

**Babergh and Mid Suffolk Joint Local Plan Examination
Hearing Statement
Matter 9: Allocation Sites for Housing and Other
Development and Settlement Boundaries**

Land at Diaper Farm, Stowmarket

Prepared on behalf of Crest Nicholson, John Henry Diaper and David James Diaper

August 2021

1.0 Introduction

- 1.1 This Hearing Statement is submitted on behalf of Crest Nicholson, John Henry Diaper and David James Diaper in relation to their Site, land at Diaper Farm, Stowmarket.
- 1.2 Crest Nicholson, John Henry Diaper and David James Diaper have previously made representations to the Reg 18 and Reg 19 consultations of the emerging Joint Local Plan (JLP) in 2017, 2019 and 2020 (respondent ID: 160).
- 1.3 The Site promoted by Crest Nicholson, John Henry Diaper and David James Diaper is proposed to be allocated for residential development within the JLP under Policy LA035.
- 1.4 Policy LA035 allocates the Site, land at Diaper Farm, and land to the north, land at Ashes Farm. These representations relate to land at Diaper Farm only.
- 1.5 The Site is currently allocated in the adopted Development Plan and Crest Nicholson have been engaging with Officers at Mid Suffolk and Suffolk County Councils through the pre-application process regarding the development.
- 1.6 Since our previous representations and Hearing Statements, a full planning application for 265 dwellings, new public open space, landscaping, access and associated infrastructure was submitted and validated on 14th June 2021, reference DC/21/03287.
- 1.7 In summary, our previous representations set out various concerns with the Plan that result in the JLP as currently drafted being unsound. However, we considered that such defects can be readily cured, and modifications have been suggested to overcome these concerns and make the Plan sound.

2.0 Matter 9: Allocation Sites for Housing and Other Development and Settlement Boundaries

Question 9.1 Are the sites allocated for housing and other development in policies LS01(1-90) and LA001 – LA119 soundly-based; are the criteria and requirements set out in the relevant policies justified and effective; and is there evidence that the development of the allocations is viable and deliverable in the timescales indicated in the Housing Trajectory set out at Appendix 01 of the plan?

2.1 In relation to allocation LA035, each part of this question is considered in turn below.

Is the allocation of LA035 soundly based?

2.2 In short, yes, the allocation of LA035 is soundly based. It has been allocated for a number of years, with its suitability well established. It is relatively unconstrained with various technical work and discussions having been ongoing with the District and County Council for a number of years, which resulted in the submission of a full planning application earlier this year.

2.3 Further details on the suitability of the Site are set out in our Reg 19 representations, which, as requested, are not repeated.

2.4 Development of the Site will ensure that much needed new homes are delivered in a sustainable location, making efficient use of underused land in accordance with national policy.

2.5 The allocation of LA035 is justified, effective and consistent with national policy. It is therefore soundly based.

Are the criteria and requirements set out in policy LA035 justified and effective?

2.6 As set out in our Reg 19 representations, we do have some concerns with some of the criteria and requirements in policy LA035.

2.7 As currently proposed, LA035 requires development to comply with the general development principles in the Ashes Farm Development Brief and Delivery Framework, which is a new requirement added at Reg 19 stage. This document was produced in 2016 and significant technical work has been undertaken since this, and it does not reflect current

circumstances or national policy or guidance. Policy LA035 should provide an up-to-date framework for the Site rather than relying on a historic document.

- 2.8 We also question the need for criteria VII, which requires a developer to test for potential resources on the Site to identify if prior extraction or use of the mineral on Site is appropriate. This is not a current requirement under the existing adopted allocation and we question why this has been included in the JLP, with there seeming to be no evidence to justify this. There also does not appear to be any consideration of the impact on viability or deliverability, with prior extraction of minerals being prohibitively expensive and time consuming, alongside considerable disruption to nearby residents. To ensure the policy is justified and effective, this requirement should be removed.
- 2.9 In respect of the highways contributions, we consider these should not be listed in such detail, especially stating 'may be required' as this is imprecise and does not give any certainty to the decision maker. For specific requirements to be included, these should be fully evidenced as necessary to make the development acceptable in planning terms and should have been fully considered in terms of viability and deliverability. We suggest amending policy LA035 to remove these specific requirements and instead leave to requiring mitigation measures as necessary, which would allow the exact mitigation to be fully explored and discussed.
- 2.10 Finally, in respect of criteria XII, we understand this has been identified as a requirement on the Ashes Farm site in the northern part of LA035. The policy should be updated accordingly to ensure no ambiguity in the event that the application on Diaper Farm progresses ahead of that for Ashes Farm.
- 2.11 Overall we suggest the following amendments to policy LA035 to ensure that it is sound:

The development shall be expected to comply with the following:

- I. The relevant policies of the Plan ~~and the general development principles set out in the Ashes Farm Development Brief and Delivery Framework (November 2016);~~
- II. Rights of Way should be retained and enhanced to enable access to the countryside, **links to the existing footway network** and active transport;
- III. Noise pollution from the A14 to the north of the site, is effectively mitigated;
- IV. An ecological survey, and any necessary mitigation measures are provided;

- V. A full assessment of increased discharge on the watercourse, and relevant mitigation measures;
- VI. Flood risk assessments should be used to avoid and mitigate all forms of flooding in a sustainable manner;
- ~~VII. Developer should test the potential resources on the site to identify if prior extraction or use of the mineral on site is appropriate;~~
- ~~VIII. Traffic calming measures on Stowupland Road (B1115);~~
- ~~IX. Provision of a new footway along frontage to link with existing network;~~
- ~~X. A signalled junction at Stowupland Road/Newton Road roundabout may be required.~~
- XI. Provision of a transport assessment and any mitigation measures **including potential traffic calming measures**;
- XII. A free serviced site of 0.1ha to be reserved for a new pre-school **on the Ashes Farm part of the allocation to the north west**, and proportionate contributions towards the build costs;
- XIII. Contributions towards the provision of **education**~~secondary school provision and a new primary school~~;
- XIV. Contributions to the satisfaction of the LPA, towards healthcare provision; and
- XV. Contributions to the satisfaction of the LPA, towards additional Household Waste Recycling provision;

- 2.12 These amendments will ensure policy LA035 is justified, consistent with national policy, effective and helps enable the JLP to be positively prepared.

Is there evidence that the development of LA035 is viable and deliverable in the timescales indicated in the Housing Trajectory set out at Appendix 01 of the plan?

- 2.13 With a full planning application having been submitted by an established national housebuilder for the southern part of LA035, land at Diaper Farm, this clearly demonstrates its deliverability. Furthermore, it has been consistently promoted by Crest throughout the JLP process to confirm its suitability and deliverability.
- 2.14 In terms of viability, we have made representations to other parts of the JLP to seek to ensure that, where relevant, policies are not overly onerous and detrimentally impact viability. Overall the development of the Site is viable and 265 homes can be delivered, as evidenced through the full planning application.

2.15 The Housing Trajectory sets out houses are expected to start being delivered on Site in 2028/29. With a full planning application already having been submitted, we consider this is overly pessimistic and that it is highly likely that dwellings can start being delivery much sooner.

2.16 Overall it has clearly been demonstrated that development of the Site can comfortably come forward and be delivered within the JLP period.

Question 9.2 Do the sites allocated for housing and other development in policies LS01 (1-90) and LA001 – LA119 give great weight to conserving and enhancing landscape and scenic beauty in Areas of Outstanding Natural Beauty (AONB) in line with paragraph 172 of the NPPF?

2.17 LA035 is not located within a AONB and indeed is a significant distance from any AONB. Its allocation will not impact the landscape or scenic beauty of any AONB.

2.18 LA035 can assist in providing much needed housing to meet identified needs, whilst directing this growth away from any AONB.

Question 9.5 Is the “contributions to the satisfaction of the LPA, towardsxxxx” wording used in many of the LAXXX policies justified and effective? Would “contributions towardsxxxx, to ensure that the development is acceptable in planning terms” be more appropriate?

2.19 We agree that the suggested wording would be clearer and more consistent with national policy.

2.20 We fully support the amendment to this wording in policy LA035 to ensure it is sound.

Question 9.6 Are the settlement boundaries as shown on the policies map justified and effective?

2.21 The settlement boundary including LA035 is justified and effective. LA035 has been identified for development for a number of years and has been formally allocated for housing since 2013 in the Stowmarket Area Action Plan.

- 2.22 LA035 has long been established as suitable for residential development and will make effective use of significantly underused land adjacent to existing housing and in close proximity to the centre of Stowmarket.
- 2.23 Its suitability and deliverability is further demonstrated through the joint working of Crest and Mid Suffolk District Council on pre-application discussions, which culminated in the submission of a full planning application earlier this year.
- 2.24 LA035 is controlled by Crest, a national housebuilder, and their intention is to develop the Site as soon as practicable once planning permission is granted. With a full application having been submitted, only pre-commencement conditions will need to be discharged before development can commence and it is hoped that these will be kept to a minimum.
- 2.25 Development on LA035 is progressing and it is therefore entirely appropriate for the settlement boundary of Stowmarket to reflect this, with this being justified and effective.