

Committee Report

Item No: 7B

Reference: DC/21/03287

Case Officer: Bradly Heffer

Ward: Stow Thorney.

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

RECOMMENDATION – GRANT FULL PLANNING PERMISSION WITH CONDITIONS

Description of Development

Full Planning Application - Residential Development of 258no. dwellings (91no. affordable) with new public open space, landscaping, access and associated infrastructure.

Location

Land North West Of, Stowupland Road, Stowmarket, Suffolk IP14 5AN

Expiry Date: 16/09/2022

Application Type: FUL - Full Planning Application

Development Type: Major Large Scale - Dwellings

Applicant: Crest Nicholson Operations Limited & John Henry Diaper an...

Agent: Mr Andrew Martin

Parish: Stowmarket

Site Area: Approximately 9 hectares

Density of Development:

Gross Density (Total Site): 28.66 dwellings per hectare

Net Density (Developed Site, excluding open space and SuDs): 35.7 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

PART ONE – REASON FOR REFERENCE TO COMMITTEE

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

The application constitutes a major development proposal and under the Council's adopted scheme of delegation this category of application has to be presented to Committee for determination.

The reporting of this item follows the request made by DC A on 20th July to consider this application concurrently with the reporting back of DC/20/01036 Ashes Farm.

PART TWO – POLICIES AND CONSULTATION SUMMARY

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 commented on the initially submitted proposals as follows:

‘Stowmarket is the largest town in Mid Suffolk and it is the main centre for housing development, employment and shopping in the district.

Locations for the main housing allocations in the town were established in the adopted Core Strategy (2008) and the Stowmarket Area Action Plan (2013). The latter identifies North Stowmarket - The Ashes, situated between Newton Road and Stowupland Road, as having total capacity for 400 new homes. Therefore, the principle of development on this allocated site is recognised and accepted.

There has been a significant evolution in the nature of the proposals for the site over the course of time. A site concept was developed in 2009 and a Development Brief and Delivery Framework were prepared by Ingleton Wood on behalf of Mid Suffolk District Council in 2016. The Brief outlined the opportunities and constraints in respect of this site, and provided guidance to developers on the landscape, access, drainage and open space requirements to inform the preparation of a planning application. Further master planning has then followed prior to the submission of the present application. The outcome is a set of proposals which are very different from those that were originally envisaged for the site.

*Stowmarket Town Council believes that there could have been better engagement by the applicant with local stakeholders over the changing nature of these proposals which, in turn, would have led to a better planning application. The current scheme is viewed with a certain amount of disappointment and there are many aspects to the proposals which require improvement. Consequently, Stowmarket Town Council **objects** to the grant of planning consent in respect of the current application that has been submitted.*

KEY ISSUES

The main points that the Town Council wishes to raise are as follows:

1. DESIGN

The Town Council believes that the proposed layout and design are devoid of any sense of place or character. There is no special architectural interest within the development and the use of blocks of flats to provide a gateway building (as referred to in the Design and Access Statement) confers upon them a status that they scarcely deserve. In particular, the response of the Stowmarket Society to the consultation is supported in providing a useful commentary on the shortcomings of the design elements of the scheme.

2. ACCESS AND CONNECTIVITY

It is evident that the natural place to access the site is via the roundabout at the top of Mortimer Road. However, the Highways Authority appears to accept the proposal contained within the application only because of “land constraints” relating to access from the roundabout. The Town Council suggests that in terms of delivering effective town and country planning, this does not make a great deal of sense.

The proposed access off Stowupland Road will undoubtedly be the principal access to the Ashes Farm site because the access anticipated on to Newton Road is less convenient in terms of its connectivity with other local routes. There is a perceived road safety issue with this junction although it is noted that a ghost island is to be created at the junction appears to be an attempt to manage the risk associated with this potentially dangerous traffic junction.

The shared pathway for cyclists and pedestrians on the west of Stowupland Road will be significantly inhibited by the creation of a new access half way down the hill. The cycle connection at the southern end of the site is welcomed but connection to the north end needs improving. The provision of a Toucan crossing is supported, subject to it being provided at a safe location a suitable distance away from any access to the site.

3. SITE LAYOUT

The early concept drawings promised a characterful green area of open space at the heart of the development site. This was replaced by proposals to create a large area of open space near the Mortimer Road roundabout, to manage in part, the impact upon the neighbouring community of Stowupland (as mentioned by Stowupland Parish Council in their response to the application). Under the current proposals, neither of these objectives are fulfilled as the proposed Local Area of Play site narrows where it abuts the main access route such that its visibility within the context of the site is poor and it provides little/no relief to the mass of housing within the development. Re-configuration of the site layout is seen as being vitally important to utilise this open space more imaginatively.

The Stowmarket Area Action Plan paragraphs 6.71 and 6.72, place a great deal of emphasis upon the quality of the open space in providing an area for formal or informal recreation. It is suggested that the proposals submitted will give future residents little sense of the “mixed development of housing and open space” referred to in the original documents relating to the site. Indeed, it appears that the proposed park space has been used primarily to strengthen the appeal for marketing purposes of the larger executive homes which overlook the space, rather than providing an accessible community park that can be used by everyone. Whilst the supporting information promises a great deal in respect of the proposed play area, little detail is provided about precisely what play equipment will be provided. There are many pocket parks across the town already, which

provide little in terms of amenity value and stimulation for children and are rarely used. It is suggested that a larger play area is incorporated within the scheme at a central location on the edge of the current phase of development which can then be extended as an area of substantial open space when the Newton Road development phase comes forward. The housing development will occupy a high profile location in an elevated position such that strong planting around the boundaries has been identified as being a key component of development from the concept stage onwards. The Design and Access statement provides little confidence that planting has formed an integral part of the thinking with regard to the site layout and it is suggested that any planning consent should be conditional upon the submission of a clear plan for tree planting and the promotion of biodiversity.

4. SITE DENSITY

The original proposals for the site anticipated a development of 400 units but this figure appears to have risen to 575 units in total across the site. The close proximity of new housing units is always a source of concern in terms of the health and well-being of residents and the potential for neighbour disputes where multiple housing units have common boundaries. The preponderance of parking lots and their locations is also questioned. There does not appear to be good sight lines between many homes and their allocated parking spaces which, in the Town Council's experience, is likely to lead to a high level of on-street parking as the parking spaces might be considered unsafe. The Town Council also notes that there will be some "triple deck" parking in some places which again is likely to lead to on-street parking.

5. SUSTAINABILITY AND CLIMATE CHANGE

The planning application provides little information about how the development will be delivered in an environmentally responsible manner. The Environmental Health consultee of Mid Suffolk District Council recommends the provision of a "Sustainability and Energy Strategy" and the Town Council supports this view. In addition, it is the policy of the Town Council on new planning applications to recommend:

- a. That all new build properties should have an Electric Vehicle charging point; and*
- b. That the feasibility of providing micro-grids to power new housing developments of 100+ properties should be assessed as part of the preparation of site development briefs or alternatively developers should pay into a carbon offset fund.*

The Town Council is seeking to increase canopy cover across the town to 22% and this site has a part to play in achieving that target. Disturbance of the surface of the former chicken farm may release stored carbon into the atmosphere meaning that tree planting should be strengthened to offset the carbon footprint of developing the site.

The Town Council requests that the developer responds positively to the points raised and addresses the new levels of public awareness which exist regarding environmental matters and supports the achievement of the nation's targets for carbon reduction.

6. LOCAL SERVICES

The comments of Suffolk County Council are noted with regard to the need for developer contributions towards an Early Years new build and support for Library Services. There is

a great deal of concern about the strain that new development will place upon for example, existing GP services, with additional services required particularly in respect of NHS dentistry. In addition, local school places are in short supply in many parts of Stowmarket and Stowupland, and action will be required to extend local schools if a significant proportion of local schooling is not to take place in portacabins. Therefore, there are many issues to be addressed with regard to the provision of local services, infrastructure and amenities before the proposals can be claimed to represent sustainable development.

SUMMARY

Stowmarket Town Council feels that better engagement by the applicant would have promoted a shared understanding of what is, and is not, possible on the site. The Town Council supports the principle of development but would welcome some significant revisions to the current proposals before planning consent is contemplated so that they fulfil the requirements of the National Planning Policy Framework and provide an acceptable outcome for Stowmarket.'

The following comments were received following re-consultation on amended proposals:

'Stowmarket Town Council re-iterates the previous comments that it has made to the Planning Authority in objecting to planning application DC/21/03287 - Land north west of Stowupland Road, Stowmarket. The minor amendments made by the applicant with regard to housing units and parking fail to address the substantive issues raised previously in respect of poor access to the site, the prominence of public amenity space within the site, poor design of the buildings and the lack of architectural merit of the scheme. The Town Council remains extremely disappointed with the proposals submitted by the developer and opposes the application.'

Stowupland Parish Council has provided the following comment:

'Stowupland Parish Council with the exception of the previous comments regarding primary education facilities reiterates its previous OBJECTION.

The Parish Council has concerns about the proposed Construction Access and necessary improvements to the A1120/ B1115 junction.

Construction Access: This will be a substandard access crossing a heavily used footpath and cycle track. This will cause issues with highway safety and mud. Stowupland Parish Council would want to see a raised table included at any construction access to carry the cycle track and footway and a raised table included at the final main access to the development again to carry the cycle track and footway. The main access to the site should be constructed before any development starts allowing this to be used for construction traffic. No work on the site should be started until a Construction Management Plan has been signed off. Late agreement and signoff with recent Stowupland developments have caused issues for residents which need not have happened.

A1120/ B1115 junction: The Parish Council note that discussions regarding the delivery of the necessary improvements to the A1120/ B1115 roundabout are ongoing. We feel it is important that any works to this junction will encompass all possible proposed development in the area that effect this junction i.e. St Phillips Ashes Farm, Crest Nicholson Diapers Farm, Taylor Wimpey Stowupland and Stowmarket East. We do not want to see this junction improved piece meal as it has been in the past. The B1115 between the Mortimer Road roundabout and this junction always has the highest number of speeding vehicles recorded by the police and parish speed watch. We would like to see some additional speed awareness signing along this route (i.e. electronic actual speed signs). Agreement on the A1120/B1115 junction improvements and additional speed signing should be a condition of planning approval.'

National Consultee (Appendix 4)

National Highways (formerly Highways England) has advised that it has no objection to the proposals.

The **National Health Service Clinical Commissioning Group** has identified that the proposed development is likely to have an impact on the services of two GP practices (Stowhealth and Combs Ford surgery). On this basis, a contribution to mitigate the impact of the development on healthcare provision is sought; to be secured through s106 agreement.

Natural England has confirmed that it has no comment to make on the application, and draws the Council's attention to its standing advice in relation to protected species and ancient woodland/veteran trees.

The **Environment Agency** has confirmed that it has no objection to the proposals and has recommended the inclusion of a condition on a grant of planning permission.

Anglian Water has identified that it owns assets, or those subject to an adoption agreement within or close to the development boundary that may affect the layout of the site. It is requested that an informative be added to the decision notice in the event that planning permission is granted for the development.

The **British Horse Society** has no objection in principle but requests that cycling/walking routes should be usable for horses.

County Council Responses (Appendix 5)

The **Highway Authority** has advised that it has no objection to the proposals, subject to mitigation being secured through s106 agreement and the imposition of conditions on a grant of planning permission.

The **Public Rights of Way** team has, inter alia, identified that Stowmarket Public Footpath 8 and the connecting Stowmarket Footpath 6 require upgrading to bridleway status. In order to do so a legal order (secured as part of the s106 agreement) would require a contribution from the developer. A series of informatives are also included as part of the response.

The **Lead Local Flood Authority** has advised a holding objection at the time this report was written; requiring the submission of additional details. These have been received from the applicant and re-consultation has taken place. Members will be updated accordingly at the Committee meeting.

The **Archaeology Service** has requested the inclusion of two conditions on a grant of planning permission.

SCC Development Contributions has identified a range of mitigation measures that would be secured under a s106 agreement. Further details may be obtained in the relevant section of the report below.

The **SCC Travel Plan** team has requested the imposition of a condition on a grant of planning permission.

The **Fire and Rescue Service** has requested that a condition be added to a grant of planning permission to secure fire hydrants.

Internal Consultee Responses (Appendix 6)

Place Services Landscape has identified detailed points in relation to the positions of trees. It is also advised that conditions be attached in the event that planning permission is granted for the proposal.

Place Services Ecology has confirmed it has no objection to the proposals, subject to the imposition of conditions on a grant of planning permission.

Place Services Heritage has identified a low level of less than substantial harm to local designated heritage assets. It is noted harm has to be weighed against the public benefits arising from the proposal – as stated in the NPPF (para. 202)

The **Strategic Housing Team** has advised that the affordable housing mix is acceptable.

Environmental Health (Noise) officer's final comments were not available at the time the report was written and Members will be updated at the Committee meeting.

Environmental Health (Air Quality) officer has confirmed no objection to the proposed development.

Environmental Health (Sustainability) final comments were not available at the time this report was written, as a revised Sustainability Statement was being considered. Members will be updated accordingly at the Committee meeting.

The **Environmental Health (Land contamination)** officer has considered the submitted assessment report, and advises that there is no objection to the proposal, subject to the imposition of a condition on a grant of planning permission.

The **Arboricultural Officer** has no objection in principle, subject to the development being carried out in accordance with the arboricultural report.

Public Realm has advised that it is supportive of the treatment of open spaces within the development.

Communities has commented on elements of the proposed layout and has also identified necessary mitigation to be secured through s106 agreement.

B: Representations

The following comment has been received from Councillor Ekpenyong:

'Whilst I am not against this development per se, as it is currently proposed I believe there are a number of significant issues as follows:-

- *The density of housing proposed for this piece of land seems excessive*
- *The allowance for parking is inadequate*
- *There is insufficient school provision locally especially at primary level*
- *Is there sufficient GP and dentist services to cope with this population growth – I doubt it*
- *For a development of this size, only having one entry/exit point is not at all desirable*
- *The position of the entry/exit point will have issues with visibility – cannot be attached to the roundabout at the junction of Stowupland Road and Mortimer Road*
- *Given the increased traffic due consideration should be given to mandatory non-idling on the approach to the railway station when vehicles are stationary*

These are just a few points from my quick review of the information to hand.'

The following comment has been received from Councillor Muller:

'I do have a number of concerns about this proposed development and some of my constituents have also raised some concerns. As one of the ward members, I consider it would be more appropriate for me to raise my concerns once the application comes before one of the Development Control Committees, in the near future.'

The Stowmarket Society's comments are summarised below:

- The scheme does not create a sense of place; the architectural approach is not justified in the Design and Access statement.
- The social housing elements suffer from excessive forecourt parking.
- The flat building has insufficient merit to be a 'gateway' building, bearing in mind its likely prominence in the street scene.
- The road connection to the site should be off the B.1115 Stowupland Road roundabout. The connection between this site and the adjacent Ashes Farm site is an important element to be considered.

At the time of writing this report at least 15 letters/emails/online comments have been received. It is the officer opinion that this represents 14 objections, 0 support and 1 general comment. A verbal update shall be provided, as necessary.

Views are summarised below:

- The development will increase traffic and increase noise and air pollution.
- There are too many dwellings proposed and inadequate parking facilities.
- Additional pressure on existing services in the town.
- The proposal will give rise to drainage and sewerage problems in the wider area.
- The proposed access is close to an existing access serving an existing estate, and will cause problems in the highway. Access should be taken off the roundabout at the top of the site.
- Double yellow lines should be installed along the B1115.
- Unacceptable loss and damage to trees and hedgerows, and impact on wildlife.
- Access to the A14 should be made from the site and current roads upgraded.
- Further ecological surveys are necessary.
- The proposal will impact on privacy and quality of life.
- Social and affordable housing should be scattered throughout the site.
- The proposal will create light pollution.
- The land is currently used for recreational purposes.
- A link should be provided between this site and the adjacent site to the west.
- Junction improvements will be necessary and a mechanism will need to be in place to secure.
- There is a lack of pre-school land provision on the site.

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

The full comments may be viewed on the Council's website.

PLANNING HISTORY

REF: DC/21/03287	Full Planning Application - Residential Development of 258no. dwellings (91no. affordable) with new public open space, landscaping, access and associated infrastructure.	DECISION: PCO
REF: DC/20/01036	Application for Outline Planning Permission (Access to be considered) – Erection of up to 300no. dwellings, new vehicular access, landscaping open space and drainage infrastructure.	DECISION: PCO

PART THREE – ASSESSMENT OF APPLICATION

CLASSIFICATION: Official

1. The Site and Surroundings

- 1.1. The site for this proposal is an irregularly-shaped area of land that has a given size of approximately 9.1 hectares. The site is bounded to the north by part of the A14 trunk road and its south-eastern boundary abuts Stowupland Road (B1115). Part of the south-western boundary abuts the residential curtilages of dwellings accessed via a private road leading off Stowupland Road, with the remainder of the south-western and north-eastern boundaries abutting open undeveloped land that is currently part of a site known as Ashes Farm. Topographically, the site slopes significantly from north-east to south-west – the application submission advises approximately 13 metres across the site.
- 1.2. The site contains significant tree and hedgerow planting, primarily along its perimeter but with lengths within the site that follow the lines of field boundaries. Another obvious feature is a cluster of disused chicken sheds, and associated hardstanding areas, located to the west of the overall site. Access to these sheds is also obtained via a track leading off Stowupland Road. Overhead power lines are also positioned on the site – providing a supply to the chicken shed development.
- 1.3. In the wider area, a significant housing area known as Cedars Park is located to the south-east of the site, on the opposite side of Stowupland Road, and an established ribbon of residential development follows the line of Stowupland Road to the south, up to where it meets the junction with Newton Road.

2. The Proposal

- 2.1. This planning application seeks full permission for the erection of 258 no. dwellings on the identified site – 91no. of which would be affordable units. The submitted plans show the site being accessed via a new junction on to Stowupland Road, which would serve a main spine road leading through the site, up to its boundary with the adjacent Ashes Farm site to the west. Off the spine route would be a series of culs de sac and private drives that would serve the proposed units. The dwellings themselves would consist of detached, semi-detached and terraced units ranging from 2 to 2 ½ storeys in height. The proposals would also include an apartment building located at the easternmost end of the site. This building would be set at 3 storeys in height. The units would range in accommodation size from 1 – 5 bedrooms. In terms of architecture, the buildings follow a traditional, vernacular approach and they would be constructed mainly in brick (with some use of render) with tiled roofs.
- 2.2. Generally the arrangement of dwellings is in the form of either perimeter blocks or units clustered around private drives. That said, a more formalised arrangement of units is proposed along the main spine road serving the site; this approach underpinned by the proposed use of avenue tree planting.
- 2.3. As well as the residential development proposed for the site, the submitted plans show the provision of public open space areas comprising a main space that is located towards the northern end of the site and an area towards the western boundary. Other open areas

to the south of the site would contain attenuation basins as part of the proposed SuDS for the site. The site also contains a public right of way (PROW) – part of which would be contained within a landscaped corridor - that runs in an approximate north/south line through the site.

- 2.4 With a given site area of 9.1 hectares and 258 no. dwellings being proposed, the gross density of development across the site would be approximately 28.66 dwellings per hectare.
- 2.5 The application submission is accompanied by a suite of supporting documents, including a Design and Access Statement (DAS). The following extract from the DAS is included for Members' information;

'...The proposed scheme will provide a wide range of benefits for the site and surrounding area, including;

- *Delivery of 258no. much needed new homes including 35% affordable housing*
- *A scheme of well-designed homes in a suburban setting with extensive open space and a network of SUDS*
- *The inclusion of a wide range of accommodation types and sizes, including family homes and one-bedroom properties, which will help to create a mixed and balanced community*
- *A biodiversity net gain through the creation of new ponds and introduction of species rich planting and ecological enhancements*
- *Provision of an extensive network of footpaths and cycleways and upgrades to the existing Public Right of Way to promote sustainable travel and enable access to the new and existing community...*

The planning application includes technical assessments and reports that support the proposed scheme, addressing the assessment of the constraints and opportunities, as well as responding to issues raised during the pre-application discussions. In addition, the proposed scheme follows the principles of the Ashes Farm Statement Development Brief and Delivery Framework and Local Plan policies and has been informed by extensive consultation with Mid Suffolk District Council, statutory consultees and local residents.'

- 2.6 In addition to the information included above, Members are advised that a Joint Statement has been prepared by the applicants for this site and the adjacent site known as Ashes Farm (also included on this agenda). This is included below:

'This Statement has been prepared jointly by Crest Nicholson Plc and St. Philips, from hereon 'the Applicants', to provide assurance and comfort that the Stowmarket Area Action Plan (SAAP) allocation at 'The Ashes' has been approached in a co-operative and managed way, to ensure that the respective planning application proposals are aligned with regards to their infrastructure delivery and contribution towards the growth and vitality of the town. The Applicants have maintained a positive dialogue throughout the planning process, meeting on numerous occasions to discuss the approach taken to the

requirements of SAAP, and how their sites can contribute towards the delivery of its objectives. Highway considerations, including access arrangements, public transport links, cycle routes, and pedestrian connectivity, have been a particular focus of the combined approach. Notably, the two sites are collectively contributing towards the provision of a new or enhanced bus service; on-site and off-site cycle infrastructure, with links between the two sites; improvements to the capacity of the B1115/A1120 junction; and a new bus stop and bus shelter on Stowupland Road. A central spine road through the overall SAAP allocation is also provided for under the two planning applications, with the detail shown in relation to the Diaper Farm site, subject to a full planning permission, and an aligned highway connection shown up to the site boundary on Ashes Farm, subject to an outline application. The Applicants have engaged positively and proactively with Officers at Babergh and Mid Suffolk District Council (BMSDC) to define an appropriately worded S.106 obligation to deliver the spine road along with a number of obligations relating to the payment of significant contributions towards, amongst other matters, local community infrastructure, including healthcare, education, sports facilities, and libraries.

Moreover, whilst it has not been formally adopted, the proposals in relation to both applications have been prepared to reflect the overarching design principles outlined within the Development Brief (2016) for the SAAP allocation. A quantum of housing sympathetic to the features and constraints of the allocation is proposed across both sites with a variety of house types and tenures to reflect local demand and need in general accordance with the Strategic Housing Market Area Assessment. In addition, there has been an extensive period of engagement and collaboration with Officers at BMSDC, local stakeholders, and statutory and non-statutory consultees, with engagement having taken place prior to the submission of the applications and during the course of their consideration and assessment. To summarise, the Applicants have worked positively together in order to facilitate the delivery of the SAAP allocation in a coordinated and managed way, so that the proposed growth to Stowmarket will mitigate against its impacts and provide for community gain.'

- 2.7 The full text of the DAS, along with other documents supporting the application submission may be viewed on the Council's website. Members should note that ongoing discussion and negotiation regarding the Affordable Housing content of the application is detailed below and is the subject of the recommendation which anticipates some design revisions of certain of those units. Further detail is given below.

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 Ashes 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 Ashes 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 Ashes 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: the proposed layout has been designed in consideration of the Development Brief, including the view across the site. The organisation of open space is considered to reflect this requirement.

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

Officer comment: the submitted proposal seeks to retain existing landscaping and screening elements as far as is practicable, accepting that some impacts will be an inevitable consequence of development taking place e.g. the formation of a new vehicular access. Additional tree planting (including avenue planting along the spine road) and landscaping is also proposed.

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

Officer comment: the proposed storey heights for the greater majority of the development range between 2 and 2 ½ storeys, which is not considered to be excessive, given the topography of the site, and is reflective of development heights in the vicinity. The single instance of a three storey building is considered to be visually appropriate in its proposed location.

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

Officer comment: the proposal includes a main area of open space to the top (north of the site) as part of open space provision.

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 part of proposals submitted for the Ashes Farm development.

6. retention of existing hedgerows and mature trees.

Officer comment: the proposal put forward for Members' consideration retains a significant amount of these features on the site.

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

Officer comment: the location of the development opposite that existing in Cedars Park would create the provision of built form on either side of the road, thereby creating a built form gateway to the town when approached from the northeast, underpinned visually by the proposed apartment block building.

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, forming part of the Ashes Farm application site.

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.

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

Officer comment: the application includes ecological survey information and conditions would be attached to a grant of 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 adjacent Ashes Farm application, and these are included here for context:

'...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 Ashes 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 – being accessible by bus services and on foot. Existing bus stops are located in Stowupland Road near to the site. The DAS submitted with the application advises that the town centre is 800 metres distant by foot whereas the station is approximately 400 metres distant. 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 convenient access to the trunk road network, via Stowupland to the north east.

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 site allocation i.e. including Ashes Farm states that development must include improved transport links, access from Stowupland Road and Newton Road, provision of new bus services and cycle and footpath improvements both on site and linked to existing networks. The policy also advises that contributions will be sought for improvements along Stowupland Road and Newton Road.
- 5.3. As part of the application submission, a transport assessment was provided. This has been considered by both National Highways (formerly Highways England) as well as Suffolk County Council as local highway authority. In this regard the following comment has been received from the Highway Authority:

*‘...The Transport Assessments for both sites provided **a robust assessment of the cumulative impacts of the sites on the local highway network...**’*) Officer emphasis.

5.4 Subsequently, the applicant has provided a further letter from their Highway consultants which is submitted to provide assurance that impacts arising from the proposed development on the local highway network have been robustly assessed. The letter will be available to view on the Planning website. In summary however it identifies:

- other committed development sites that were included as part of the assessment of impact
- traffic surveys being undertaken prior to the COVID-19 pandemic
- thorough review of the Transport Assessment by the Highway Authority and National Highways
- junction assessment highlighting the need to improve the A1120/B1115 junction; otherwise the identified junctions would not require mitigation, as agreed with the Highway Authority.

5.5 Members are advised that at the pre-application discussion stages with the applicant, it was proposed that the site would be accessed via the existing roundabout junction located adjacent to the north-eastern end of the site, with a second access shown in the same approximate position as under this current application. Preliminary development proposals were formulated that included this means of access. However, at the time of the formal submission of the application, the proposals had been amended so that a single point of access off Stowupland Road is shown. The submission documents advise that vehicular access taken off the roundabout is no longer possible; the DAS states that

‘...the connection to the existing roundabout could not be delivered due to third party land ownership issues...’

5.6 In regard to this aspect of the proposals, it is noted that various respondents have raised concerns – identifying the use of the roundabout junction as the preferable solution. This view is fully acknowledged. In this regard, the following further comment has been received from the applicant’s agent by way of explanation:

‘Whilst an access off of the roundabout had originally been explored, it subsequently transpired that an access in this location would not be possible. The land that would be required to facilitate the access off of the roundabout is subject to a restrictive covenant which fundamentally prevents further access from it. Accordingly, an alternative access arrangement was developed and submitted as part of the planning application, with access taken off of Stowupland Road to the south-west of the roundabout. The location and detail of the proposed access is acceptable and has been agreed with Suffolk County Council Highways as the Highway Authority.’

5.7 As a planning assessment it is considered that while access off the roundabout would appear to offer a satisfactory solution in principle, the applicant could not be *compelled* to

provide an access at this point, particularly if an alternative, safe means of vehicular access can be provided. It is noted that the Highway Authority has no objection to the proposed access to the site. In addition it is pertinent to note that the Development Brief did not illustrate access as being obtained from the roundabout – rather the access to serve the site is shown in the approximate position proposed under this planning application

5.8 The new access details submitted as part of the application show the provision of a priority junction off Stowupland Road, that would be served by 4.5 m x 90 m visibility splays, suitable for a 30 mph speed limit. Works in the local highway would include the provision of a new toucan crossing in lieu of the existing pedestrian refuge island located to the southwest of the new access, and the provision of a new bus stop and shelter to the northeast. Also pedestrian crossing improvements are required to the island on the B1113 arm of the B1113/B1115 junction (the roundabout junction to the north east of the application site).

5.9 In addition, the submitted plans also show the provision of an emergency access located to the north east of the proposed permanent access, also accessed via Stowupland Road. This second access would also be utilised as a shared use cycleway connection serving the site. In addition, a temporary construction access would be located in this position; this to accommodate large construction related vehicles only. Otherwise, the main access would be constructed to at least binder course level prior to commencement of the main construction works. The Transport Assessment advises that:

‘...When this temporary construction access is not required any more, the link will be replaced as a footway/cycleway link to the development and also be designed to be the emergency access point...The access will be designed to achieve a 4.5 m x 90 m visibility splay in both directions and will require a banksman during school start and close times as the route is well used by school children from Stowupland. The access position will be appropriately signed for construction vehicles...’

5.10 As well as the required works to mitigate the impact of vehicular traffic, and reflective of SAAP policy 6.16, which relates specifically to bus, cycle and walking provision, it is important that there is opportunity for non-car travel modes provided on the site. As part of the application submission it is proposed to utilise existing routes within the site. In relation to the existing PROW (Stowmarket Footpath 8) the intention is that this route is upgraded to bridleway status, in order that it can also be utilised by cyclists. Members will note that the proposed s106 agreement would include a contribution (as requested by Suffolk County Council) for a Legal Order to do so. The submitted Transport Assessment advises as follows:

‘...Where within the site boundary it [the footpath] would be surfaced with any adjustments to the alignment progressed in accordance with the Suffolk Green Access Strategy...’

5.11 The development would also include a 3 m cycleway on the western side of the proposed spine road that would connect with a spine road within the adjacent development on the Ashes Farm site. The submitted scheme also includes the provision of a shared use

cycleway access on the Stowupland Road boundary of the site, that would connect the existing cycleway on the B1113 with the internal highway network of the site.

- 5.12 Clearly it is important that a clear synergy is established between this application site and the adjacent site at Ashes Farm. In this regard, and following on from the initial consideration of the Ashes Farm proposal by Members, further liaison has taken place with representatives for both schemes and this has led to the provision of a Connectivity Plan to demonstrate a co-ordinated scheme for non-car mode access. Details of the plan will be available at the Committee meeting. However, key points are that the plan does show the connection of the route of the spine road between the sites and does also show the continuation of the associated cycleway.
- 5.13 In addition to pedestrian and cycling connectivity, in accordance with the relevant SAAP policy, the development of this site is cognisant of bus travel and in this regard the proposal is designed to accept a bus route along the main spine road. In addition, a financial contribution towards the provision of a service would be secured through the s106 agreement that would be attached to a grant of planning permission. For Members' information, the following explanatory remarks have been received by Suffolk County Council with regard to a request for a contribution towards bus service provision:

'In essence the figures are based on experience elsewhere. Whether we were looking at a new service that covered the sites into town to enable connections with other services, or an extension of one of those to serve the sites makes little difference. If we were to put out a tender for a Monday – Saturday route we would be looking at a cost in the region of £100,000 per year per bus, and the service is likely to need support for up to 5 years to become commercially viable. Particularly given that we would want the service to be running when the first residents move in in order set travel patterns but know the build-out will take several years so maximum customer potential takes time to arrive.

As for whether this would be a new service or an extension, that would largely be down to whether we go down the tendered route or the developers come to an agreement with a bus company. My preference would be for this to be the foundation of a new Stowmarket & Stowupland town service that would connect with the Ipswich route. I believe that option would give this the best chance of standing up when the support was removed as it wouldn't solely be reliant on users from these sites.

That just leaves the division between the two sites. I am more than happy with the amount per dwelling and apportionment shown below, but it leaves the risk that if only one of the two sites actually gets built there will not be enough support to get the service up and running until it can be commercial.'

- 5.14 In addition, the mitigation of impact sought by the Highway Authority would include improvements to nearby bus stops and crossing provision etc in Stowupland Road. The submitted proposal is therefore determined, by officers, to address the requirements of the identified policy.

- 5.15 In relation to vehicular parking provision on the site, the submission advises that the advisory standards adopted by the Council have been met. As well as the parking spaces to serve the dwellings themselves, the scheme proposes 66no. visitor parking spaces across the site which accords with the 0.25 space per dwelling adopted standard requirement. Members are advised that there are some instances within the proposed layout where triple parking spaces are proposed to serve 4 bedroom units. However, in accordance with the comments in the adopted standards in this regard, the spaces are located within the proposed private drive areas of the development.
- 5.16 As part of the 'wider' mitigation of impacts arising from this development, and also the proposed development on the adjacent Ashes Farm site, it is determined by the Highway Authority that improvements will be necessary to the A1120/B1115 road junction, located to the north east of the site, in Stowupland. The preferred solution of the Highway Authority would be the provision of a roundabout junction in lieu of the priority junction currently in place. Through discussions with the various parties promoting this site, the Ashes Farm site and a currently unallocated site in Stowupland (the development of which would also impact on the identified junction) a Memorandum of Understanding (MoU) has been completed. 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 (via a s278 agreement under the Highways Act) prior to the 75th occupation (across all sites)
- 5.17 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.
- 5.18 The Highway Authority would wish to include a condition on a grant of planning permission that required the provision of these works, together with a trigger point for their commencement/completion (reflective of the trigger point identified in the MoU). The Highway Authority would also require that the MoU be referenced within the s106 agreement that would be attached to a grant of planning permission.

6. Design And Layout

- 6.1. 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.

- 6.2 Members are advised that pre-application engagement has taken place with the applicant at various times, prior to the submission of this application. Discussions were informed by the SAAP and also the subsequent Ashes Farm Development Brief Delivery Framework. This document is intended to outline '*...the essential elements of constraint and opportunity..*' and provide '*...guidance to developers on the landscape, access, drainage and open space requirements for the site...*'
- 6.3 In relation to constraints amongst those identified are the sloping topography, the location of the A14 trunk road, and the (now defunct) chicken farm located on the site. Inter alia opportunities are presented by the location of the site in relation to the centre of the town, views across the site (afforded by the topography), existing trees and hedgerows helping to define spaces etc. Also relevant to the consideration of layout is the amount and density of the development, bearing in mind that the approximate number of units achievable across the entire site (including Ashes Farm) has been uplifted from 400 no. in the SAAP, to 572 no. in the subsequent SDP Development Brief prepared on behalf of the Council.
- 6.4 Various iterations of proposals were created from inception of a scheme through to submission of a formal proposal. As advised elsewhere, these included proposals where the development would be served off the roundabout junction adjacent to the east of the site. However, this did not prove to be possible as part of a development solution, as explained elsewhere in this report. Another factor that has promoted the current scheme put forward for consideration is the requirements of the Highway Authority in relation to the development, and these had to be reflected satisfactorily in the formulation of development proposals.
- 6.5 The Highway Authority requires a hierarchy of roads to be provided across the site, with the spine road having the highest status, as a distributor route, thereby being capable of serving the development across the whole allocated site. It should be borne in mind that this particular road would link Stowupland Road and Newton Road, assuming that development also takes place on the adjacent Ashes Farm site. It is understood that the status of the road, and its required function within the overall local network, would require that it meets specific design specifications such as a width of 6.7 metres and suitable bend radii etc.
- 6.6 Notwithstanding the clear functional role that the spine road would have, its general arrangement, and the organisation of built form around it to create character suggestive of a formal avenue, would mean that as a space it was of an appropriate visual standard. This character would be underpinned by the provision of avenue planting on the southern side of the route; created within a verge adjacent to the highway.
- 6.7 Other key spaces within the layout include the main area of open space to the northern part of the site, and a secondary area of open space that would be located adjacent to the public right of way that traverses the site in an approximate north/south axis. In both cases, the spaces would be spatially addressed and overlooked by built form, ensuring that they would read as an integral part of the overall development. Other open areas to the south of the site, which would contain SuDS attenuation basins, would also be similarly addressed by dwellings. By way of explanation of the open space arrangement generally, the applicant's agent has commented as follows:

'...The proposed layout and arrangement of development has been designed to respond positively to the site's features, as well as the provisions of national and local planning policy, including the overarching objectives of the Ashes Farm Development Brief, which whilst not adopted provides useful guidance. The distribution of the proposed housing and public open space also reflects the sites constraints and the requirements of the highway infrastructure proposed, with the site topography and level changes also being pertinent. Nonetheless, having accounted for the numerous considerations and constraints impacting upon the spatial arrangement, the proposed layout would deliver attractive, overlooked, and well-connected public open space, which is strategically located within the development to respect the strategic views of the site as identified within the Ashes Farm Development Brief...'

- 6.8 Another key public experience of the proposed development would be its perception from Stowupland Road, and in this regard, the arrangement of development means that, in the majority, fronts of dwellings would face towards the road, with some instances of flank walls. This frontage would, spatially, be similar in form to the corresponding frontage of the existing development in Cedars Park and, as such, is considered to respect local context. The fact that established planting on this boundary would, for the most part, be retained would assist in softening and filtering the overall appearance of the development from this key public viewpoint.
- 6.9 Within the development, the organisation of buildings would mainly take the form of loose perimeter blocks, which would ensure that there was a clear demarcation of public and private spaces, and would also ensure that private garden areas were screened and for the most part not overly visible from public viewpoints.
- 6.10 In terms of the design of the buildings themselves, this follows a vernacular architectural approach whereby their form and use of materials reflects those found in the vicinity of the application site. Dwellings would take the form of 2 or 2 ½ storey units in either detached, semi-detached or terraced arrangements. The buildings would incorporate either brick or render walls with pitched tiled roofs. There would be a single instance of a 3 storey building – this is proposed to be located at the eastern end of the site and would comprise 12 apartments. The overall design approach taken with this particular building would be similar to that taken with the remainder of the development. In this regard, given the prominence this building would have in the streetscene, discussions with the applicant have secured revisions to its design. The iteration that is included for Members' consideration is felt by officers to be a material improvement and would now be of an appropriate standard in this location.
- 6.11 As a way of introducing character and visual variety within the development, the DAS advises that the greater proportion of rendered buildings would be located along the spine road and main green area in comparison to the use of brick elsewhere. It is noted that this approach would also assist with legibility of the development.
- 6.12 As a planning judgement it is considered that the layout and design of the proposed development put forward for Members' consideration is an appropriate response to guidance contained in the Council's adopted Brief, and also issues such as the

requirements of providing a distributor route through the site (as part of the development of the overall allocated site).

- 6.13 The application submission does include a Design and Access Statement that advises of the design principles that have been applied, following a study of the application site and its context. This document may be viewed on the Council's website.
- 6.14 The NPPF places sustainable development at the heart of responsible planning. New development should be planned to avoid vulnerability to climate change, and plans should provide a positive strategy for the use and supply of renewable energy. At the local level, adopted Core Strategy policy CS3 identifies the Council's intention to reduce contributions to climate change. However, in relation to residential development the policy identifies a requirement that '...Sustainable Construction techniques will be encouraged in all new dwellings to achieve at least a three star rating under the Code for Sustainable Homes...' As Members are aware, the Code has been replaced with new standards applicable under Building Regulations.
- 6.15 As part of the application, a Sustainability and Energy Statement had been provided which inter alia identified the use of photovoltaic panels on 48no. dwellings and the use of energy efficient, low-carbon and renewable technologies. In this regard, further discussions have resulted in the proposed use of Air Source Heat Pumps and a plan has been received that indicates areas of the development where these would be utilised. In this regard, the following explanatory comment has been received from the applicant's agent:

'The dwellings identified on the aforementioned drawing reflect those which will be delivered during the later phases of the build-out programme, at which point the Air Source Heat Pump installation expertise and supply chain should be sufficiently robust to enable their delivery. Crest are open to a suitably worded condition requiring the submission and approval of details identifying the plots which will be electrically heated.'

The following comment has been made by the applicant as part of an update to the submitted Statement:

'The initial plots will be constructed under Part L 2013, which sets minimum standards for fabric of the dwellings and maximum allowable carbon emissions. From June 2023, dwellings will need to be constructed to meet Part L 2021 standards, together with tighter standards for fabric efficiency and a requirement to meet a primary energy demand target. The overarching energy strategy for the development is to follow a 'fabric first' approach to energy demand reduction. The fabric specification is therefore significantly better than the fabric values required to meet AD L1A 2013 in order to reduce energy demand as a first principle...Based on the high performance of fabric specification against the planning targets, it has been demonstrated that a minimum of 21.47% reduction over Approved Document Part L of the Building Regulations 2013/2021.'

6.16 With regard to the provision of EV charging points, the originally submitted Sustainability and Energy Statement advised that these would be provided to all homes with ‘...dedicated off-street parking...’ However, this provision did not completely accord with the Council’s adopted guidance standards. In this regard the applicant has been requested by Officers to update the Sustainability Statement and the following comments have been received:

*‘...A separate drawing has previously been submitted as part of the application, drawing number EV.01, showing the location of the proposed EV charging points, alongside the locations of proposed ducting for the purposes of futureproofing. **If there is any fundamental concern in relation to the proposals submitted for EV charging, Crest are open to a suitably worded condition regarding EV charging...**’ (officer emphasis).*

6.17 The date of receipt of the update to the Sustainability and Energy Statement meant that the further comments of the Environmental Health (Sustainability) officer were not available at the time this report was written. Members will be updated accordingly at the Committee meeting. In any event, however, with regard to the provision of charging points it is considered that control can be secured through the imposition of condition on a grant of planning permission.

6.18 As is mentioned above your Housing Enabling officers have commented upon the standards and content of the Affordable Housing units within the scheme. These standards have been the subject of ongoing design negotiation and at the time of writing it is recommended that authority be delegated to the Chief Planning Officer to secure amended plans for the Plots in question (XYZ) and, if Committee are otherwise content with the application, to undertake appropriate publicity and consultation upon those design changes concurrent with the preparation of the Section 106 obligation.

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

7.1. Conservation and enhancement of the natural environment is a fundamental theme of the NPPF and one reflected in policies CS4, CS5, CL1 and CL8 of the development plan. The application site benefits from significant amounts of hedgerows and trees, located primarily along the boundaries of the site with Stowupland Road and the A14 trunk road. Hedgerows and trees are also located along the line of the PROW crossing the site, and where the site abuts the adjoining land at Ashes Farm. Clearly these features are an important resource, in terms of their positive impact on the landscape and also their benefits in terms of ecology, climate etc.

7.2 The application submission includes a landscape masterplan, Arboricultural Impact Assessment, ecological assessments etc.

7.3 In relation to landscaping the potential impacts of development in the wider landscape arising from the development of the overall allocated site (including the adjacent Ashes Farm site) were considered as part of the Council’s Ashes Farm Development Brief. In this regard, the Brief advises that:

‘...The Landscape Impact Assessment...provides a balanced opinion of the sensitivity of the site and how development could impact on this. Any planning application will be expected to strike a balance between preserving the landscaping setting of the site and maximising the development potential of the site...’

- 7.4 Members are advised that these comments are made in relation to an area identified as Zone 2 in the Brief, which forms part of the application site that is under consideration. The text goes on to state:

*‘...It is therefore considered that **there is additional development potential in Zone 2 than that suggested in the Landscape Impact Assessment...**’ (Officer emphasis).*

- 7.5 The Brief includes a plan showing the suggested organisation of space across the application site (identified as Zones 2 and 3 in the document) The Landscape Masterplan that has been submitted as part of this application shows the main area of open space being located towards the northern end of the site, linking with a native hedge and tree buffer to be provided, where possible, along the northern boundary of the site. The location of this space is reflective of the organisation of land uses suggested in the Development Brief. It is proposed to be an informal area with wildflower planting. This area would also include the Local Area of Play (LAP) – which would be designed to integrate with its surroundings; comprising timber play equipment, sensory planting, mounding, logs and play boulders. In addition, some of the main open space area would be kept as grassland for informal play, kickabout space etc.
- 7.6 The secondary area of open space also would also be treated as an informal space with meadow planting, mown paths and benches etc. and some informal play features such as balancing logs. This space would link with the PROW that runs through the site, again reflecting the overall arrangement suggested in the Brief.
- 7.7 The approach taken to landscaping as part of the development is for the retention and enhancement of the existing field boundaries, augmented by additional native tree and hedge planting. The scheme proposes the retention of the existing features on the site as much as is practicable; accepting that some removal, for example, would be required to form the proposed accesses into the site. These established features would assist in filtering views of the proposed development from outside the site, particularly along Stowupland Road. The proposed development would also provide additional trees, for example in the proposed open space areas as well as through the introduction of the avenue planting along the main spine road. The approach taken to the use of existing landscape features, together with some augmentation, accords with the Brief’s aims in this regard, in your officers’ view.
- 7.8 In the arboricultural impact assessment (AIA) that was submitted with the application, it is identified that the surveyed site includes 92 no. trees, 5 no. groups of trees and 7 hedgerows. Currently, none of the trees on site are covered by a Tree Protection Order. In addition, there is no conservation area on site that would impact on trees.

- 7.9 It is noted that in order to undertake the proposed development, it would be necessary to remove 18 no. individual trees, 2 no. groups of trees and 1 hedge. In addition, sections of 3 no. groups of trees and 3 hedges would have to be partially removed. In terms of location, the main area for impact would be where it is proposed to create a new vehicular access to serve the site off Stowupland Road, and also the secondary emergency access which is proposed further along the road to the north-east. In addition, hedging that forms the boundary between the application site and the Ashes Farm site would also be removed, together with a length of vegetation that extends north-eastwards into the site – the line of which would be occupied by several development plots. In regard to the arboricultural impacts arising from the proposed development, Members will note that the Council’s Arboricultural Officer has no objection to the proposals, subject to the works being carried out in accordance with the submitted Arboricultural Impact Assessment. As well as identifying the proposed works, the Assessment also describes the protection measures for the trees and hedges to be retained on the site.
- 7.10 In terms of the ecological impacts arising from the development, the ecological survey information accompanying the application submission identified the potential for the presence of various protected species including bats, badgers, great crested newts and reptiles. Following submission of the planning application, the Council’s retained ecological consultants advised of a holding objection – on the basis that notwithstanding the submitted information, this was insufficient to enable proper consideration to take place. This prompted the submission of a suite of revised documents including an Ecological Impact Assessment, a Biodiversity Net Gain Report and a Biodiversity Enhancement Strategy Report. These have been considered further by the Council’s consultants and it has confirmed that there is no objection to the proposals in relation to ecological/biodiversity impacts. Conditions are recommended for inclusion on a grant of planning permission and officers support the recommendation.

8. Land Contamination, Flood Risk, Drainage and Waste

- 8.1 The NPPF at paragraph 183 identifies, inter alia, that planning decisions should ensure that a site is suitable for its proposed use. In addition, paragraph 184 makes clear that where a site is affected by contamination, responsibility for securing a safe development rests with the developer and/or landowner. In addition, Local Plan policy SC4 identifies the Council’s intention to ensure that new development proposals minimise the risk of contamination of underground water resources.
- 8.2 Members are advised that the application submission included a Phase I/II Geoenvironmental Assessment of the application site. This included an assessment of the land currently occupied by the 4no. disused chicken sheds and associated development – there being at least a potential for land contamination within this area. The report concludes that the site (including the site currently occupied by the chicken shed development) is suitable for the proposed residential use, subject to a series of recommendations. Having considered the report the Council’s Contaminated Land officer does not raise an objection to the application, but does require the imposition of a condition on a grant of planning permission.

- 8.3 Officers consider that the proposed condition meets the necessary tests, and would be imposed on a grant of planning permission in the event that Members accepted the officer recommendation.
- 8.4 In relation to the issues of flood risk and drainage, Members are advised that the entire site for the proposed development is located within Flood Zone 1 – areas defined as having the lowest probability of experiencing an unusual fluvial (watercourse) flood event. Nevertheless, as the site area extends to greater than 1 hectare, it is necessary for a flood risk assessment (FRA) to be carried out and this document was included within the application submission. The findings of the FRA advise, inter alia, that the

‘...site has been found to lie within Flood Zone 1 and therefore is not considered to be at risk from fluvial flooding. Other sources of flooding have similarly been assessed and found to pose no threat to development on the site. The existing risk of any potential surface water ponding on the site has been assessed and considered mitigated as a result of the development...’

In this regard it is noted that the Environment Agency has no objection to the proposals, subject to the imposition of a condition on a grant of planning permission. This condition, which relates to confirmation of capacity at the Stowmarket Water Recycling Centre, is not considered necessary by Officers – on the basis that the consultation response provided by Anglian Water has confirmed this is the case.

- 8.5 In relation to the surface water drainage proposals for the site, this takes the form of SuDS, which takes advantage of the site’s sloping topography. In this regard, the DAS advises that the scheme proposes two separate surface water treatment networks (east and west) to mimic the existing conditions. A combination of attenuation tanks and attenuation basins and swales will provide *‘...the required surface water treatment and storage up to 1 in 100 year storm event plus climate change..’* The southernmost end of the site would be partly occupied by attenuation basins which would be overlooked by built form.
- 8.6 Members are advised that the applicant has undertaken ongoing liaison with Suffolk County Council as Lead Local Flood Authority (LLFA). Initially, a holding objection was lodged, in order that the applicant could, in addition to the originally-submitted documents, submit a flood flow exceedance plan. This requested information was provided and the LLFA confirmed no objection to the proposals. Subsequently a further holding objection was lodged by the LLFA, on the basis that since the submission of the application, the climate change allowances for peak rainfall intensity adopted by SCC have been amended from 40% to 45% for all residential developments in Suffolk. In this regard, the applicant has sought to amend the proposals to reflect this revised requirement and the LLFA has been reconsulted. Its further comments will be reported to Members at the Committee meeting.
- 8.7 For information, in an earlier response the LLFA requested conditions requiring that the development be carried out in accordance with the submitted strategy for the disposal of surface water and the Flood Risk Assessment. In addition, was requested that a surface water drainage verification report is submitted following the completion of the last dwelling on the site. Lastly, a further condition requested the submission of a Construction Surface

Water Management Plan prior to the commencement of development. This would detail how surface water and storm water would be managed on site during the construction phase. Officers are content that these conditions meet the relevant tests and could reasonably be applied to a grant of planning permission.

- 8.8 Lastly, the submission advises that in terms of foul water drainage for the site, this would utilise existing Anglian Water facilities located south of the site in Stowupland Road.

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 (LBCA) Act 1990 requires local authorities to afford 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 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...’* Core Strategy policy CS5, inter alia, identifies the Council’s aim *‘...to protect, conserve and where possible enhance the natural and built historic environment...’* In addition, policy HB1 deals with the protection of listed buildings, and specifically states that *‘...Particular attention will be paid to protecting the setting of listed buildings.’*
- 9.2 The application submission includes a Built Heritage Statement which inter alia identifies that due to the nature of the site, impacts would be limited to those assets in closest proximity. The Statement finds that the development would not impact on the character of the defined conservation area for the town, which is focussed on the historic core located away to the southwest.
- 9.3 Specifically, the settings of three Grade II listed buildings are identified as being potentially impacted by the proposed development. These are ‘Ashes’, located to the west of the application site, ‘Uplands’ fronting Stowupland Road to the south and ‘Laburnham Cottage’, located on the south side of Stowupland Road. The currently undeveloped nature of the site is identified as making a positive contribution to the significance and setting of the identified buildings. Following assessment of impact, the Statement concludes *‘...It is considered likely that any potential for harm will be at a low level of less than substantial harm...’*
- 9.4 As a consequence, it is identified by the Council’s consultant that the proposals would result in a low level of less than substantial harm to the identified heritage assets. It is also noted that, in accordance with paragraph 202 of the NPPF, harm has to be weighed against the public benefits arising from the proposal. In this regard, it is considered that there are tangible public benefits that would arise from the development proposals. These would include a significant contribution to the District’s available housing stock, including a policy-compliant on-site contribution to affordable housing provision, and other

infrastructure improvements identified elsewhere in this report. These elements weigh in favour of the scheme.

- 9.5 In relation to below-ground heritage assets, the site is located within an area of archaeological potential – finds have previously been made on the Cedars Park site nearby. The application submission included the results of a geophysical survey of the site. This information has been considered by Suffolk County Council's Archaeological Officer and no objection is raised to the proposals. Members will note from the consultation response that two conditions are recommended for inclusion on a grant of planning permission.

10. Impact On Residential Amenity

- 10.1. The consideration of residential amenity impacts 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 Notwithstanding the location of the site on the periphery of the development, there are residential properties adjacent to the site, and a significant number in the wider area. The fact that the application is a full submission means that the location of proposed dwellings in relation to existing may be fully appraised.
- 10.3 In this regard, the dwellings nearest the development site are those accessed off the service road leading off Stowupland Road, that also serves the disused chicken shed site. These consist of a group of dwellings identified as Coach Cottage, The Uplands and Uplands Court. Of these, Upland Court is positioned to face the development site, with Coach Cottage and The Uplands positioned nearer to Stowupland Road. The nearest proposed units to this cluster of dwellings would be on plots 30, 49 and 50. In the case of the proposed dwellings on plots 30 and 49, these are orientated such that each would present a flank elevation towards the identified dwellings. Windows at first floor level in the flank elevations of these units would serve a bathroom (plot 30) an ensuite (plot 49), both of which would be obscure glazed. In addition the position of the flank walls in relation to the identified dwellings is such that they scale at approximately 50 metres distant (measured in a straight line from flank to nearest wall of the nearest dwelling – Upland Court). In relation to the unit on plot 50 the nearest corner would be approximately 50 metres distant from Upland Court. It is considered that this degree of remoteness would ensure that an unacceptable loss of amenity did not result to the occupiers of the identified dwellings.
- 10.4 In relation to the dwellings in the wider vicinity e.g. those fronting Stowupland Road to the southwest, and those facing the site on the Cedars Park estate to the south east, the main impact arising from the development would be the change in outlook. Members will be aware that planning does not protect views across third party land as such. That said, the organisation of the development would be such that it would present a frontage on to Stowupland Road located behind a linear landscaped area adjacent to the road itself. On this basis, and due to the relevant position of existing and proposed dwellings, it is considered that the new development would not appear excessively overbearing, nor create an overshadowing issue. It is fully acknowledged that a further impact will arise

from the increased traffic generated by the new development. In relation to this issue, the Council's Air Quality officer did request further information be provided in relation to the impacts of the development on air quality. Following the submission of an Air Quality Assessment the officer has confirmed no objection to the proposals. The ability of the local road network to accommodate the proposed development is an issue for consideration by the Highway Authority, and Members are referred to the relevant section of the report in this regard.

- 10.5 Another key consideration in terms of impacts on residential amenity arising from the development are those occurring through the construction stage. Bearing this in mind it is noted that the Environmental Health (Noise) officer does inter alia recommend that a condition is imposed on a grant of planning permission that would require the submission and approval of a Construction Management Plan in advance of the commencement of development on the site. Officers support the inclusion of this condition as an appropriate means of controlling the construction phase of the development.
- 10.6 In further consideration of noise impacts, it is necessary to consider the fact that the application site is bounded on its northern side by the A14 trunk road, and the noise generated by this feature is an acknowledged material consideration – bearing in mind that the future residents of the development would be impacted. In this regard, the Noise Impact Assessment submitted as part of the application recognises that without mitigation dwellings would be exposed to excessive noise disturbances. The proposed mitigation of the impact would take two forms. Firstly, the provision of a 3m high acoustic fence to be installed along the northern and north-western boundaries of the site. Secondly, it is proposed that the dwellings nearest the outer edges of the site be installed with suitable glazing and ventilation to ensure that internal noise levels within these dwellings are equal to or below identified British Standards.
- 10.7 In consideration of the submitted information it is understood that the Environmental Health (Noise) officer does not raise an objection. However, the final comments of the Officer will be available at the Committee meeting for Members' further information.

11. Planning Obligations / CIL

- 11.1. Members are advised that the submitted application seeks to comply with the Council's adopted policy in relation to affordable housing provision on the site. Of the 258no. units proposed, 91no. would be affordable units which represents a 35% provision, in accordance with altered policy H4 of the adopted Local Plan.
- 11.2 Following the initial submission of the application, liaison has taken place between the applicant and the Strategic Housing Team, which has led to revisions to the sizes and mix of units, including revisions to house types on a number of plots, in order to respond to the Strategic Housing Team's requirements in relation to NDSS compliant affordable units. The Team has confirmed that the proposed mix is now acceptable. In your officers' view these amendments to house types on individual plots could be achieved without compromising the overall layout of the development.
- 11.3 A key point to be addressed in the consideration of this application and the proposed development on the adjacent site is the completion of the road link between the sites. The

Connectivity Plan produced subsequent to Committee's deferral of the Ashes Farm proposal clearly shows the link between the two sites and the joint statement produced by the applicants for both sites specifically comments on this issue as follows:

'...A central spine road through the overall SAAP allocation is also provided for under the two planning applications, with the detail shown in relation to the Diaper Farm site, subject to a full planning permission, and an aligned highway connection shown up to the site boundary on Ashes Farm, subject to an outline application. The Applicants have engaged positively and proactively with Officers at Babergh and Mid Suffolk District Council (BMSDC) to define an appropriately worded S.106 obligation to deliver the spine road...'

11.4 On the basis of the above, it is considered that there is sufficient clarity regarding the connection between the two sites and, as noted, appropriate control can be ensured through the s106 agreement that would be attached to a grant of planning permission for this site, and the adjacent site.

11.5 Other elements of necessary mitigation of impacts, to be secured through a s106 agreement, can be listed as follows:

- Primary school new build @ £20 508 per pupil place - £1 148 448
- Secondary school expansion @ £23 775 per pupil place - £808 350
- Sixth form expansion @ £23 775 per pupil place - £190 200
- Early Years new build contribution @ £20 508 per pupil place - £369 144
- Libraries improvements @ £216 per dwelling - £55 728
- Household Waste @ £113 per dwelling - £29 154
- NHS contribution - £148 700
- Bus Service contribution - £231 182
- Traffic Regulation Order - £10 000
- Legal Order to upgrade public Footpaths 6 and 8 to bridleway status - £10 000
- Communities – contribution towards facilities provision in Stowmarket :
 - Sports Halls - £125 427
 - Artificial Grass Pitches - £18 175 (if 3G) or £16 531 (if sand)
 - Indoor Bowls - £5 661

11.6 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.

11.7 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.

11.8 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.

11.9 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 and Parish Council Comments

12.1 In relation to the comments received from Stowmarket Town Council and Stowupland Parish Council these are fully acknowledged and appreciated. Clearly the development of this site, and the adjacent site at Ashes Farm, would be a significant enlargement on this side of the town. The applicant company has undertaken further liaison with the Town Council subsequent to the Council's initial comments on the application.

12.2 In response to the comments from Stowmarket Town Council, the following points are considered relevant:

- The layout and design are considered to attain an appropriate standard for this site as explained in the report. Architecturally the dwellings are of similar character to newer development in the vicinity e.g. the development at Cedars Park. Since initial submission, the design of the flatted block has been amended following liaison, and is considered to be a significant improvement in comparison with the original design.
- As advised elsewhere the point of access off the roundabout, whilst incorporated into initial designs at pre-application stage, is not considered to be an element that can be insisted upon as part of a development proposal. The applicant has demonstrated to the satisfaction of the Highway Authority that a safe means of vehicular access may be obtained.
- The genesis of the development proposal has gone through various iterations at the pre-application stage. The location of the northern open space is considered to reflect the Council's Development Brief in this regard.

- The uplift in the number of units has been agreed via the Council's Development Brief document. Although little weight can be attached to policies in the emerging JLP the uplift is also included within the allocation in that document.
- Following initial submission of the application, an amended Sustainability Statement has been submitted, that inter alia includes the use of Air Source Heat Pumps. The final details in relation to sustainable construction, electric vehicle charging points etc would be secured through condition.
- The level of contribution etc. to mitigate the impacts of the development is as requested by various consultees and as described elsewhere in the report.

12.3 In regard to the concerns expressed by Stowupland Parish Council, these refer to the provision of a temporary construction access to serve the site, and the impacts arising on the A1120/B1115 junction that is located within the village. In relation to impacts on highway safety this particular element of the overall scheme has been considered by, and not given rise to an objection from the Highway Authority. Therefore an objection to the proposal on grounds of deleterious effect on highway safety would not be sustainable, in your officers' view. The use of the temporary access would be controlled on site by a banksman, during times when there would be pedestrian and cycle traffic generated by the local schools. In addition, the use of the access – both in terms of its longevity and times when it may be used – are controllable through the approval of a Construction Management Plan by condition. This would, for example, ensure that deliveries are allowed outside of sensitive times etc. With regard to the junction improvements, Members will note the comments in section 5 of this report, and the recommended condition. The agreed junction improvement design is future-proofed whereby it would be able to accommodate the additional traffic that would be generated by the identified developments. Importantly, the Highway Authority has confirmed this to be the case.

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. In this case, the allocation of The Ashes (of which this current site form part) for residential development is established via the Stowmarket Area Action Plan, which forms part of the adopted development plan. Therefore, it is considered that the principle of residential development taking place on the identified land is acceptable.
- 13.2 As a planning judgement, given that the principle of residential development is considered acceptable, it falls for this application for full planning permission to be determined.
- 13.3 The overall aim is to ensure that a significantly sized residential development can be provided on the site that is respectful of the constraints that exist, as well as the setting

and the context of the surroundings. Members are advised that the current proposal follows on from an extended period of liaison with the developers, and their agents, to address a series of issues, including those arising from consultee responses.

- 13.4 In this regard it is considered that the scheme presented to Members is of merit in townscape terms, creating a legible development with properly defined public and private areas. The proposed buildings are considered to have sufficient regard to the context of the surroundings and would not appear as incongruous in this setting. They reflect a traditional design response that is reflected in older and newer development in the vicinity. In addition, the fact that the site benefits from areas of established vegetation, which would be retained for the most part, would mean that the overall visual impact of the development would be lessened by localised filtered views, particularly along Stowupland Road.
- 13.5 The arrangement of spaces within the site has been undertaken with consideration of the Council's Development Brief document which it is noted, inter alia, was produced as a way of securing a greater amount of development on the site than that envisaged under the SAAP. In addition, another important influence on the arrangement of development is the fact that the spine road through the site would have a particular function in highway terms, as a distributor route, and its alignment reflects this. In addition, although it is fully acknowledged that an access to the site via the existing roundabout in Stowupland Road may be preferable locally, the developer cannot be compelled to do so. This option has been considered but is not achievable. Also, it is pertinent to note that the Council's adopted Brief relating to the overall site does show access off Stowupland Road taken from a position similar to that shown in this current application.
- 13.6 In consideration of the proposals, the objections and concerns expressed by the Town and Parish Councils, local amenity society and local residents are fully acknowledged and appreciated. The development of the land will present a fundamental alteration and additional significant traffic movements will result. However, the impacts arising from the development can, it is felt, be properly mitigated as described in this report. This application for full planning permission put forward for consideration by Members is judged by your officers to be an appropriate scheme, which is worthy of a positive recommendation.

RECOMMENDATION

- (1) [a] Subject to design revisions to Plots XYZ to enhance the accommodation standards of those Affordable Housing plots and appropriate publicity and consultation thereon raising no new material planning issues that [b] authority be delegated to the Chief Planning Officer to determine the application 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

35% on site provision (91no. units) in accordance with the agreed tenure split and accommodation mix.

- Properties shall be built to current Housing Standards Technical requirements. 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 Council's 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.
- Commitment to a completion of the spine road as shown on the submitted plans up to the boundary of the site with the adjacent Ashes Farm site within an agreed timeframe, to ensure that this element of the development is secured in accordance with the requirements of the adopted Development Plan with appropriate measures to safeguard the managed delivery of at least cycle and foot access to an appropriate standard through the whole SAAP allocation land in the event of delay in delivery of any part of that spine route
- Primary school new build @ £20 508 per pupil place - £1 148 448
 - Secondary school expansion @ £23 775 per pupil place - £808 350
 - Sixth form expansion @ £23 775 per pupil place - £190 200
 - Early Years new build contribution @ £20 508 per pupil place - £369 144
 - Libraries improvements @ £216 per dwelling - £55 728
 - Household Waste @ £113 per dwelling - £29 154
 - NHS contribution - £148 700
 - Bus Service contribution - £231 182
 - Traffic Regulation Order - £10 000
 - Communities' contribution – contribution towards facilities provision in Stowmarket :
 - Sports Halls - £125 427
 - Artificial Grass Pitches - £18 175 (if 3G) or £16 531 (if sand)
 - Indoor Bowls - £5 661
- Contribution to Legal Order under Highways Acts to upgrade public Footpaths 6 and 8 to bridleway status - £10 000

(2) That the Chief Planning Officer be authorised to grant full 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
- Development to be carried out in accordance with Approved Plans and documents
- Phasing Condition
- External materials including hard landscaping to be agreed prior to commencement of development
- Revised Travel Plan to be agreed in accordance with the Transport Assessment prior to the commencement of development above ground floor slab level
- Details of the proposed access, and all off-site highway works as shown indicatively in the Transport Assessment to be submitted and approved.
- Details of means of discharge of surface water from the development on to the highway to be submitted and approved.
- Details of the proposed off-site highway improvements to the B1115/A1120 junction to be submitted to and approved. To be provided prior to occupation of 75 dwellings across identified sites.
- Details of refuse and recycling areas to be submitted and approved.
- Details of estate roads and footpaths to be submitted and approved.
- No dwelling to be occupied until carriageways and footways serving it have been constructed to at least Binder course or better
- The new estate road junction(s) must be substantially formed prior to any other works commencing including deliveries
- No development commenced until an estate road phasing and completion plan submitted and approved
- Loading, unloading, manoeuvring and parking spaces to be provided prior to use commencing
- Details of cycle storage (including electric assisted cycles) and electric vehicle charging infrastructure approved prior to commencement.
- Provision of 4.5 x 90m visibility splays at the site entrance, thereafter being retained
- Approval of a Construction Management Plan prior to the commencement of development.
- No occupation of the dwellings until adequate additional flow capacity demonstrated at Water Recycling Centre
- Archaeology conditions
- Provision of fire hydrants on site
- Submission of a scheme of hard and soft landscaping, SuDS and boundary treatment prior to the commencement of development
- Details of advance planting to mitigate visual impact prior to the commencement of development on site.

- No development commenced until submission and approval of a Landscape Management Plan
- Details of play space provision prior to the commencement of landscaping works
- Ecological mitigation to be in accordance with the submitted EIA and Biodiversity Enhancement Strategy
- Approval of a Construction Environmental Management Plan for Biodiversity prior to commencement
- Approval of a Landscape and Ecological Management Plan prior to commencement
- Approval of a wildlife-sensitive lighting scheme prior to occupation
- Conditions as recommended by the Environmental Health (Noise) officer – 16th July 2021 and Land Contamination officer
- Conditions as recommended by the Environmental Health (Sustainability)
- Conditions as recommended by SCC Lead Local Flood Authority
- Development carried out on accordance with the protection measures in the submitted Arboricultural Report.

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

- Proactive working statement
- SCC Highways and PROW Team notes
- Anglian Water informatives

(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 grounds