum carrying capacity for hard standing for pumping/high reach appliances of 15/26 tonnes, not 12.5 tonnes as detailed in the Building Regulations 2000 Approved Document B, 2019 Edition.

Water Supplies

No additional water supply for fire fighting purposes is required in respect of this planning application. Suffolk Fire and Rescue Service recommends that proper consideration be given to the potential life safety, economic, environmental, and social benefits derived from the provision of an automatic fire sprinkler system. (Please see sprinkler information enclosed with this letter).

Internal Consultee Responses (Appendix 6)

Heritage Officer -

To the east of the proposal site, beyond the playing field, is Grove Farmhouse, a Grade II Listed C16 farmhouse. Although the proposal site is not directly adjacent to this listed building, and a sense of physical separation would be retained, I consider that the development may still cause some amount of harm. Firstly, I consider that the development may still be somewhat visually perceptible within the same context as Grove Farmhouse and, as it would be a fairly dense, suburban form of development, this would appear out of keeping with a historically rural farmhouse. Secondly, the development site may historically have formed part of the land used by the farmhouse for farming activities given the land appears to have formed part of

the medieval Buttonhaugh Green, as shown on Hodskinsons Map of 1783, this would be in the form of use but not ownership prior to enclosure, with possible ownership as well after enclosure. Although they are now separated by non-agricultural land, if there was a historic connection then this would probably still be more apparent with the proposal site in its current form, as opposed to if it was developed for housing. Thirdly, as the land between Grove Farmhouse and Ashfield Road was likely historically part of Buttonhaugh Green, then this land adds to the evidence for the reason for positioning the listed building on the edge of the green, as was typical in the C16, thus adding to its story. I consider that development on the proposal site would make the reason why Grove Farmhouse was located here more difficult to appreciate.

Similarly, Buttonhaugh Green likely has historic interest in its own right, as a former medieval common, and the proposal would result in further erosion of its historically undeveloped character, in cumulation with other recently approved developments.

However, it is noted that this part of the setting of Grove Farmhouse/part of Buttonhaugh Green has already been considerably developed and thus eroded, in the last 100+ years, and the proposal site is a relatively small gap within this development. Consequently, I consider that the level of harm would be limited due to this. Overall, I would characterise the level of harm to Grove Farmhouse as a very low to low level of less than substantial harm, dependent to some extent upon their exact relationship historically. The impact on Buttonhaugh Green would be very low. I consider there would likely be limited opportunity for mitigation of this harm.

If the LPA are minded to approve this application, I would not request any conditions in this case.

Strategic Housing - Holding Objection: The affordable housing mix is not supported, and it needs to be determined that the affordable homes meet the Nationally Described Space Standard.

Environmental Health land contamination – No objections were raised

Environmental Health air quality - I can confirm that the scale of development, at 19 dwellings, is not likely to be of a scale of 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 sustainability/climate change - Upon review of the application and associated documents the following condition must be met: No development shall commence above slab level until a scheme for the provision and implementation of water, energy and resource efficiency measures for the lifetime of the development shall be submitted to and approved, in writing, by the Local Planning Authority. The scheme such include as a minimum to achieve:

- Agreement of provisions to ensure no more than 105 litres per person per day is used
- Agreement of provisions to ensure the development is zero carbon ready
- An electric car charging point per dwelling
- A Water-butt per dwelling
- Compost bin per dwelling
- Agreement of heating of each dwelling/building
- Agreement of scheme for waste reduction

Environmental Health (noise/odour/light/smoke) – please note below:

The application site is in close proximity to a corner and the transport statement indicates that Grove Lane is used by HGV traffic to access an industrial estate and therefore there is potential for a loss of amenity at new dwellings. As such I would require an Environmental Noise Assessment (ENA).

Should the ENA identify that daytime and night-time ambient noise levels at dwellings exceed the WHO and BS8223 guideline values for both internal and external daytime noise and night-time WHO guidance levels for sleep disturbance in bedrooms then a scheme of mitigation shall be submitted for approval to show compliance prior to any permission being granted.

Construction Hours

Operations related to the construction (including site clearance and demolition) phases) of the permitted development/use shall only operate between the hours of 08.00 and 18.00hrs Mondays to Fridays and between the hours of 09.00 and 13.00hrs on Saturday. There shall be no working and/or use operated on Sundays and Bank Holidays. There shall be no deliveries to the development/use arranged for outside of these approved hours.

Reason: to minimise detriment to nearby residential amenity Prohibition on burning.

No burning shall take place on site at any stage during site clearance, demolition or construction phases of the project.

Reason: to minimise detriment to nearby residential amenity

Dust control

The development shall not be commenced until a scheme specifying the provisions to be made to control dust emanating from the site has been submitted to and approved in writing by the local planning authority. The agreed scheme shall then be implemented in full before the proposed development is started, including demolition and site clearance.

Reason: to minimise detriment to nearby residential amenity Construction Management Plan

No development shall commence until a construction management plan has been submitted to and approved in writing by the Local Planning Authority. The construction management plan shall include details of:

Operating hours (to include hours for delivery)

Details of the scheduled timing/phasing of the development for the overall construction period Means of access, traffic routes, vehicle parking and manoeuvring areas (site operatives and visitors) protection measures for footpaths surrounding the site Loading and unloading of plant and materials Wheel washing facilities

Lighting

Location and nature of compounds, portalos and storage areas (including maximum storage heights) and factors to prevent wind-whipping of loose materials Waste storage and removal Temporary buildings and boundary treatments

Dust management measures

Method of any demotion to take place, including the recycling and disposal of materials arising from demolition.

Noise and vibration management (to include arrangements for monitoring, and specific method statements for piling) and;

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

Note: the Construction Management Plan shall cover both demolition and construction phases of the above development. The applicant should have regard to BS 5228:2009 Code of Practice of Noise and Vibration Control on Construction and Open Sites in the CMP.

Reason: to minimise detriment to nearby residential amenity

MSDC Waste Management - No objection subject to conditions

B: Representations

At the time of writing this report 12 public comments have been received. It is the officer opinion that this represents 12 objections comment. A verbal update will be provided as necessary at your meeting.

Views are summarised below: -

- No safe and suitable access to services and facilities (Lack of footpath from Grove Lane to Oak Lane and centre of Elmswell)
- Countryside location and lack of infrastructure
- The field supports wildlife and is the last remaining wild flower
- Traffic generation
- Overdevelopment of the Elmswell
- Anglian water/sewage problems

(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/21/06379

Full Planning Application - Erection of 19No dwellings (including 6No Affordable) and construction of new vehicular accesses.

DECISION: PCO

PART THREE – ASSESSMENT OF APPLICATION

1. The Site and Surroundings

1.1. The application site consists of a rectangular parcel of grassland comprising approximately 0.9 ha. There is existing residential development to the north, west and south of the site. The eastern boundary of the site adjoins sports pitches/Playfield. The prevailing character of development is edge of settlement rural. The surrounding dwellings are varied in terms of style, scale, and

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orientation, a real mixture of two-storey dwellings, bungalows and traditional cottages can be observed along this part of Ashfield Road. The application site is situated some 1km away from the defined settlement boundary of Elmswell.

- 1.2. The site is not subject to any specific land designations, namely Conservation Area, AONB, Special Landscape Area or Sites of Scientific Interest.
- 1.3. There are no protected landscape features within or within close proximity to the site, and there are no TPOs within the application site.
- 1.4. The site is situated in Flood Zone 1 where the risk of flooding is minimal, however there are areas within and close to the site prone to surface water flooding, according to the Environment Agency Flood Map.
- 1.5. Two access points would serve the proposed development, Ashfield Road and Grove Lane as shown on the submitted layout drawing.

2. The Proposal

2.1 The proposal is for the “Erection of 19No dwellings (including 6No Affordable) and construction of new vehicular accesses.” The proposal will include 6 affordable homes. The affordable homes will be plots 4, 5, 6, 7, 8 and 9. Plots 4 and 5 are flats with one bedroom. Plots 6, 7, 8 and 9 are houses with two bedrooms.

2.2 The proposed dwellings feature different design aspects; the dwellings are of two storey height, no bungalows/single storey dwellings have been proposed, the palette of external materials chosen consists of brick, render, timber boarding slate and pantiles. The development includes a range of housing types and sizes consisting of 2 x 1 bed, 6 x 2 bed, 7 x 3 bed, and 4 x 4 bed properties. The dwellings with frontages to Ashfield Road and Grove Lane. The SuDS area and public open space positioned in the north-west corner of the site will create a focal point, overlooked by plots 3, 4 and 5.

2.3 The development has a net density of 21 dwellings per/ha.

- Plots 2, 3, 13 and 14 are two storey 4 X bedroom detached
- Plots 1, 15, 16 and 17 are two storey 3 X bedroom detached
- Plots 18 and 19 are two storey X 3-bedroom semi-detached dwellings
- Plots 11 and 12 are two storey X 2-bedroom semi-detached dwellings
- Plots 8 and 9 are two storey X 2-bedroom semi-detached dwellings
- Plots 4 and 5 are flats with one bedroom

The illustration below outlines the positioning of affordable units within the site



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 Paragraph 12 of the NPPF provides that the presumption in favour of sustainable development does not change the statutory status of the development plan as the starting point for decision-making. Where a planning application conflicts with an up-to-date development plan (including any neighbourhood plans that form part of the development plan), permission should not usually be granted. Local planning authorities may take decisions that depart from an up-to-date development plan, but only if material considerations in a particular case indicate that the plan should not be followed. 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 which provides:

"..., 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)."

It is embedded throughout the NPPF that significant weight should be given to the general public interest in having plan-led decisions even if the particular policies in a development plan may be old.

Even if policies are considered to be out of date, that does not make them irrelevant; their weight is not fixed, and the weight to be attributed to them is within the remit of the decision taker.

- 3.3 The proposal would create 19 additional dwellings in the countryside, the development should be assessed having regards to Mid Suffolk Local Plan (adopted 1998) saved policies GP1, H3, H7, H13, H15, H16, H17, T9, T10, CL8, and Core Strategy (adopted 2008) policies CS1, CS2, CS3, and CS5 and the Core Strategy Focused Review together with the NPPF (2021).
- 3.4 Policy CS1 of the adopted Core Strategy identifies a settlement hierarchy to sequentially direct development. This 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. The proposed development does not fall within any of the listed categories. 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.
- 3.6 The proposal is situated in the countryside wherein development is expected to accord with Core Strategy policy CS2. The proposal fails to accord with the developments allowed within the countryside and therefore is considered to conflict with Core Strategy Policies CS1 and CS2.
- 3.5 In countryside locations development will be restricted to particular types of development to support the rural economy, meet affordable housing, community needs and provide renewable energy. As such the proposal is for new residential development in the countryside, contrary to H7 of the Local Plan, and CS1 and CS2 of the Core Strategy.
- 3.6 The Council can currently demonstrate that it has an adequate 5-year housing land supply measured at 9.54 years. As such, this element does not engage the tilted balance requirement of the NPPF in itself. Given the age of both the Core Strategy and the Local Plan, and mindful that they pre-date the publication of the revised NPPF, consideration must be given to their degree of compliance with the NPPF. It follows that this requires consideration of the associated weight to be attached to the development plan policies. Policies CS1 and CS2 jointly set out the spatial strategy for the district in directing how and where new development should be distributed. They are not expressly prohibitive of new development in the countryside and allow for new development that is in accordance with them. Read together the policies provide a strategy for the distribution of development that is appropriate in recognising local circumstances and their overall strategy remains sound. This is because they take a responsible approach to spatial distribution, requiring the scale and location of new development to take into account local circumstances and infrastructure capacity. These elements are consistent with the NPPF.
- 3.7 Policy H7 states that new development will normally form part of existing settlements and that outside of settlement boundaries proposals for new housing will be strictly controlled. It is explained within the policy that this is in the interests of protecting the existing character and appearance of the countryside. It has been found that H7 does not directly preclude new development in the countryside and attracts weight in this decision; nonetheless, as a saved policy within the development plan it must be read alongside policies CS1 and CS2 and it is consistent with them. It is notable that the desire to protect the countryside as a resource is also reflected within the NPPF where it is stated at paragraph 174 that planning decisions should contribute to and enhance the natural and local environment by recognising

the intrinsic character and beauty of the countryside. Here, “recognition” must itself import a degree of protection and so the sentiment behind policy H7 is consistent with the NPPF.

3.8 There is a not too dissimilar ‘*special circumstances*’ test at NPPF paragraph 80 but that only applies to sites that are physically separated or remote from a settlement. It is this policy approach (alongside paragraphs 78 and 79, among others) within the NPPF that is infringed by the proposal. Therefore, irrespective of whether elements of policies CS1, CS2, and H7 are out of date, the parts of aforementioned policies that are up to date are those which are being breached by the application development and directly apply to its consideration. It is those policy parts that are up to date, and they attract a substantial weighting in the assessment of this proposal. These policies are consistent with the need to enhance and maintain villages and rural communities, and avoid new isolated homes, as set out within paragraphs 78, 79, and 80 of the NPPF. Further, CS1, CS2 and H7 also reflect NPPF paragraph 105 which provides that the planning system should actively manage patterns of growth and focus significant development on locations which are or can be made sustainable.

3.9 Having established a housing land supply which demonstrably and significantly proves that the Council is significantly boosting the supply of homes it is considered that the management of new development to more rather than less sustainable locations which enable active travel is an important development plan purpose which is consistent with the thrust of the NPPF. In the circumstances of this application and this site for the reasons set out in this report it is appropriate to afford a substantial weighting to policies CS1, CS2, and H7 given that the site is in a less rather than more sustainable location. A windfall piecemeal development such as this in less sustainable countryside location would materially compromise the spatial strategy of the development plan and undermine the aims and objectives of those plan contrary to Section 38(6) of the Act.

3.10 The NPPF sets out three dimensions for sustainable development, environmental, social and economic. The dimensions in the context of the proposed scheme are assessed in detail below.

Sustainable Development Considerations

3.11 The NPPF sets out three dimensions for sustainable development, environmental, social and economic. The dimensions in the context of the proposed scheme are assessed in detail below.

3.12 Economic Objective – Economically, the proposal would generate some benefit for local trade and predominately arise during the construction phase which would be short term and small. Once occupied, there would be minor economic benefit to Elmswell, this impact would not be significant.

3.13 Social Objective – In respect of the social strand, the proposal would provide 19 new dwellings which would provide a small contribution to housing, including a contribution to affordable housing. As such the social benefits are considered very limited and could be more sustainably provided in development elsewhere. This benefit is further reduced given that the Council can at this time demonstrate a five-year housing land supply. Whilst this is not a cap on development it is nonetheless the case that land for new homes is being made available in the district including within more sustainable locations, such that the benefit in this regard must be considered quite minimal.

3.14 Environmental Objective – There is no footpath, either in Grove Lane or on the Ashfield Road up to the Oak Lane junction. Given lack of public footpath in this location, the only access to Elmswell is an unlit and unsafe, narrow grass verge along Ashfield Rd.

3.15 The site is outside the defined settlement boundary of Elmswell. Elmswell is a Key Service Centre with multiple facilities for the community. It has a railway station and good bus links reflected in its

designation in Policy CS1 of the CS. These facilities also include a church, primary school, shops, two public houses, a village hall and recreation ground. Suffolk Provision of active travel infrastructure “Prioritise walking, cycling, and other vulnerable road users, above private car use” This document also sets out acceptable walking distance for development in the table below. The application site is approximately 1.5km from the primary school, and the railway station. It is similarly distanced from Pharmacy; these distances well exceed the desirable 800m. This combined with lack of suitable, safe, and continuous footway to the village centre indicates that it is less likely that the future residents would choose to take that journey by walking, as this would necessitate walking along a long stretch of unlit and unsafe road. The road is subject to a 30-mph speed limit. There is no cycle route along Ashfield Rd.

Table 1: Acceptable walking distances

Definition	Town centres	Commuting/ school	Elsewhere
Desirable	200m	500m	400m
Acceptable	400m	1km	800m
Preferred maximum	800m	2km	1.2km

13.16 It is acknowledged that the NPPF states that opportunities to maximise sustainable transport solutions will vary between urban and rural areas. It is reasonable to conclude that this site is not within easy walking reach of local services and facilities and bus stop 164 at Oak Lane, some 200m away, does not provide regular service therefore opportunities to use public transport are limited and the site is not well served in this part of the countryside. Given the concern over walking and absence of dedicated cycling paths, limited access to public transport and the objective to reduce reliance on car journeys on daily basis these factors weigh negatively in the planning balance.

3.17 To the east of the proposal site, beyond the playing field, is Grove Farmhouse, a Grade II Listed C16 farmhouse. The proposal would impact the setting and significance of that heritage asset. Furthermore, the development site may historically have formed part of the land used by the farmhouse for farming activities given the land appears to have formed part of the medieval Buttonhaugh Green, as shown on Hodskinsons Map of 1783. The proposal is considered to cause less than substantial harm to this heritage asset as noted above. The level of impact is further explored under the respective heading; however, this counts negatively in the planning balance and in terms of environmental impact. Additionally, although the site is within Flood Zone 1, it is situated within an area identified as at risk of surface water flooding, details of which is further explored in the report. This is another negative environmental risk which counts in the planning balance.

3.18 Whilst some benefits have been identified, provision of affordable units (6 units) and market dwellings which would add to stock of housing the district, given the harm identified in not just one, but to various strands, particularly within the environmental objective of sustainable development. It is considered that the proposal would wholly fail to result in sustainable development. Furthermore with identified adverse impacts which significantly and demonstrably outweigh the public benefits, even if the titled balance were to be applied, the proposal would not be supportable, this issue assessed in the Heritage and Flood risk sections below.

3.19 The proposal is contrary to the requirements of paragraphs 161 of the NPPF. Policies of Mid Suffolk development plan and the NPPF. The submitted Flood Risk Assessment fails to adequately address Flood risk matters, this combined with heritage concerns outlined above, together with limited public benefits that would not outweigh the identified harm, it is evident that the proposal is contrary to the Local Development Plan and the NPPF. Based on the outlined reasons, the Officers are of the view that the principle of residential development on this site is not supported, regardless of its design, style, scale, layout and orientation.

4. Site Access, Parking And Highway Safety Considerations

- 4.1. Policies T9 and T10 require development to be delivered with safe and sufficient highways access and function.
- 4.2. 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.
- 4.3. NPPF paragraph 110 also requires that 'safe and suitable access to the site can be achieved for all users' and NPPF paragraph 112 requires that developments should 'give priority first to pedestrian and cycle movements, both within the scheme and with neighbouring areas' and 'address the needs of people with disabilities and reduced mobility in relation to all modes of transport.'
- 4.4. The proposed dwellings will be served by new vehicular accesses from Ashfield Road and Grove Lane. Ashfield Road is a highly trafficked, unlit C class road with 30mph speed limit, and subsequently, the need for pedestrians to walk in or enter the road without a continuous footway to access local amenities would not result in "safe and suitable access" for all persons and potential as they might walk in the carriageway risk creating 'an unacceptable impact on highway safety' for passing road users including cyclists and motor vehicles (NPPF 111).
- 4.5. It is also noted that the proposed visibility splays onto Ashfield Road are not clearly illustrated on the submitted drawings. The applicant has failed to demonstrate that adequate visibility splays can be achieved on site, therefore it is not possible for the Highway Authority to assess whether they can be achieved within the highway verge and/or land controlled by the applicant which leads to significant uncertainty around this matter.
- 4.6. The proposal is therefore contrary to the local plan policies T9 and T10, and paras 110, 111 and 112 of the NPPF.

5. Design And Layout [Impact On Street Scene]

- 5.1 Policy CS5 of the Core Strategy requires development to be of a high-quality design that respects the local distinctiveness and the built heritage of Mid Suffolk, enhancing the character and appearance of the district.
- 5.2 Policy GP01 of the Local Plan states that proposals comprising poor design and layout will be refused, requiring proposals to meet a number of design criteria including maintenance or enhancement of the surroundings and use of compatible materials.

- 5.3 The surrounding area includes eclectic mixture of housing types, including bungalow and chalet bungalows, cottages and two storey houses. The design, style and scale of the proposed units are varied, and materials chosen are acceptable.
- 5.4 The proposed layout however lacks connectivity to the rest of the community as noted elsewhere and this will foreseeably compromise its potential to underpin social cohesion as required by the NPPF. The site is poorly connected in parts. The affordable housing units appear parking dominated, appear somewhat separated from the rest of the site and not well integrated.
- 5.5 The development would occupy a prominent corner position, where Ashfield Road meets Grove Lane, the site is also immediately adjacent to playing field such it is highly visible to view from all sides. Development in this location would materially reduce the open character of this locality and compromise that feature of local distinctiveness as the built-up area of the village softens into countryside. The urbanising effect would be highly prominent in the street scene and its undermining effect upon the undeveloped and open character of the land would be lost. As a result, its lost contribution to local character and reduced sense of openness would be significant.
- 5.6 Officers consider that although the design of the dwellings, their style, mixture, density, and layout are not objectionable in general terms, given in the context of the locality, the open and prominent location of the site, is contrary to the policies CS5 and GP1, as well as chapter 12 of the NPPF. Having said that, irrespective of design details, any development on this field would be harmful and irreversible to the street scene and local character.

6.g Landscape Impact, Trees, Ecology, Biodiversity And Protected Species

- 6.1 NPPF paragraph 130(c) states that planning decisions should ensure that developments are sympathetic to local character and history, including the surrounding built environment and landscape setting. The NPPF states that local authorities should take account of the desirability of new development making a positive contribution to local character and distinctiveness.
- 6.2 Local Plan Policy GP1 calls for proposals to, amongst other matters, maintain and enhance the character and appearance of their surroundings. 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.
- 6.3 The site is an uncultivated grassed surrounded by hedges and being situated at the junction of Ashfield Road and Grove Lane, it occupies a prominent position in the locality, therefore although it does not bear any significant vegetation or contains any significant trees, its openness together with its positioning immediately adjacent to the open Playing field to the east, contributes positively to the natural landscape character of this locality. This visual "gap" also re-enforces the gradual transition into open countryside and fields beyond, such that the proposed development would unacceptably reduce this gap and would have a significant urbanising impact upon rural settlement edge character of the site.
- 6.4 Such harm to the local landscape character is inevitable, information about how this can be potentially mitigated is absent, and the submitted Planning Statement provides "*Precise details of planting and hard surfacing are reserved matters which can be addressed by a planning condition.*" Officers are of the view that no level of planting would overcome the identified harm, as noted previously, the significance of the field is predominantly in its openness/free from built form. A permanent built

development would have a lasting, urbanising impact upon this part of the countryside and in so doing the proposal conflicts with Policy CS5 of the Core Strategy, policy CS5 is given full weight as it is in line with Chapter 15 of the NPPF. The proposal's inability to conserve local landscape character weighs negatively in the planning balance.

7. Land Contamination, Flood Risk, Drainage and Waste

7.1 National Planning Policy Framework (2021) Paragraph 159. Provides that Inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at highest risk (whether existing or future). Where development is necessary in such areas, the development should be made safe for its lifetime without increasing flood risk elsewhere.

7.2 Mid Suffolk District Council's Core Strategy Policy CS4 sets out that: The council will support development proposals that avoid areas of current and future flood risk, and which do not increase flooding elsewhere, adopting the precautionary principle to development proposals.

7.3 The Suffolk Flood Risk Management Strategy 2016 Paragraph 2.5 - Planning authorities should only approve development where it can be demonstrated that the proposal satisfies all the following criteria:

- a. it does not increase the overall risk of all forms of flooding in the area through the layout and form of the development and use of appropriate SuDs
- b. it will be adequately protected from flooding.
- c. it is and will remain safe for people for the lifetime of the development

7.4 The application site is within Flood Zone 1 and partly within an area identified as at risk of surface water flooding. The submitted Flood Risk Assessment fails to adequately demonstrate the extent of flood risk affecting the site. Furthermore, the NPPF at paragraph 161 requires that for **all flood sources** a sequential approach to development is taken, whereby it must be demonstrated that there is no reasonably available alternative land at lower risk of flooding that could accommodate the development instead of the site proposed. Having regard to paragraph 161 the Council consider that there are likely to be reasonably available alternative sites across the district particularly and there are no cogent planning reasons to reduce the search area for such to this location or just the site. On this basis the Sequential Test has been technically failed. The applicant is also proposing to utilise a hybrid SuDS system without demonstrating why a full SuDS system cannot be utilised and this is not considered acceptable.

7.5 The proposal is in in the round conflict with Mid Suffolk Core Strategy Policy CS4 and paragraphs 161 and 164 of the NPPF

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

8.1 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, the policy is given full weight given its compliance with Chapter 16 of the NPPF.

8.2 Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 states that special attention shall be paid to the desirability of preserving or enhancing the character or appearance of a Listed Building or its setting. In this case, there are specific NPPF policies relating to designated heritage assets that should be considered.

- 8.3 Paragraph 195 of the NPPF identifies that the impact of a proposal on the significance of a heritage asset should be taken into account, in order to avoid or minimise conflict between the heritage asset's conservation and any aspect of the proposal.
- 8.4 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, this harm should be weighed against the public benefits of the proposal. In particular, paragraph 199 identifies that when considering the impact of development on the significance of a heritage asset, great weight should be given to the asset's conservation, irrespective of the level of harm.
- 8.5 The NPPF defines the setting of a heritage asset as the surroundings in which it is experienced. The extent is not fixed and may change as the asset and its surroundings evolve. Elements of a setting may make a positive or negative contribution to the significance of an asset; may affect the ability to appreciate that significance; or may be neutral.
- 8.6 To the east of the proposal site, beyond the playing field, is Grove Farmhouse, a Grade II Listed C16 farmhouse. Although the proposal site is not directly adjacent to this listed building, and a sense of physical separation would be retained, it is considered that the development would result in impact upon this heritage asset.
- 8.7 The application site is visually perceptible within the same context as Grove Farmhouse and, as it would be a fairly dense, suburban form of development, it would appear out of keeping with a historically rural farmhouse. Additionally, it is highly likely that the site is historically formed part of the land used by the farmhouse for farming activities. The land also appears to have formed part of the medieval Buttonhaugh Green, as shown on Hodskinsons Map of 1783. Although they are now separated by non-agricultural land, this historic connection would be lost through development of the site for residential housing. It is considered that any development on this site would undermine future generations appreciation of the context of Grove Farmhouse.
- 8.8 Similarly, Buttonhaugh Green likely has historic interest in its own right, as a former medieval common, and the proposal would result in further erosion of its historically undeveloped character, in cumulation with other recently approved developments.
- 8.9 It is noted that this part of the setting of Grove Farmhouse/part of Buttonhaugh Green has already been considerably developed and thus eroded, in the last 100+ years, and the proposal site is a relatively small gap within this development. Nonetheless harm has been identified. The level of harm to Grove Farmhouse is considered a very low to low level of less than substantial harm, dependent to some extent upon their exact relationship historically. The impact on Buttonhaugh Green would be very low.
- 8.10 Paragraph 202 of the NPPF requires that a finding of less than substantial harm must be weighed against the public benefits of the proposed development. It is considered irrespective of design, layout, and style of the development, any built form on this site would fail to conserve the heritage asset as set out above and, this combined with limited public benefit that it would offer leads Officers to conclude that the development would be contrary to Local Development Plan policy HB1, and paragraph 199 & 202 of the NPPF, where collectively these policies require that great weight should be attached to the preservation of the heritage assets.

9. Impact On Residential Amenity

- 9.1 Paragraph 130 of the NPPF sets out a number of core planning principles which should underpin decision-taking, including seeking to secure a good standard of amenity for all existing and future occupants of land and buildings.
- 9.2 The proposed layout is not considered highly dense, and the properties are afforded suitable amenity space. The Officers have not assessed the proposal to give rise to loss of amenity in terms of loss of light, overdominance, loss of privacy, given the style, scale and orientation of the proposed dwellings. Similarly, no harmful impact upon adjacent/surrounding neighbours have been identified that cannot be overcome by way of suitable conditions (construction management, construction hours, etc...). The Officers do not consider that the site is overdeveloped by virtue of the size and scale of the development shown.
- 9.3 The site layout demonstrates that it is capable of accommodating the proposal in a manner that will not unduly compromise the residential amenity of existing occupiers and nearby residential dwellings. Comments by EHO are noted regarding noise generated by HGV traffic, however they have advised that this issue can be potentially overcome by way of condition. In terms of comments provided by Strategic Housing officer, regarding "The affordable housing mix is not supported, and it needs to be determined that the affordable homes meet the Nationally Described Space Standard". Officers are of the view that as Mid Suffolk currently does not benefit from a policy that directly addresses this matter, it cannot be used as a reason for refusal.
- 9.4 The proposal is therefore not contrary to policy H16 of the Local Plan and Para 130 of the NPPF.

10. Planning obligations/CIL

- 10.1 The application is liable to CIL which would be managed through the standard independent CIL processes. The application, if approved, would require the completion of a Section 106 agreement to secure an affordable housing contribution (as advised by your Strategic Housing Officers).

PART FOUR – CONCLUSION

12. Planning Balance and Conclusion

- 12.1. It is considered that the application, for the reasons set out above, would not accord with the most important policies for the decision within the development plan taken in the round and that such material considerations as there are do not indicate that a decision should be taken other than in accordance with that those policies of the plan.

The basket of most important policies here, CS1, CS2, CS5, CS9, FC1, FC1.1, GP1, HB1, H4, H7, H13, H14, H15, H16, T9 and T10, are, on the balance of probabilities, considered to be up to date insofar as they relate to this application, the site, and its particular circumstances. It is therefore considered that the presumption in favour of sustainable development should not be engaged in the determination of this application. Para 11(d(i) of the NPPF provides 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:

“The application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed,” footnote 7 includes designated heritage assets (and other heritage assets of archaeological interest referred to in footnote 68); and areas at risk of flooding or coastal change.

Therefore, even if the "tilted balance" were considered to be engaged the significant and demonstrable harm to the strategic purpose of the development plan in achieving sustainable development through "good design" would be such that planning permission should be refused.

The proposed development would result in adverse impact on Grade II listed Grove Farmhouse, and the proposal would also impact on Buttonhaugh Green. Paragraph 202 of the NPPF requires that a finding of less than substantial harm must be weighed against the public benefits of the proposed development., and visual quality of the locality, rural character of the site. The identified harm would not be outweighed by public benefit, as these benefits can be achieved elsewhere in a more sustainable location in the district away from heritage impactful settings, and as such the proposal would be contrary to paragraph 202 of the NPPF, and policies HB1 of the Local Plan.

The harm identified and outcome from paragraph 202 would be such that paragraph 11 (d)i applies, which confirms that policies in the Framework provide a clear reason for refusing the development proposed.

Furthermore, the submitted Flood Risk Assessment fails to adequately demonstrate the extent of flood risk affecting the site. Furthermore, the NPPF requires for all flood sources that a sequential approach to development is taken, whereby it must be demonstrated that there is no reasonably available alternative land at lower risk of flooding that could accommodate the development instead of the site proposed. The Council consider that there are reasonably available alternative sites across the district particularly given its land supply position, and there are no reasonable planning reasons to reduce the search area to this area or just the site. On this basis the Sequential Test has been failed. The applicant is also proposing to utilise a hybrid SuDS system without demonstrating why a full SuDS system cannot be utilised.

The proposal does not accord with development plan policies mentioned above or national planning guidance and there is significant conflict with the NPPF.

RECOMMENDATION

(1) That the Chief Planning Officer be authorised to REFUSE Planning Permission based on the following reasons and such other reasons as he considers fit:

1. The proposal is in a countryside location where the development of these new dwellings would not materially enhance or maintain the vitality of the rural community. Future occupants will, moreover, be likely to be reliant upon the private car to access services, facilities, and employment. The District Council has an evidenced supply of land for housing in excess of 9 years and has taken steps to boost significantly the supply of homes in sustainable locations.

On this basis the proposal would not promote sustainable development and would be contrary to the adopted policies of the development plan which seek to direct the majority of new development to towns and key service centres listed in the Core Strategy 2008 with some provision to meet local

needs in primary and secondary villages under policy CS1. In the countryside development is to be directed to more sustainable locations having regard to policy CS2 and it is considered that in the circumstances of this application the direction of new housing development to more sustainable locations is of greater weight than the delivery of these additional dwellings in a less sustainable location. Having regard to the significant supply of land for homes in the District it is considered that the objectives of paragraph 60 of the NPPF are being secured and that on the considerations of this application the objective to boost significantly the supply of homes should be given reduced weight.

It is considered that the development of this site would cause adverse impacts to the proper planning of the District having regard to the above mentioned development plan objectives which are consistent for the purposes of this application with the objectives of the NPPF to secure planned development in more sustainable locations rather than piecemeal development in less sustainable locations. Those adverse and unacceptable impacts would significantly and demonstrably outweigh the limited benefits of this development.

On this basis the proposal is not acceptable in principle, being contrary to paragraphs 8 and 11 of the NPPF (2021), saved Policy H7 of the Mid Suffolk Local Plan (1998), Policies CS1 and CS2 of the Core Strategy (2008) and Policy FC1 and FC1.1 of the Core Strategy Focused Review (2012).

2. The site is an uncultivated grassed surrounded by hedges and being situated in the junction of Ashfield Rd and Grove Lane, it occupies a prominent position in the locality, therefore although it does not bear any significant vegetation or contains any mature trees, its openness together with its positioning immediately adjacent to the open playing field to the east, contributes positively to the natural landscape character and local distinctiveness of the area. The undeveloped area also marks the gradual transition into the open countryside and the fields beyond, the proposed development would close this gap and would have a significant urbanising impact upon semi-rural character of the site.

The negative visual harm upon the street scene would be significant, and the open character and attendant rural sense of place would be lost, and on this basis the proposal fails to protect or conserve intrinsic character of the countryside. As such the proposal would fail to comply with the requirements of Policy CL8, T9, T10, GP1 of the adopted Mid Suffolk Local Plan (1998), Policy CS5 of the Mid Suffolk Core Strategy (2008), and chapter 15 of the NPPF (2018).

3. The application site is within Flood Zone 1 and partly within an area identified as at risk of surface water flooding. The submitted Flood Risk Assessment fails to adequately demonstrate the extent of flood risk affecting the site. Furthermore, the NPPF requires for all flood sources that a sequential approach to development is taken, whereby it must be demonstrated that there is no reasonably available alternative land at lower risk of flooding that could accommodate the development instead of the site proposed. The Council considers that there are reasonably available alternative sites across the district and there are no reasonable planning reasons to reduce the search area to this area or just the site. On this basis the sequential test has been failed.

Pursuant to the AMR data and recent permissions within Countryside Villages (as defined in Mid Suffolk Local Plan Policy CS1), the Council consider that there are reasonably available alternative sites as defined by the NPPF. On this basis the sequential test has been failed.

The proposal is contrary to Mid Suffolk's Core Strategy Focused Review (2012) policies FC1 and FC1.1, Core Strategy (2008) policy CS4 and paragraphs 159, 167 and 168 of the NPPF.

4. The proposal fails to provide a safe and secure access onto highways. Furthermore, the details provided fail to provide suitable visibility splays required to meet current highway standards/guidance. Suitable visibility splays that can be secured are essential to avoid significant risk of highway danger. No evidence has been submitted to demonstrate that reduced visibility splays can be accepted. On this basis there is a risk to highway safety and the proposal fails to meet policy T10 of the Local Plan 1998 and provisions of the NPPF in this regard.
5. The proposed development would cause less than substantial harm to Grove Farmhouse a Grade II Listed Building and its appreciation and the setting of Buttonhaugh Green. On that basis the application would fail to enhance and preserve the significance of a designated heritage asset when great weight should be given to the asset's conservation in accordance with paragraphs 196, 197, 199 and 202 and contrary to policies HB1 of the adopted Local Plan 1998 and CS5 of the adopted Core Strategy 2008

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

- Proactive working statement