

Forest Heath District Council

**DEVELOPMENT
CONTROL
COMMITTEE**

3 SEPTEMBER 2014

DEV14/129

**Report of the Head of Planning and Regulatory
Services**

**PLANNING APPLICATION F/13/0345/OUT – RABBIT HILL COVERT, STATION
ROAD, LAKENHEATH**

Synopsis:

Application under the Town and Country Planning Act 1990 and the Planning (Listed Buildings and Conservation Areas) Act 1990 and associated matters.

Recommendation:

It is recommended that the Committee determine the attached application and associated matters.

CONTACT OFFICER

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Committee Report F/13/0345/OUT

Date: 22 November **Expiry Date:** 21 February 2014
Registered: 2013

Case Officer: Gareth Durrant **Recommendation:** Grant planning permission

Parish: Lakenheath **Ward:** Lakenheath

Proposal: Erection of up to 81 dwellings.

Site: Rabbit Hill Covert, Station Road, Lakenheath.

Applicant: Mr James Waters.

Background:

This application is referred to Development Control Committee as it is a proposal for 'major' development. Furthermore the recommendation to grant planning permission is contrary to the provisions of the extant Development Plan. The proposal also raises complex planning issues of District wide importance.

The applicant is an Elected Member of the Council.

The proposals are considered to comply with the relevant policies of the National Planning Policy Framework but the 'countryside' location of the site means the proposed housing development conflicts with adopted Development Plan policies.

The application is recommended for conditional approval following completion of a S106 Agreement.

Proposal:

1. The application seeks outline planning permission for the erection of up to 81 dwellings. All matters are reserved such that the planning application seeks to establish the principle of developing the site for housing.
2. On 7th and 25th May 2014 the number of new dwellings proposed by the planning application was amended from 100 (as submitted) to 81. At this time further information was submitted to amend and

supplement the planning application. The following documents were received:

- Amended illustrative site layout
- Amended Design & Access Statement
- Flood Risk Assessment
- Archaeological Evaluation Report
- Stone Curlew Information

3. In August 2014 the applicant submitted a noise assessment to assess the impact of aircraft noise.

Application Supporting Material:

4. The following documents were submitted to support this application when it was registered in November 2013:

- Forms and drawings including site location, site survey and illustrative layout.
- Design & Access Statement
- Noise Assessment
- Protected Species Walkover Survey and Desk Study
- Transport Assessment
- Phase 1 and 2 Desk Study and Site Investigation Report (contamination)
- Archaeological Desk Based Assessment
- Tree Survey Information
- Sustainability Appraisal
- Flood Risk Assessment

Site Details:

5. The site is situated to the north of Lakenheath. It is approximately 3.5 hectares in size, is presently in agricultural use (Grade 3) and has a tree lined frontage onto the highway of Station Road. Trees situated at the site frontage (south) and the side boundary (west) are protected by Tree Preservation Order.
6. The application site is situated outside but abuts the settlement boundary of Lakenheath. The settlement boundary terminates at the west site boundary but includes existing development on the opposite side (south) of Station Road. The site is thus situated in the countryside for the purposes of applying relevant Development Plan policies.
7. The site frontage has the benefit of a mature landscaped frontage of mixed species, including some pines. Some low density housing abuts the west boundary and there is a small housing estate of bungalows on the opposite side of the highway. The rear (north) and side (east)

boundaries and set to the countryside. The bulk of the settlement and key village amenities are located further south in the village.

8. There are no landscape or heritage asset designations at the site, although the Lakenheath Conservation Area is situated close to the south-west corner of the site (on the opposite side of Station Road). The Environment Agency flood risk maps indicate that the site is situated within Flood Zone 1 (with little or no risk of flooding).

Planning History:

9. 1985 - Planning permission refused for one dwelling and garage (on a plot situated at the southwest corner of the current application site). Register reference F/85/076.
10. 1986 - Planning permission refused for Bungalow and Garage (on a plot situated at with the southwest corner of the current application site). Register reference F/86/0125.

Consultations:

A – Application submission November 2013:

11. **Environment Agency –object** – and comment that the submitted Flood Risk Assessment does not provide a suitable basis for assessment to be made of the flood risks arising from the proposed development. The Agency goes on to advise how its objection can be resolved.
12. **Anglian Water – no objections** – The sewerage system and waste water treatment plant (Lakenheath STW) have capacity available to accommodate waste water generated by this development.
13. **Natural England – no objection** but requests further information – comments the site is 2.2km from RAF Lakenheath Site of Special Scientific Interest (SSSI). This SSSI is part of the Breckland Special Area of Conservation. It is also about 2km from Breckland Farmland SSSI which is part of Breckland Special Protection Area. The application site is outside the 1500m stone curlew 'buffer' to the SPA. However, we advise that the applicant is asked to determine whether there are any known stone curlew nest sites within 1500m of the development, i.e. outside the SPA. If there are nest sites, then further consideration of the impact on stone curlews will be required.
14. Natural England advises that the proposal, if undertaken in strict accordance with the details submitted, is not likely to have a significant effect on the interest features for which Breckland SAC/SPA has been classified. Natural England therefore advises the Council is not required to undertake an Appropriate Assessment to assess the implications of this proposal on the sites conservation objectives. Natural England is also content the development would not affect the

Pashford Poors Fen, Lakenheath (SSSI), Lakenheath Fen SSSI and Maidscross Hill, Lakenheath SSSI/Local Nature Reserve.

15. **Defence Infrastructure Organisation – no objections**, and request further consultation at Reserved Matters stage.
16. **NHS Property Services – ‘no objections’** to the planning application and no request for a contribution to be used towards health infrastructure.
17. **FHDC (Environmental Health) – no objections** – subject to the imposition of conditions to ensure i) the site is adequately investigated for contamination and any contaminants remediated, ii) to mitigate the impact of noise disturbance to existing local residents (construction management and hours of working).
18. **FHDC (Leisure, Culture and Communities) – no objections** - comments on the planning application as follows;
 - The two central areas of open space, should be combined to make one meaningful space, this would provide an area large enough to use and reduce the impact of use on neighbouring properties.
 - The space should contain natural playable features.
 - The central area should be surrounded by a knee rail.
 - Detail of soft landscaping and tree planting required.
 - Red line plan confirming all adoptable areas.
 - The green spaces adjacent to parking spaces and turning heads should be protected by a knee rail.
 - Any formal play provision should be off site and provided at one of the existing play areas in Lakenheath
 - All other provision should be in accordance with the SPD for open space, sport and recreation facilities and also provided off site at suitable locations within Lakenheath.
19. **FHDC (Strategic Housing) –objects** on the grounds that apparently less than the policy requirement of 30% affordable housing provision is offered from the development. The following comments are provided:
 - The Strategic Housing team does not support this development in Lakenheath. Forest Heath’s Core Strategy Policy CS9 states a requirement of 30% affordable housing. This development does not meet Policy CS9 and although the viability issue has been mentioned in the Affordable Housing Statement, no viability assessment has been completed at this stage.
 - There is strong evidence from the Housing Register and the SHMA to conclude that we need a variety of tenure and mix in Lakenheath. There are currently 199 applicants in housing need on the Housing Register with a preference to live in Lakenheath.
 - Based on the housing register figures, below is an indicative mix of

what would be required (based on 30 affordable homes);

- 13 x 1 bed (2 person)
- 12 x 2 bed (4 person)
- 4 x 3 bed (5 person)
- 1 x 4 bed (6 person)

- There would be a need for circa 5% of the overall affordable housing mix to be bespoke for households with specific needs i.e. wheelchair accessible, and Strategic Housing would be happy with a mix of flats and houses.
- Our Affordable Housing SPD requires a tenure split of 70/30 (affordable rent/intermediate housing) however the latest SHMA data is indicating a closer tenure split to 80/20.
- We would also encourage working with a Registered Provider of Affordable Housing at an early stage and require the affordable homes meet the Homes and Communities Agency (HCA) design and quality standards.

20. **Suffolk County Council (Highways – Development Management)** – raises **no objections**, subject to conditions (details of the access & internal estate roads, bin storage areas, junction visibility splays and phasing of construction of the new road infrastructure. The Authority has also requested developer contributions towards off site highway improvements (Footway widening for a safer cycle way (£50k); Street lighting and street furniture re-location (£15k) and an uncontrolled crossing (£10k).
21. **Suffolk County Council (Archaeology)** (December 2013) – **Objects** – The Authority comments that the site lies in an area of archaeological potential as recorded in the County Historic Environment Record (HER). A desk based assessment with this application presents a summary of known archaeological remains within the vicinity of the site, which includes a crop-marked ring ditch to the north and extensive finds from the Roman, Saxon and medieval periods to the north, south and east.
22. For these reasons, and in order to establish the full archaeological implications of this area, the applicant should be required to provide an archaeological evaluation of the site before the determination of the planning application to allow for preservation *in situ* of any sites of national importance that might be defined.
23. **Suffolk County Council (Planning Obligations)** – provide the following comments:
 - Forest Heath is currently undertaking a Single Issue Review looking at housing numbers and distribution across the district. In this connection we will greatly welcome the early conclusion of this review to enable a proper plan-led approach to development with

the necessary supporting infrastructure provision.

- **Education (Primary).** We need to clearly understand the outcome of the Single Issue Review in terms of housing numbers allocated to Lakenheath for future growth. This is critical in terms of shaping our future primary school strategy for Lakenheath. With further planned housing growth in Lakenheath over the plan period to 2031 the only sensible outcome will be to provide a second new 315 place primary school (free site of 2 hectares and build costs funded by developers).
- The existing primary school at Lakenheath has recently been expanded to 315 places to take account of the move from 3 to 2 tiers as well as dealing with latent population growth. Whilst the preference would be to expand the existing primary school to provide additional classrooms with facilities the site constraints mean that this is not a realistic or feasible option. With latent population growth and further housing growth planned at Lakenheath the emerging education strategy is to deliver a new 315 place primary school.
- The cost of providing a new primary school is £17,778 for each school place. It is forecast that this development would generate 25 primary school places. The contribution to be secured from this development is therefore £444,450 (25 places x £17,778 per place).
- With regard to site acquisition costs we can assume £10,000 per acre (£24,710 per hectare) which gives a total cost of £49,420 for a 2 hectare site and equates to £157 per pupil place. This gives a land contribution of 14 places x £157 per place = £3,925.
- In view of the above issues we consider that it is critical to fully consult with the Head teacher, School Governors and the local community before any decision is made on this application. The existing village primary is a full capacity.
- **Education (Pre-school provision).** It is the responsibility of SCC to ensure that there is sufficient local provision under the Childcare Act 2006. Section 7 of the Childcare Act sets out a duty to secure free early years provision for pre-school children of a prescribed age. From these development proposals up to 14 pre-school pupils are anticipated at a cost of £6,091 per place. In Lakenheath census data shows there is an existing shortfall of places in the area. A capital contribution of £60,910 is requested.
- In Lakenheath, census data shows there is an existing shortfall of places in the area.
- **Play space provision.** Consideration will need to be given to adequate play space provision.

- **Libraries.** A capital contribution of £21,600 to be used towards libraries is requested. The contribution would be available to spend in Lakenheath.
- **Waste.** A waste minimisation and recycling strategy needs to be agreed and implemented by planning conditions
- **Supported Housing.** Supported Housing provision, including Extra Care/Very Sheltered Housing providing accommodation for those in need of care, including the elderly and people with learning disabilities, may need to be considered as part of the overall affordable housing requirement. We would also encourage all homes to be built to 'Lifetime Homes' standards.
- **Sustainable Drainage Systems.** In the interim, developers are urged to utilise sustainable drainage systems (SuDS) wherever possible, with the aim of reducing flood risk to surrounding areas, improving water quality entering rivers and also providing biodiversity and amenity benefits. Under certain circumstances the County Council may consider adopting SuDS ahead of October 2013 and if this is the case would expect the cost of ongoing maintenance to be part of the Section 106 negotiation.
- **Fire Service.** Any fire hydrant issues will need to be covered by appropriate planning conditions. We would strongly recommend the installation of automatic fire sprinklers.
- **High-speed broadband.** SCC would recommend that all development is equipped with high speed broadband (fibre optic).

24. **Suffolk County Council (Strategic Planning)** submitted a '**holding objection**' and further interim comments in May 2014. The following comments were received at that time;

- I previously provided a comprehensive response by way of letter dated 23 January 2014 which the Development Control Committee will need to consider in due course. However this letter provides further clarification of the county council's position.
- This letter raises further issues for Forest Heath to consider in terms of important matters relating to primary school provision for Lakenheath and should be reported to the Development Control Committee. The position at Lakenheath in terms of education is different from other settlements across the district in that, at this point in time, whilst there is a clear strategy, i.e. there is an agreed need for a new primary school, no site has been secured yet and temporary classroom provision is difficult due to the site constraints of the existing primary school. Furthermore, the county council is aware of previous draft development plan documents indicating the level of further growth for Lakenheath.
- The Forest Heath Core Strategy Development Plan Document was

adopted in May 2010 and includes Policy CS13 Infrastructure and Developer Contributions. However we are very concerned that, ahead of the conclusion of the Single Issue Review and Site Allocations, which will address housing numbers and distribution across the district, there may well be no plan-led approach which could result in development not having the necessary supporting infrastructure provision. In particular it is widely accepted that Lakenheath needs a new primary school to support growth but at this point in time a suitable site for a new primary school has not been identified or secured. A minimum site size of 2 hectares will need to be identified, reserved and secured within Lakenheath to serve the community's needs. However, it would only be reasonable to develop such a school if there were greater certainty of additional houses anticipated in Lakenheath in the plan period. The ideal process would be for the county council to work closely with the district council through the Site Allocations process to identify a suitable site for a new primary school provided that the overall housing growth justified that.

- Whilst we are encouraged that this development has agreed to make proportionate contributions towards land and build costs for the new primary school, the real problem that the county council faces is that without a school site being identified and secured, some of the children arising from this development or in Lakenheath generally may not be able to secure a place at their existing local primary school. In this scenario the county council may be forced into a position of sending local primary age children by bus or taxi to other schools in the area. The assumed current annual cost for taking one child to and from school is about £850. As you are aware the existing primary school at Lakenheath has recently been expanded to 315 places to take account of the move from 3 to 2 tiers as well as dealing with latent population growth. Whilst the preference would be to expand the existing primary school to provide additional classrooms with facilities the site constraints mean that this is not a realistic or feasible option.
- In the circumstances, we consider that the Development Control Committee needs to be taking into account the very real sustainability issues that may arise of some local children not being able to secure a place in the short term at the existing primary school if further housing growth at Lakenheath is approved before a new primary school site is secured. The county council would not object to this proposal if it were to be part of a planned series of developments at Lakenheath (including the allocation of a new school site), provided that adequate funding was secured to provide an appropriate contribution to school buildings and site and the necessary additional travel costs pending construction of a school. However there is no certainty about the scale or location of growth at the moment. Furthermore there is new information that there are a number of other planning applications which have been submitted in Lakenheath in the recent past and there is a need to be able to consider these matters as a whole. Accordingly the county council

submits a holding objection in respect of this proposal pending further consideration of how the education matters can be resolved in the absence of a Site Allocations document. The county council is keen to continue discussions with the district council to examine this matter in order to agree a project plan for delivery of the new school.

25. **Suffolk County Council (Suffolk Fire and Rescue Service) – no objections** – Requests adequate provision of fire hydrants (to be secured by condition) and provides advisory comments for the benefit of the applicant/developer (access for fire engines, water supply and use of sprinkler systems in new development).

B – Re-consultation in May 2014 following reduction of number of dwellings from 100 to 81 and submission of additional information.

26. **Anglian Water Services** – do not wish to comment further at this stage.
27. **Environment Agency – no objections** – following receipt of an amended Flood Risk Assessment remove their previous objections to the planning application and recommend imposition of conditions regarding surface water drainage and potential land contamination. The Agency also provides advice for the benefit of the applicant/developer.
28. **FHDC (Ecology, Tree and Landscape Officer) – no objections** – and comments as follows:

Landscape

- The proposal does not include a landscape and visual assessment. In general the site is screened from the B1112 Station Road by a tree screen which is protected by a tree preservation order. The site is open to the north and the east
- The proposal is to access the site through this protected tree screen however the practicality of how this could be achieved without the loss of a significant number of trees has not been clarified although one option is shown. It is likely that trees would be lost to accommodate the actual access road, to provide the necessary visibility spays and adjacent trees in the vicinity where the root protection area (RPA) of the trees are disturbed potentially affecting tree stability. The submitted details do not allow for an accurate assessment of tree loss. There is potential to take the access through a section of the tree belt where there are few trees thus limiting the loss. This would need to be explored as part of the reserved matters.
- The proposals, in general, include for the retention of many of the

existing TPO trees. These trees will need to be protected through sensitive design of the site and during the construction period. A tree protection plan should be provided with the reserved matters.

- The development of the site will result in the loss of agricultural land, and the introduction of additional built form which is considered to be an impact on landscape character.
- The DAS includes a landscape strategy which states that additional landscape planting will be developed on the northern and eastern boundaries of the site. The strategy will need to be developed further if the application is approved
- Recommend that a landscape strategy is conditioned to be submitted alongside the reserved matters master plan showing how these principals have been addressed.
- Detailed soft and hard landscaping to be submitted and implemented

SUDs

- The provision of sustainable urban drainage is not shown on the indicative layout. The applicant must show that there is no double counting of open space and SUDs and that whilst it is desirable for the SUDs provision to adjoin the open space it does not form part of the open space provision.

Ecology

- Natural England has confirmed that they do not object to the proposals and that there would be no impact on statutory sites including Breckland SAC and SPA and SSSI's (Pashford Poors Fen, Lakenheath (SSSI), Lakenheath Fen SSSI and Madsdross Hill SSSI/Local Nature Reserve)
- An ecological assessment accompanies the application which has assessed the risk to habitats and species. The report identified that there is the potential for impact on bats resulting from the removal of trees to form the site access. Further information relating to the bat roost potential of the existing trees and potentially survey of any trees to be removed is required at reserved matters stage. Environmental enhancements (DAS 4.16) are also required and their provision should be included in the landscape plan for the site. Other recommendations of the ecology report should be implemented in full and if a period of time elapses prior to development of the site additional survey will be required.

29. **Suffolk County Council (Archaeology) – no objections** and comment that a programme of archaeological field evaluation comprising geophysical survey and trial trenching was conducted on the application site in April 2014, in accordance with a brief issued by

the Suffolk County Council Archaeology Service Conservation Team. The field evaluation demonstrated that there were no below ground heritage assets on the application site. Consequently, we have no objections to the proposals and do not believe that any archaeological mitigation is necessary.

30. **Suffolk County Council (Transport Strategy – Travel Planning)** – comments that There is a reference in the Transport Assessment that a travel plan is to be submitted for this development. I would require this travel plan to be submitted and approved prior to the first dwelling being occupied. If possible, I would recommend that there is a legal obligation or planning condition to ensure the travel plan is properly implemented by the developer.
31. **Suffolk County Council (Highways – Development Management)** – provides commentary about the amended illustrative layout of the site and repeats previous requests for conditions and S106 contributions.
32. **Suffolk County Council (Strategic Planning)** - further representations received 8th August 2014) removing their holding objection to the planning application. The following comments were received;
 - The county council’s substantive responses regarding education matters for these 3 applications was set out by way of letters dated 23 January 2014, which for sake of completeness also referred to mitigation measures sought for early years and libraries.
 - However as this application has recently been amended to 81 dwellings the adjusted early years and libraries contributions previously requested are now respectively reduced to £48,728 and £17,496.
 - Continued uncertainty about the scale and location of growth in Lakenheath in the absence of a site allocation document and the relatively recent removal from consideration of the possible site on the Elveden Estates land for 750 dwellings which included a primary school site has presented considerable difficulty for the county council in determining how the appropriate education strategy for Lakenheath can now be delivered i.e. where can an alternative school site be located to best serve the local community. This has been compounded by the recent decision by the US authorities to relinquish housing at Lord’s Walk in Eriswell and release these houses back into civilian use, thereby potentially adding greater numbers of school children to the existing upward trends. The existing primary school site in the village is almost at capacity and it is clear that the constrained nature of the site does not allow this to

be used as a long term solution for additional accommodation requirements.

- There are two areas of uncertainty – the permanent location of any new school site and meeting short term needs pending the construction and opening of a new school. On the permanent location of a new school, which is likely to be 1.5 forms of entry (315 places) but could be up to 2 forms of entry (420 pupils) and requiring a minimum of 2 hectares of land, the county council has commissioned its consultants, Concertus, to identify options for possible sites. Concertus has so far identified a number of possibilities, but these have yet to be carefully tested. A number of uncertainties remain:
 - The size and configuration of the sites in relation to the school requirements;
 - Whether the sites are likely to be available in the next couple of years;
 - Their relationship to access and services;
 - Environmental, flooding, aircraft noise and other constraints on the site;
 - Their location within the village in relation to the spread of development identified in any site allocation document proposed by the district council and, if it is to accommodate children from Lord's Walk, its distance from that site.
 - Whether the sites offered come as part of a wider planning proposal and what the view of the district council is of the likely acceptability of such a scheme.
 - Furthermore, there is the uncertainty about the willingness of the landowners to release their sites and the question of whether compulsory purchase procedures will be needed.
 - An assessment of highway impacts on the village, both in terms of the new school site location but also from cumulative impacts from village-wide development.
- All of this means that it is not possible at this point for the county council to be clear about which site, if any, might be suitable for development and exactly when it would be deliverable. Furthermore, the pace at which this work has had to be done militates against effective engagement with the local community.
- In the short term, the capacity of the existing primary school will be exceeded in the next year or so and temporary arrangements will

need to be put in place to accommodate additional children. This will be driven in part, if not wholly, by any housing schemes granted permission in the village. It is not clear that a plan can be developed that will allow for temporary accommodation on the existing constrained site, pending completion of the new school. If not, then school children will need to be transported to schools in surrounding villages or towns, which in themselves may well require temporary extensions. Clearly, for an uncertain period of time, this could result in an unsustainable pattern of school provision.

- It is recognised that the district council faces an issue about identifying adequate housing land. The county council considers that it is a matter for the district council to balance the needs for the release of new housing sites with the risks associated with the emergence of a possibly unsustainable pattern of school provision. In this context, it removes the holding objection previously registered and leaves it to the district council to draw the planning balance considering these and all other relevant matters. If the district council considers that it should approve the planning application, this should be on the basis that sufficient funding is made available for a proportionate share of the costs of the school site (possibly at residential value), the school building costs and the costs of the temporary classrooms at an existing primary school and/or the costs of school transport pending the construction of a permanent school. This would be in addition to the costs of other infrastructure as identified in our earlier correspondence and updated above to reflect the revised scheme of 81 dwellings.
- On this basis we would request the following updated contributions in respect of education mitigation from this particular scheme of 81 dwellings, namely:
 1. Based on the methodology set out in the adopted Developers Guide we estimate that a minimum of 20 primary age children will arise from a scheme of 81 dwellings.
 2. The pro-rata contribution towards the full build cost of a new school is £355,560 (2014/15 costs).
 3. The pro-rata contribution towards the acquisition costs of a new 2 hectare site assuming a maximum residential value of £864,850 per hectare (£350,000 per acre) is £109,820. If the site is purchased on the basis of a lower value then the county council will credit the difference back to the developer.
 4. Temporary classroom costs if required. The cost to purchase a single temporary classroom with toilet and accessible toilet is currently estimated to be £106,000, the cost of which would need to be secured from this development on a pro-rata basis.

5. The annual transport cost per pupil if required is assumed to be £750 (2014/15 costs).

Representations:

A – Application submission November 2013:

33. **Lakenheath Parish Council – objects** (January 2014) and provides the following comments –
 - The Parish Council is very disappointed that the developer has not sought to engage with them prior to the application being submitted given the proposed scale of development.
 - The grounds for objection are as follows :-
 - the proposed site lies outside the current development area and as such pre-empts the Single Issue Review
 - the proposed site encroaches on the wildlife "buffer" zone and the natural boundary of the village - thus contrary to FHDC Policy CS2. NPPF indicates that care should be exercised to prevent development sprawling into the countryside.
 - the density and layout of the proposed dwellings is out of character (dwellings in Drift Road sit in spacious grounds, a setting more amenable and pleasing when location, on the outskirts of the village, is viewed); the design unimaginative and parking totally inadequate given the poor level of public transport within the village, thus contrary to FHDC Policy 4.14, Policy CS3, more importantly, Policy CS5 and Policy CS6.
 - the site is too close to the flight path for the nearby base at RAF Lakenheath which sees the arrival of many NATO aircraft
 - the village school, despite recent alterations and improvements, has no extra capacity
 - the site forms part of a detailed FHDC water cycle study which has shown that "upgrades to approx. 700mt of existing sewerage network through the town". If such work is undertaken, it would only be cost effective in upgrades in two other sites (L14 & L28) were to be carried out at the same time. Such work would require a 1- 3 year time frame
 - Finally, the site is within an area of high archaeological finds and it is felt that a field survey, rather than a desk top assumption should be carried out (NPPF s128 & 129 refer).
34. **Lakenheath Parish Council** (February 2014) - **additional comments** following their collective consideration of current planning

applications for major housing development in the village;

- "...the PC would like independent professional advice/guidance on the way forward paid for by the proposed developers."

35. **20 letters/e-mails** have been received from **Local residents** (including Drift Road Residents association) **objecting** to the planning application. This issues and objections raised are summarised as follows;

- Unacceptable development in the countryside and contrary to policy.
- These homes are not needed.
- Roads and other infrastructure (sewerage, water supply, doctors, primary school, village hall, shops, social facilities, etc.) have not been improved to cater for growth.
- This is not a sustainable location because a car is an essential for work (with inadequate bus services). CO2 emissions will be increased.
- Concerned about the cumulative impact of all development currently being proposed in the village.
- The site is well detached from the village centre and the facilities and amenities.
- Traffic movement through the village is already high and should not be added to.
- Concerned about mess and disturbance caused during construction.
- Village parking is already inadequate for modern needs.
- School children would need to be bussed causing more traffic movement.
- Existing uncompleted and blighted sites in the village should be developed first before green field is considered.
- Circa 500 homes are about to be released at Lords Walk. This should be subtracted from the level of growth Lakenheath is expected to accommodate.
- If development is approved, the Council should secure appropriate infrastructure improvements via S106 or CIL.
- Loss of prime agricultural land.
- Adverse impacts from traffic noise.
- Concerned about recent removal of established vegetation from within the site.
- Destruction of wildlife and habitat (including bats, barn owls, flora and fauna).
- Highway safety will be compromised.
- This is not sustainable development.
- Lack of footpaths and street lighting.
- Impact of noise pollution from the airbase.
- Development (as illustrated on the layout drawings) would harm the character of this part of Lakenheath and spoil the clearly defined and identifiable village boundary.
- Considerable visual landscape impact.
- This development (and the other developments proposed at Lakenheath) should await the Local Plan to ensure full public

participation.

- The NPPF is only guidance (paragraph 13).
- Concerned about cumulative impact upon Lakenheath.
- An independent review of the infrastructure needs of the village should be undertaken (funded by the collective applicants).
- Delivery of a new primary school is far from certain.
- The site lies under the flight path of F15 aircraft returning to the base – this is contrary to the submitted noise assessment which advises aircraft do not fly over the site.
- The application site *is* affected by aircraft noise.
- The noise constraint plan of the village used by the District Council is not accurate.
- An independent survey of the infrastructure capacity and requirements of the village, including the noise environment should be commissioned.
- The site has not been adequately assessed for remains of archaeological interest.
- Increased risk of flooding (surface water)

B – Re-consultation in May 2014 following reduction of number of dwellings from 100 to 81 and submission of additional information.

36. **Lakenheath Parish Council – objects** to the amended planning application and comments as follows–

- The Parish Council is very disappointed that the developer has again not sought to engage with them prior to the amended application being submitted given the proposed scale of development.
- The Design and access statement point 6.2 states: to ensure that the local community had the opportunity to have an input in the scheme a number of meetings have been held in regard to development proposals at Lakenheath. There has been no prior Parish Council or Village community Consultation in relation to this site at any time.
- Referring to the Design and access statement point 9.3 this is a totally incorrect assumption as there is not easy access within the Village. It is over a mile to Shops and the School. Public Transport has recently been reduced. There is no direct route to Bury St Edmunds now. Trains only stop at Lakenheath Station, some 2 miles from the proposed development at weekends as a request stop only which has to be arranged in advance. Additionally there is no longer any parking at the station and as it is so far outside the village access can only be by car. This cannot be deemed reasonable mode of transport.
- The proposed site lies outside the current development area and as such pre-empts the Single Issue Review.
- The proposed site encroaches on the wildlife "buffer" zone and the natural boundary of the village. This is contrary to FHDC Policy

CS2. NPPF indicates that care should be exercised to prevent development sprawling into the countryside.

- The density and layout of the proposed dwellings although now reduced is out of character (dwellings in Drift Road sit in spacious grounds, a setting more amenable and pleasing when location, on the outskirts of the village, is viewed). The Planning inspector has previously held up a planning application 3 times within the area as a unique and distinctive area and should be retained as such primarily citing (retained policy) 4.14 – “out of character and detrimental to the environment / locality”.
- The affordable housing is all concentrated in one place. We surely want to see mixed communities not ghettoization! Just look at Jubilee Road. Any future development anywhere in Lakenheath should be enhanced by designing mixed housing and communities. On entering the Village from the North this will be the first area of the Village viewed therefore should be aesthetically pleasing.
- Parking on the site is totally inadequate, especially to plots 10 to 29, given the poor level of public transport within the village, thus contrary to FHDC Policy 4.14, Policy CS3, more importantly, Policy CS5 and Policy CS6. Why is the garage for plot 38 next to house on plot 37? Why are there shared road surfaces for the bulk of the proposed estate?
- The site is too close to the flight path for the nearby base at RAF Lakenheath which sees the arrival of many NATO aircraft. The site lies under the flight path of returning F15 aircraft as well as being the main route for outgoing helicopters. An independent noise survey should be obtained from the Civil Aviation Authority as spoken of at the informal partial stakeholder meeting held at Lakenheath Primary school on Thursday 29th May 2014. More importantly FHDC are to publish a full Environmental Impact Assessment screening as required by UK planning law, including an independent area wide study for Lakenheath on the impact of noise and vibration from ground and flight path impacts.
- The village school, despite recent alterations and improvements, has no extra capacity. There is already a holding order from Suffolk CC in relation to the Bennett’s proposals at Briscoe Way till a new site can be located to provide additional school. This should apply to this site too.
- Health care provision will not be adequate to cope with the extra occupants from the Estate as it is now 2 weeks to get an appointment to see a doctor and this will not improve. Is this acceptable NHS standard?
- The site forms part of a detailed FHDC water cycle study which has shown that "upgrades to approx. 700mt of existing sewerage network through the town". If such work is undertaken, it would

only be cost effective if upgrades in two other sites (L14 & L28) were to be carried out at the same time. Such work would require a 1- 3 year time frame. No major building works should be contemplated till this is sorted per core strategy which would not be till the earliest 2015 as advised by Anglian Water.

- A second access way into the proposed development as only one access to 81 dwellings seems totally inadequate.
- Finally, Highways, there is insufficient infrastructure now. The High Street is already congested at various times of the day. Most jobs are to the South of the Village and this takes most traffic through the High Street and onto Eriswell therefore a new relief access way should be arranged to the B1065 probably at the edge of RAF Lakenheath by the tree line from Eriswell Road.
- We need to restate that our solicitors letter of 14th May attached to Briscoe Way (DC/13/0660/FUL) still stands and the approval of any application at this stage will result in the Parish seeking Judicial review.

37. Seven further letters/e-mails were received from Local residents (including Drift Road Residents association) objecting to the amended planning application. Many of the issues and objections raised are the same as previously reported above. New material issues raised are summarised as follows;

- The application is premature to the Local Plan and is not needed.
- The site is too far away from the school.
- Not enough affordable housing.
- What if the base were to close?
- The revised site design is very poor with 50% of houses facing northwest with no solar gain. Many of these will have a dense planting belt on the south-eastern side and will therefore be denied any passive solar gain at all.
- There has been no consultation with the local community.
- We support SCC's holding objection on education grounds.
- The noise statement in the applicant's design and access statement is completely inadequate.

Policy:

38. The Development Plan comprises the policies set out in the Core Strategy Development Plan Document adopted May 2010 and the saved policies of the Forest Heath Local Plan adopted 1995 and which have not been replaced by Core Strategy policies. The following policies are applicable to the proposal:

Core Strategy

39. The Core Strategy was the subject of a successful legal challenge following adoption. Various parts of the plan were affected by the High

Court decision, with Policies CS1 CS7 and CS13 being partially quashed (sections deleted) and section 3.6 deleted in its entirety. Reference is made to the following Core Strategy policies, in their rationalised form.

Visions

- **Vision 1** – Forest Heath
- **Vision 5** – Lakenheath

Spatial Objectives

- **Spatial Objective H1** – Housing provision
- **Spatial Objective H2** – Housing mix and design standard
- **Spatial Objective H3** – Suitable housing and facilities (life time homes)
- **Spatial Objective C1** – Retention and enhancement of key community facilities.
- **Spatial Objective C2** – Provision and maintenance of open space, play & sports facilities and access to the countryside.
- **Spatial Objective C4** – Historic built environment.
- **Spatial Objective ENV1** – Habitats and landscapes and improving biodiversity.
- **Spatial Objective ENV2** – Climate change and reduction of carbon emissions.
- **Spatial Objective ENV3** – Promotion of renewable energy and energy efficiency.
- **Spatial Objective ENV4** – Design and architectural quality respecting local distinctiveness.
- **Spatial Objective ENV5** – Designing out crime and anti-social behavior
- **Spatial Objective ENV6** – Reduction of waste to landfill.
- **Spatial Objective ENV7** – Achieve sustainable communities by ensuring services and infrastructure are commensurate with new development.
- **Spatial Objective T1** – Location of new development where there are opportunities for sustainable travel.

Policies

- **Policy CS1** – Spatial Strategy
- **Policy CS2** – Natural Environment
- **Policy CS3** – Landscape Character and the Historic Environment
- **Policy CS4** – Reduce Emissions, Mitigate and Adapt to future Climate Change.
- **Policy CS5** – Design Quality and Local Distinctiveness
- **Policy CS6** – Sustainable Economic Development and Tourism
- **Policy CS7** – Overall Housing Provision (Sub-paragraph 1 only. Sub paragraphs 2, 3, 4 and 5 were quashed by the High Court Order)
- **Policy CS9** – Affordable Housing Provision
- **Policy CS10** – Sustainable Rural Communities
- **Policy CS13** – Infrastructure and Developer Contributions

Local Plan

A list of extant saved policies is provided at Appendix A of the adopted Core Strategy (2010)

- **Policy 4.15** – Windfall Sites – Villages
 - **Policy 9.1** – The rural area and new development
 - **Policy 9.2** – Criteria to be applied when considering new development in the rural area.
 - **Policy 10.2** - Outdoor Playing Space (new provision)
 - **Policy 10.3** – Outdoor Playing Space (as part of new development proposals)
 - **Policy 14.1** – Securing Infrastructure and Community Facilities from Major New Developments.
-
- **Inset Map 12** (Lakenheath Development Boundary)

Other Planning Policy:

Supplementary Planning Documents

40. The following Supplementary Planning Documents are relevant to this planning application:
 - Joint Affordable Housing Supplementary Planning Document (September 2013)
 - Open Space, Sport and Recreation Supplementary Planning Document (August 2011)
 - Suffolk Advisory Parking Standards (2002)

Emerging Development Plan Policy

41. The Council is currently finalising the details of two Development Plan Documents (Single Issue Review of the Core Strategy and Site Allocations Document) and both will soon be placed on public consultation before submission for examination and, ultimately, adoption.
42. Forest Heath District and St Edmundsbury Borough Council's have prepared a 'Joint Development Management Policies Document' (currently with 'submission' status, October 2012). The Document was submitted to the Planning Inspectorate in December 2013 following public consultation and has been the subject of examination (July 22-25 2014). The outcome of the examination is presently awaited.
43. With regard to emerging plans, The National Planning Policy Framework (the Framework) advises (at Annex 1) from the day of publication, decision-takers may give weight to relevant policies emerging plans (unless material indications indicate otherwise) according to:

44. The stage of preparation of the emerging plan (the more advanced the preparation, the greater weight that may be given)
45. The extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater weight that may be given); and
46. The degree of consistency of the relevant policies in the emerging plan to the policies in the Framework, the greater weight that may be given.
47. The emerging Single Issue Review and Site Allocations documents have not been published for public consultation so can be attributed on very little weight in this decision given the significant uncertainties that surround the final content of these documents. Members should note that, for the purposes of public consultation for the Site Allocations Document, the application site is actually a 'preferred site' (i.e. not excluded at this stage). However, this initial draft 'allocation' should not be attributed significant weight given current uncertainties as to whether the site will actually be included in any later draft of the Plan that is submitted to the Planning Inspectorate for examination.. The Development Management Policies document has been published, has been the subject of public consultation and formally submitted for examination. Accordingly some weight can be attributed to this plan in the decision making process.
48. Objections have been received to the vast majority of the policies set out in the policies document which, according to the guidance, reduces the weight which can be attributed to them. The policies have been reviewed but none are considered determinative to the outcome of this planning application so reference is not included in the officer assessment below.
49. The following emerging policies from the document are relevant to the planning application;
 - DM1 – Presumption in Favour of Sustainable Development
 - DM2 - Creating Places – Development Principles and Local Distinctiveness
 - DM3 – Masterplans
 - DM4 – Development Briefs
 - DM5 – Development in the Countryside
 - DM6 – Flooding and Sustainable Drainage
 - DM7 – Sustainable Design and Construction
 - DM8 – Improving Energy Efficiency and Reducing Carbon Dioxide Emissions
 - DM11 – Impact of Development on Sites of Biodiversity and Geodiversity Interest
 - DM12 – Protected Species
 - DM13 – Mitigation, Enhancement, Management and Monitoring of Biodiversity
 - DM14 – Landscape Features

- DM15 – Safeguarding from Hazards
- DM18 – Conservation Areas
- DM21 – Archaeology
- DM23 – Residential Design
- DM28 – Housing in the Countryside
- DM41 – Community Facilities and Services
- DM42 – Open Space, Sport and Recreation Facilities
- DM45 – Transport Assessment and Travel Plans
- DM46 – Parking Standards

National Policy and Guidance

50. The National Planning Policy Framework (the Framework) sets out government's planning policies for England and how these are expected to be applied.
51. Paragraph 14 of the Framework identifies the principle objective:
- “At the heart of the National Planning Policy Framework is a presumption in favour of sustainable development, which should be seen as a golden thread running through both plan-making and decision-taking. For decision taking this means:
- Approving development proposals that accord with the development plan without delay; and
 - Where the development plan is absent, silent or relevant policies are out-of-date, granting permission unless:
 - any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this framework taken as a whole;
 - or specific policies in this framework indicate development should be restricted.”
52. This presumption in favour of sustainable development is further reinforced by advice relating to decision-taking. Paragraph 186 of the Framework requires Local Planning Authorities to "approach decision taking in a positive way to foster the delivery of sustainable development". Paragraph 187 states that Local Planning Authorities "should look for solutions rather than problems, and decision takers at every level should seek to approve applications for sustainable development where possible".
53. The relevant policies of the Framework are discussed below in the officer comment section of this report.
54. The Government has recently (March 2014) released its National Planning Practice Guidance (NPPG) following a comprehensive exercise to review and consolidate all existing planning guidance into one accessible, web-based resource. The guidance assists with

interpretation about various planning issues and advises on best practice and planning process. Relevant parts of the NPPG are discussed below in the officer comment section of this report.

Officer Comment:

55. This section of the report begins with a summary of the main legal requirements before entering into discussion about whether the development proposed by this planning application can be considered acceptable in principle in the light of extant national and local planning policies. It then goes on to analyse other relevant material planning considerations (including site specific considerations) before concluding by balancing the proposals benefits against its dis-benefits.

Legal Context

The Town and Country Planning (Environmental Impact Assessment) Regulations 2011

56. Given the scale of development proposed, the planning application has been screened under the provisions of the Town and Country Planning (Environmental Impact Assessment) Regulations 2011. The Council's formal Screening Opinion concluded that the proposal is not 'EIA development' and an Environmental Statement was not required to accompany the planning application.

The Conservation of Habitats and Species Regulations 2010

57. Given the location of the various designated nature sites in the vicinity (including the Breckland Special Protection Area) consideration has been given to the application of these Regulations. If a plan or project is considered likely to give rise to significant effects upon a European site, Regulation 61 requires the decision maker to make an appropriate assessment of the implications for that site before consenting the plan or project.
58. The application site is in the vicinity of designated (European) sites of nature conservation but is not within a designation or land forming a formal buffer to a designation. The Council's Environmental Impact Assessment Screening Opinion concluded that the proposals are unlikely to give rise to significant effects on the conservation objectives of the designated sites. Furthermore, the nature groups, including Natural England (the statutory advisor under the Habitats and Species Regulations) have not raised concerns or objections in response to the planning application. Officers have concluded that the requirements of Regulation 61 are not relevant to this proposal and appropriate assessment of the project will not be required in the event that the Committee resolves to grant planning permission.

Natural Environment and Rural Communities Act 2006

59. The Act places a duty on all public authorities in England and Wales to have regard, in the exercise of their functions, to the purpose of conserving biodiversity. The potential impact of the application proposals upon biodiversity interests is discussed later in this report.

Planning and Compulsory Purchase Act 2004 (as amended)

60. Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that applications are determined in accordance with the development plan unless material considerations indicate otherwise. The Forest Heath Development Plan is comprised of the saved policies of the Local Plan and the adopted Core Strategy (as amended by the judgement handed down by the High Court). National planning policies set out in the Framework are a key material consideration.

Planning (Listed Buildings and Conservation Areas) Act 1990

61. Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 states;

In considering whether to grant planning permission for development which affects a listed building or its setting, the Local Planning Authority (LPA)... shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.

62. Section 72(1) of the same Act states;

...with respect to any buildings or other land in a conservation area...special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area.

63. In this case there are no listed buildings at the site or close to the site (such that their settings would be affected). Similarly the development is not situated in a Conservation Area and the built form, being behind a frontage tree belt and the site being off-set from the corner of the heritage asset, the development would not affect views into or out of the nearby Lakenheath Conservation Area. There is likely to be an increase in traffic using the main road through the Conservation Area following occupation of the proposed dwellings, but this is not considered to lead to significant impacts arising on the character or appearance of the Lakenheath Conservation Area.

Crime and Disorder Act 1998

64. Consideration has been given to the provisions of Section 17 of the Crime and Disorder Act, 1998 (impact of Council functions upon crime and disorder), in the assessment of this application but the proposal does not raise any significant issues.

Principle of Development

National Policy context and Forest Heath's 5-year housing supply.

65. Paragraph 47 to the Framework states that to boost significantly the supply of housing, local planning authorities should use their evidence base to ensure that their Local Plan meets the full, objectively assessed needs for market and affordable housing in the housing market area (as far as is consistent with policy), including identifying key sites which are critical to the delivery of the housing strategy over the plan period.
66. In addition, the Framework requires authorities to identify and update annually a supply of specific deliverable sites sufficient to provide five-years worth of housing against their housing requirements with an additional buffer of 5% (or a 20% buffer if there is evidence of a persistent under-delivery of new housing) to ensure choice and competition in the market for land.
67. Crucially for this planning application the following policy is set out at paragraph 49 of the Framework;

"Housing applications should be considered in the context of the presumption in favour of sustainable development. Relevant policies for the supply of housing should not be considered up to date if the Local Planning Authority cannot demonstrate a five-year supply of deliverable housing sites".
68. The surviving extant elements of Core Strategy policy CS7 requires the provision of 6,400 new dwellings in the period 2001 – 2021 and a further 3,700 homes in the period 2021 – 2031. As at March 2012 a total of 3,089 dwellings have been completed since 2001. In order to meet the 6,400 requirement 3,311 dwellings would need to be built to March 2021. This equates to around 367 dwellings annually or 1839 over the five-year period 2012-2017.
69. It is acknowledged that the Council is currently not able to demonstrate a 5-year supply of deliverable housing sites (the supply was recorded at 3.6 years at March 2012 (or 3.4 years with the 5% buffer required by the Framework) and there is little evidence of a significant recovery over the period since. Indeed the National Planning Practice Guidance confirms that any shortfall in the supply of housing should be made up as soon as possible (i.e. within the 5 year period). This means the adjusted (true) 5-year housing supply in Forest Heath (as at March 2012) drops to approximately 3.15 years.
70. Some commentators have referred to the release of circa 550 former USAFE personnel dwellings at Lords Walk (in the Parish of Eriswell) onto the housing market as either contributing to the five year housing supply or evidence that further new housing is not required at Lakenheath. Officers are in the process of verifying whether this stock of dwellings is already counted as 'existing' housing stock or whether

it could be counted as a contribution towards the five year supply of housing in the District as it is released to the open market. Members will be updated of the outcome at the meeting.

71. In the light of the Council not being able to demonstrate a 5-year supply of housing any extant Development Plan policies which affect the supply of housing must be regarded by the decision maker as out of date. This includes the 'settlement boundaries' illustrated on the Inset maps attached to the Local Plan (Inset Map 5 for Lakenheath) and Development Plan policies which seek to restrict (prevent) housing developments in principle. Such policies are rendered out of date and therefore carry reduced weight in the decision making process.
72. In circumstances where a Council is not able to demonstrate a 5-year supply of deliverable housing sites, planning applications for new housing development essentially fall to be considered against the provisions of the Framework and any Development Plan policies which do not relate to the supply of housing. The Framework places a strong presumption in favour of sustainable development and where Development Plans are silent or out of date confirms that planning permission should be granted unless any adverse impacts would significantly and demonstrably outweigh the benefits when assessed against the policies in the Framework taken as a whole or specific policies in the Framework indicate development should be restricted.
73. Since the Framework was introduced there have been numerous examples nationally (including some in the Forest Heath District) where planning permission has been granted at appeal for new housing developments contrary to the Development Plan because the need for housing to be delivered was considered to outweigh identified negative effects.
74. The absence of a five year supply of land lends significant weight in support of granting planning permission for these development proposals, not least given the Government's aim to boost the supply of housing and to stimulate the economy. However, whilst the various appeal decisions provide useful guidance, the fundamental planning principle that each case is to be considered on its own merits prevails.
75. The Framework (advice set out at paragraph 14 of the document in particular) does not equate to a blanket approval for residential development in locations that would otherwise conflict with Local Plan policies. If the adverse impacts of the proposal (such as harm to the intrinsic character and beauty of the countryside) significantly and demonstrably outweigh the benefits, then planning permission should still be refused, even in areas without a 5-year supply of housing (as occurred at the recent Kentford appeal case where a proposal for 102 dwellings was dismissed by the Inspector (reference F/2012/0766/OUT and APP/H3510/A/13/2197077)).

What is sustainable development?

76. The policies in paragraphs 18 to 219 of the Framework, taken as a whole, constitute the Government's view of what sustainable development means in practice for the planning system. It goes on to explain there are three dimensions to sustainable development:
- i) economic (contributing to building a strong, responsive and competitive economy),
 - ii) social (supporting strong, vibrant and healthy communities) and,
 - iii) environmental (contributing to protecting and enhancing our natural, built and historic environment;)
77. The Framework explains (paragraph 9) that in order to achieve sustainable development, economic, social and environmental gains should be sought jointly and simultaneously through the planning system. It is Government policy that the planning system should play an active role in guiding development to sustainable solutions.
78. Paragraph 9 of the Framework further explains that pursuing sustainable development involves seeking positive improvements in the quality of the built, natural and historic environment, as well as in people's quality of life, including (but not limited to):
- making it easier for jobs to be created in cities, towns and villages;
 - moving from a net loss of bio-diversity to achieving net gains for nature;
 - replacing poor design with better design;
 - improving the conditions in which people live, work, travel and take leisure; and
 - widening the choice of high quality homes.

Prematurity

79. The Council is shortly to consult on a 'Single Issue Review' of the Core Strategy (housing distribution) prior to submission for Examination. At the same time it will begin the formal process of preparing a Site Allocations Development Plan document both of which will subsequently form part of the Development Plan. Concerns have been raised locally that approval of this planning application would be premature and its consideration should await the formation (adoption) by the Council of an appropriate Local Policy Framework.
80. The NPPF does not address 'prematurity' directly, but advice about the approach the decision maker should take is set out in the National Planning Practice Guide. It states:
81. Annex 1 of the National Planning Policy Framework explains how

weight may be given to policies in emerging plans. However in the context of the Framework and in particular the presumption in favour of sustainable development – arguments that an application is premature are unlikely to justify a refusal of planning permission other than where it is clear that the adverse impacts of granting permission would significantly and demonstrably outweigh the benefits, taking the policies in the Framework and any other material considerations into account. Such circumstances are likely, but not exclusively, to be limited to situations where both:

- (a) the development proposed is so substantial, or its cumulative effect would be so significant, that to grant permission would undermine the plan-making process by predetermining decisions about the scale, location or phasing of new development that are central to an emerging Local Plan or Neighbourhood Planning; and
- (b) the emerging plan is at an advanced stage but is not yet formally part of the development plan for the area.

82. Refusal of planning permission on grounds of prematurity will seldom be justified where a draft Local Plan has yet to be submitted for examination, or in the case of a Neighbourhood Plan, before the end of the local planning authority publicity period. Where planning permission is refused on grounds of prematurity, the local planning authority will need to indicate clearly how the grant of permission for the development concerned would prejudice the outcome of the plan-making process.
83. In this case the development proposal for (up to) 140 dwellings is not particularly substantial in comparison to the overall quantum of development to be provided over the Plan period. Furthermore, the emerging Single Issue Review of the Core Strategy is in its infancy and carries limited, if any, weight in the decision making process (given that it has not yet been published for consultation).
84. It would be difficult to justify any decision that approval of this scheme would be premature in the context of current guidance. This advice is further re-enforced by the fact that the Council has a significant shortage in its five year land supply, is already 13 years into the Plan period (2001 – 2031) and the proposed development would contribute towards the overall number of dwellings required by Core Strategy Policy CS7.
85. On the basis of national guidance on the issue of prematurity and relevant national policies providing for the delivery of sustainable development without delay, officers do not consider it would be reasonable to object to the planning application on the grounds of it being premature to the Development Plan.

Development Plan policy context

86. Vision 1 of the Core Strategy confirms development will be focussed in the towns and key service centres. Vision 5 (and policy CS1) confirms Lakenheath as a key service centre. Spatial Objective H1 seeks to provide sufficient homes in the most sustainable locations to meet the needs of communities. Policy CS10 confirms the Towns and Key Service Centres will be the focus of new development (providing service to surrounding rural areas). Saved Local Plan Policy 4.15 states new housing development will be in the defined development boundaries and, at (inter alia) Lakenheath, new estate development may be appropriate on allocated sites.
87. The surviving elements of Core Strategy policy CS7 provides for 11,100 dwellings and associated infrastructure in the plan period (2001 – 2031) and confirms development will be phased to ensure appropriate infrastructure is provided. Policy CS13 confirms the release of land for development will be dependent on there being sufficient capacity in the existing local infrastructure to meet the additional requirements from development.
88. Policy CS1 states (in Lakenheath) commercial uses such as shops or offices will be expected to be allocated within any major residential development near the High Street and that sites for 70 new dwellings will be allocated within the existing development boundary. A further part of the policy which confirmed greenfield urban extension sites would be allocated for at least 600 dwellings was quashed by the High Court decision and carries no weight in determining this planning application.
89. Core Strategy policy CS6 states that economic and tourism growth at Lakenheath will be in broad alignment with the scale of housing development to discourage commuting and achieve a homes / jobs balance.

Officer comment on the principle of development

90. The absence of a 5-year housing supply in the District means that Development Plan policies which seek to restrict the supply of housing (i.e. those discussed at paragraphs 86-89 above) are deemed out-of-date by the Framework and thus currently carry reduced weight in the decision making process. This means the planning application proposals must, as a starting point, be considered acceptable 'in principle'.
91. A key determining factor will be whether the proposed development can be deemed 'sustainable' in the context of the policies contained in the Framework (as a whole) and even if it is concluded the proposals would not be 'unsustainable' following analysis, further consideration must be given to whether the benefits of development are considered to outweigh its dis-benefits, as required by the Framework.

92. A balancing analysis is carried out towards the end of this section of the report as part of concluding comments. An officer discussion to assist with Members consideration of whether the development proposed by this planning application is 'sustainable' development is set out below on an issue by issue basis.

Impact upon the countryside

93. The Framework confirms the planning system should (inter alia) protect and enhance 'valued landscapes' and promotes development of previously used land but other than continuing protection of formal Greenbelt designations (of which there are none in Forest Heath) and recognising the hierarchy of graded agricultural land, national policy stops short of seeking to protect the 'countryside' from new development in a general sense.
94. Vision 5 of the Core Strategy recognises the fen and heathland qualities of the countryside surrounding Lakenheath and seeks to protect and enhance these landscapes. Some elements of the countryside surrounding Lakenheath could therefore be viewed as being 'valued landscapes' as cited in the Framework, albeit these are not protected by a local 'Special Landscape Area' designation which weakens that potential significantly.
95. Core Strategy Policies CS2 and CS3 seek to protect, conserve and (where possible) enhance the quality, character and local distinctiveness of the landscape and refers to the Forest Heath Landscape Character Assessment to inform detailed assessment of individual proposals.
96. Lakenheath sits on the lower slopes of the chalky and sandy Maids Cross Hill on the edge of the fens.
97. The application site is agricultural land outside the Lakenheath settlement boundary and is situated in the countryside for the purposes of applying planning policies, including those set out in the Framework.
98. The proposed development for residential development in the countryside is this contrary to extant Development Plan policies which seek to direct such development to locations within defined settlement boundaries or allocated sites. As stated above, those policies which restrict the supply of housing are deemed to be out-of-date by the NPPF given the absence of a five year supply of housing sites in the District.
99. The application site is categorised as 'Settled Chalkland' by the Suffolk Landscape Character Assessment (SLCA). The Assessment recognises the presence of the two air bases are important drivers for economic activity and settlement expansion and states the Settled Chalkland landscapes are under pressure from expansion of settlements and other developments. The document considers it important to minimise

the impact of development upon the countryside of the settled chalklands and landscape of the Settled Fenlands.

100. The SLCA comments, in a general sense, that the characteristic pattern of planting found in chalkland landscapes, means it is possible to design effective and locally appropriate boundary planting that will minimise the impact of settlement expansion on the surrounding landscape.
101. The development would be harmful to the character of the countryside as a matter of principle given that it would ultimately change currently undeveloped agricultural land into a developed housing estate and this would be a dis-benefit of the proposals.
102. The impact of the development proposals upon the landscape qualities and character of the wider countryside could be significant given the village edge location of the site. However, this is tempered somewhat by existing mature planting on site boundaries, including the frontage roadside boundary. Whilst the development would penetrate the existing strong 'green' village boundary, opportunities exist to provide new planting in order to soften the impact of development upon the countryside.
103. The impact of the proposed development upon the landscape is considered acceptable with any significant adverse effects capable of mitigation via the introduction of new landscaping (the precise details of which would be secured at reserved matters stage).

Sustainable transportation (accessibility) and impact upon the local highway network (highway safety).

104. The Framework confirms that the transport system needs to be balanced in favour of sustainable transport modes giving people a real choice about how they travel. There is, however, recognition that opportunities to maximise sustainable transport solutions will vary from urban to rural areas.
105. It is Government policy that planning decisions should ensure developments that generate significant movement are located where the need to travel will be minimised and the use of sustainable modes of transport can be maximised. However, the Framework confirms this policy needs to take account of other policies in the document, particularly in rural areas.
106. The Framework confirms that development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe. It goes on to state that planning decisions should ensure developments that generate significant movement are located where the need to travel will be minimised and the use of sustainable transport modes can be maximised recognising that this needs to take account of policies set out elsewhere in the Framework, particularly in rural areas.

107. Core Strategy Spatial Policy T1 aims to ensure that new development is located where there are the best opportunities for sustainable travel and the least dependency on car travel. This is reflected in Policies CS12 and CS13 which confirms the District Council will work with the partners (including developers) to secure necessary transport infrastructure and sustainable transport measures and ensure that access and safety concerns are resolved in all developments.
108. The Core Strategy categorises Lakenheath as a Key Service Centre and is thus regarded as a 'sustainable' location which could support growth. Local employment opportunities are restricted with the air base being a key provider of local employment. People living in Lakenheath, not employed at the base, are likely to need to travel to their place of work. There is a range of community facilities in the village, including a number of shops, services, a school, churches and other meeting rooms which serve to contain a number of trips within the village. The village does not have a large grocery supermarket (there is a small Co-Operative in the High Street), although planning permission is extant for a new grocery shop off the High Street, close to the village centre.

Information submitted with the planning application

109. The planning application is accompanied by a Transport Assessment. The document was prepared for the original scheme of 100 dwellings and is therefore very much a 'worst-case' scenario for the reduced number of 81 dwellings now proposed. The document predicts that an average of 56.6 vehicles would use the vehicular access during the am peak and 61.5 vehicles during the pm peak, which is approximately 1 vehicle per minute during the peak periods. The document recognises that pedestrian access into the village is poor and suggests this would benefit from the provision of additional lighting and new footpath provision (for cycle ways). The applicant confirms a Travel Plan will be prepared for the development addressing the following matters:
- Walking and cycling maps showing local facilities;
 - Information on locally based on-road cycle training;
 - Public transport information including location of bus stops and rail station and up-to-date timetables and frequencies;
 - Information on local delivery services (i.e. supermarkets and other);
 - Information on car sharing scheme.
110. The Transport Assessment reaches the following conclusions:
- The proposed development is unlikely to create any significant congestion or safety issues on Station Road.

- An extension of the footway and street lighting to the site access will improve pedestrian facilities in this area.
111. It is likely that potential occupiers of the dwellings proposed in this planning application would need to travel to meet their employment, retail and entertainment needs. Some of these journeys could be lengthy (non-airbase employees in particular). However, there are a range of services and facilities in the village that will prevent the need for travel to some facilities. Given the village scale of Lakenheath and its isolated situation in a rural area, the development proposals are considered to accord with relevant accessibility policies in the Framework and are sustainable in transport terms.
112. Means of access into the site is a reserved matter. The illustrative layout plan suggests vehicular access could be provided onto Station Road towards the south-west corner of the site. This would involve the felling of a small number of trees. The optimum position for the vehicular access (in highway safety and tree loss grounds) will be determined at Reserved Matters stage. The applicant has demonstrated it is possible to achieve safe vehicular access into the site albeit there may be more favourable solutions involving less tree felling.
113. The County Highway Authority has not objected to the proposals (subject to the imposition of conditions and completion of a S106 agreement).
114. Access to the proposed development is considered safe and suitable and the development would not lead to significant highway safety issues or hazards. Furthermore, the applicant has offered to enhance pedestrian links to the village centre. Having considered the evidence and comments received from the Highway Authority, your officers are content the proposed development would not lead to traffic danger or congestion of the highway network, including during am and pm peak hours.

Impact upon natural heritage

115. The Framework confirms the planning system should contribute to and enhance the natural environment by (inter alia) minimising impacts on biodiversity and providing net gains where possible. The Framework states that protection of designated sites should be commensurate with the status of the site, recognising the hierarchy of international, national and local designations. The presumption in favour of sustainable development set out at paragraph 14 of the Framework does not apply where development requires appropriate assessment under the Birds or Habitats Directives.
116. Spatial Objective ENV1 of the Core Strategy aims to conserve and enhance the habitats and landscapes of international, national and local importance and improve the rich biodiversity of the District. This objective forms the basis of Core Strategy policy CS2 which sets out in

greater detail how this objective will be implemented. Saved Local Plan policy 4.15 sets out criteria against which proposals for new housing development are considered. One of the criteria requires that such proposals are not detrimental to significant nature conservation interests.

117. An ecological report has been submitted with the planning application. This assesses whether the development proposals might affect the internationally designated sites and other important sites/species outside which are protect by the Habitats and Species Regulations and/or the Wildlife & Countryside Act and Local Biodiversity Action Plan (BAP).
118. As discussed above, it is concluded that the development proposals would not impact upon any European designated nature conservation sites. The applicants report supports this conclusion. The presumption in favour of sustainable development set out at paragraph 14 of the Framework is therefore material to this planning application.
119. The applicant's survey information report confirms the application site (and some adjacent sites) has been surveyed for a range of rare species. It comments the site is predominantly of low ecological value being mainly cultivated arable land (although, inter alia, trees on the outer boundaries may be suitable for bat activity). The report recommends that no further survey is necessary (unless hedgerow/shrub clearance is to occur in the bird nesting season, or trees potentially suitable for bats are to be felled). The report also recommends that any removal of potential reptile habitat is carried out under ecological supervision. These matters could be secured by a suitable method statement imposed by planning condition.
120. The ecological report does not discuss the potential for the proposed development to secure ecological enhancements. It is important that opportunities to secure ecological gains from new development proposals are exploited, in accordance with the provisions of Core Strategy Policy CS2. A condition could be imposed upon any planning permission granted for this development requiring the submission of an ecological enhancement strategy commensurate the Reserved Matters submission to ensure enhancements are fully considered and incorporated at the detailed design stage.
121. In their initial response to the planning application, Natural England requested the applicant provides records of Stone Curlews nesting outside the SPA boundaries. The applicant has sourced this information from the RSPB (confidential). The evidence demonstrates no recently recorded Stone Curlew nesting attempt sites would be affected by the construction/occupation of the development. This matter is not, therefore, a constraint on development.
122. Natural England (statutory advisor under the Habitats and Species Regulations) has not raised concerns or objections in response to the proposals, including the potential for impacts to occur upon the

hierarchy of designated nature conservation sites. Natural England recognises the potential to secure biodiversity enhancements in the event that planning permission is granted. Natural England has been asked to clarify their views about any potential impacts upon the designated Special Protection Area from recreational pressure from this development in isolation and in-combination with other planned development. The RSPB and Suffolk Wildlife Trust have also been consulted for their views and their advice is also awaited. The Committee will be verbally updated at the meeting of any further comment received from these bodies. Officers do not anticipate any significant issue in this respect given the matter was not raised by Natural England in initial comments. However, the recommendation has been drafted on a precautionary basis such that if matters are raised requiring further assessment, the planning application would be returned to the Committee for further consideration.

123. Subject to the satisfactory resolution of the above matters, Officers are satisfied that the development proposals would not adversely affect important sites of ecological interest in the area and would not harm populations or habitats of species which are of acknowledged importance (protected or unprotected). There is no evidence to dispute the officer view that a carefully a constructed development is likely to result in net ecological gains. The delivery of the enhancement measures could be secured via an appropriately worded planning condition.

Impact upon trees

124. The application site is fronted by a belt of mature tree and hedgerow planting which provides a distinctly rural character to the northern gateway into the village. The planting is an attractive feature, an important asset for the site and serves to soften the visual impact of the existing village on the countryside beyond. The planting marks a transition between the countryside and the urban form of the village. The trees are protected by a formal Tree Preservation Order. Officers consider it is vital that as much of the vegetative cover as possible is retained along the frontage (and western side boundary) as part of these development proposals.
125. Further information about the health and importance of the trees situated at the southern and western boundaries will be required at reserved matters stage to assist with the positioning of the vehicular access and its visibility splays. The submission of the arboricultural information could be secured by condition.
126. The impact of the development upon existing trees is considered acceptable and opportunities available to enhance the stock by removing declining specimens and providing new tree planting to compensate for any specimens that need to be felled to make way for access or because of their poor condition. New / replacement / compensatory planting would be secured at Reserved Matters stage when the landscaping of the site is considered.

Impact upon built heritage

127. The Framework recognises that heritage assets are an irreplaceable resource which should be conserved in a manner appropriate to their significance. When considering the impact of proposed development upon the significance of a designated heritage asset, great weight should be given to the asset's conservation. The term 'heritage asset' used in the Framework includes designated assets such as Listed buildings, Scheduled Ancient Monuments, Registered Parks and Gardens and Conservation Areas and also various undesignated assets including archaeological sites and unlisted buildings which are of local historic interest.
128. The Framework advises that LPAs should require an applicant to describe the significance of any heritage assets affected, the level of detail being proportionate to the importance of the asset and sufficient to understand the potential impact upon their significance.
129. Core Strategy Spatial Objective C4 aims to protect and enhance the Historic Environment. This objective is implemented via Policy CS3.
130. The development proposals would not impact upon any listed buildings, (including their settings) and as discussed above would have only a negligible impact upon the character and appearance of the Lakenheath Conservation Area from increased traffic movement on the main road through the designation.
131. An Archaeological Evaluation Report has been prepared on behalf of the applicants to establish whether the site might support any important archaeological remains (undesignated heritage assets). This has been submitted to supplement the planning application. The report explains the work that was carried out to investigate the archaeological potential of the site and confirms that no significant archaeological features or deposits were encountered during intrusive works within the application site (trial trenching).
132. The Archaeological Service at Suffolk County Council has been consulted of the planning application and accepts the findings of the applicant's report. Accordingly, no further archaeological work will be needed prior to development commencing and no archaeological mitigation is required.
133. The development proposals would have no significant impacts upon heritage assets.

Impact upon local infrastructure (utilities)

134. The 'economic' dimension of the definition of sustainable development set out in the Framework confirms the planning system should (inter alia) identify and co-ordinate development requirements, including infrastructure. Furthermore, one of the core planning principles set out in the document states that planning should "proactively drive and

support sustainable economic development to deliver the homes, business and industrial units, infrastructure and thriving local places that the country needs.”

135. These requirements are, however, tempered somewhat later in the document in circumstances where viability is threatening delivery of a development scheme. It confirms the costs associated with policy burdens and obligations (including infrastructure contributions) likely to be applied to development proposals should (when taking account of the normal cost of development and mitigation), provide competitive returns to a willing landowner and willing developer to enable the development to be deliverable.
136. Core Strategy Policy CS13 sets out infrastructure requirements and developer contributions. The policy opens with the following statement:

“The release of land for development will be dependent on there being sufficient capacity in the existing local infrastructure to meet the additional requirements arising from new development”.
137. The policy lists the main areas as health and social care facilities, educational requirements, strategic transport improvements, waste water treatment capacity, energy supply (electricity), access and safety, open space, sport and recreation. The policy confirms arrangements for the provision or improvement of infrastructure will be secured by planning obligation or (where appropriate) conditions attached to planning permission to ensure infrastructure is provided at the appropriate time.
138. The policy concludes that all development will be accompanied by appropriate infrastructure to meet site specific requirements and create sustainable communities.
139. Matters pertaining to highway, education, health and open space (including sport and recreation) infrastructure are addressed later in this report. This particular section assesses the impact of the proposals upon utilities infrastructure (waste water treatment, water supply and energy supply).

Infrastructure and Environmental Capacity Appraisal

140. The provision of services and facilities within the District’s settlements has been the subject of investigation and assessment through the 2009 Infrastructure and Environmental Capacity Appraisal (IECA), which has informed preparation of the Development. The IECA report (commissioned jointly with St Edmundsbury Borough Council) considers the environmental capacity of settlements in the District, and recognises the need for a mechanism to provide social, physical and environmental infrastructure to support growth. The report also considers settlement infrastructure tipping points, which are utilised to evaluate potential impacts on infrastructure.

141. The IECA report is the most up to date evidence base of the infrastructure capacity in the District and was a key document of the recent appeal for new housing development at Kentford (referenced at paragraph 75 above).

Waste water treatment infrastructure

142. Details submitted with the planning application confirm the proposed development would connect to existing foul water systems in the village. The village is served by Lakenheath Wastewater Treatment Works. IECA comments that the Water Cycle Study identifies that the location of the Treatment Works makes north and west sites preferable otherwise upgrades to the network may be required, although the Treatment Works has severely constrained headroom.
143. The IECA report refers to the Strategic Flood Risk Assessment and Water Cycle Study which identifies that up to 169 new dwellings could be provided in the village within the headroom of the Treatment Works. It does, however, identify that there are only minor constraints to upgrading the works which will need to be completed before significant new development.
144. There has not been significant new housing development realised at Lakenheath since the publication of the evidence base contained in the IECA report. Accordingly, the available evidence concludes that this development (being located to the north of the village and within the headroom of the Treatment Works) is acceptable with regard to waste water infrastructure. Indeed this conclusion has been corroborated by Anglian Water the statutory sewerage undertaker which has not objected to the application and has not requested the imposition of any conditions relating to the treatment of waste water arising from the development.

Water supply

145. IECA comments that the Water Cycle Study identifies that Lakenheath has a large diameter main running along the eastern edge which should allow development, although development away from the eastern edge may require upgraded mains. It concludes that the potable water supply network should not be a major constraint to development around Lakenheath (no tipping points are identified).

Energy supply

146. The village is served by Lakenheath major substation. The IECA report states that EDF Energy has identified that the substation is operating comfortably within capacity and should not constrain growth. The report estimates that some 2,500+ new dwellings could be served from the substation which is way in excess of this proposed development.

Flood risk, drainage and pollution

147. Policies for flood risk set out in the Framework aim to steer new development to areas with the lowest probability of flooding. The Framework policies also seek to ensure that new development does not increase the risk of flooding elsewhere.
148. The Framework states that to prevent unacceptable risks from pollution and land instability, planning decisions should ensure that new development is appropriate for its location. It also confirms that where a site is affected by contamination or land stability issues, responsibility for securing a safe development rests with the developer and/or landowner.
149. Core Strategy Policy CS4 states the Council will support development proposals that avoid areas of current and future flood risk and which do not increase the risk of flooding elsewhere. The policy confirms sites for new development will be allocated in locations with the lowest risk of flooding (Environment Agency Zone 1 flood category) and will seek the implementation of Sustainable Urban Drainage Systems (SUDS) into all new development proposals, where technically feasible.
150. The application site is not in an area at a risk of flooding (i.e. Environment Agency flood risk Zones 2 or 3) and it is therefore unlikely that the proposed dwellings would be at risk of flooding from the nearby channel (to the north of the site), being outside its modelled floodplains.
151. The amended flood risk assessment submitted with the planning application confirms that soakaways would not be appropriate for surface water drainage of the development given soil conditions. The proposal is to manage surface water via a piped connection from the development site to the drainage Cut-Off Channel on the northern boundary to provide surface water drainage of the site. Discharge rates would be attenuated to limit the effect on the downstream watercourses.
152. The planning application is accompanied by a Phase I & 2 desk study and examination report (contamination, soil conditions etc.). This study has found evidence of some contaminants present within soils at the site which will require further investigation and remediation prior to being developed for housing. There is also an above ground fuel tank which will require remediation. The report confirms that ground gases are considered to pose a low risk.
153. The Council's Environmental Health team has requested the imposition of a condition requiring the submission of a detailed scheme of investigation into potential contamination, including measures to secure any remediation necessary.
154. The Environment Agency (risk of flooding, contamination and pollution

control and drainage), Anglian Water Services (drainage and pollution control) and the Council's Environmental Health Team (contamination and pollution control) have not objected to or raised concerns about the application proposals. All have recommended the imposition of reasonable conditions upon any potential planning permission to secure appropriate mitigation.

155. The proposals are considered acceptable with regard to flood risk, surface water drainage and pollution (contaminated land and potential contamination of water supply) considerations.

Impact upon education

156. The County Council as Local Education Authority has confirmed the village school will reach its 315 place capacity in the near future and before any new pupils are likely to emerge from the development. This means that the 14 primary school aged pupils emerging from these development proposals would need to be accommodated on a temporary basis whilst a new primary school facility is built in the village.
157. In isolation it is likely that the Local Education Authority would be able to cater for the educational needs of the 20 pupils emerging from this development at the existing primary school, however, the cumulative impact of pupil yields emerging from other planning applications proposing significant new housing development in the village needs to be considered, This is assessed later in this section of the report beginning at paragraph 183 below. Developer contributions to be used towards the early years (pre-school) education and for land and build costs of providing a new primary school in the village are discussed at paragraphs 208 and 209 below.
158. The County Council has confirmed there is sufficient capacity at existing secondary schools to accommodate pupil yields forecast to emerge from these development proposals.

Design and Layout

159. The Framework states the Government attaches great importance to the design of the built environment and confirms good design is a key aspect of sustainable development and is indivisible from good planning. The Framework goes on to reinforce these statements by confirming that planning permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions.
160. Core Strategy Spatial Objective H2 aims to provide a sufficient and appropriate mix of housing that is ... designed to a high standard. Design aspirations are also included in Spatial Objectives ENV4 (high standard of design) and ENV5 (community safety and crime reduction through design). The Objectives are supported by policies CS5 and

CS13 which require high quality designs which reinforce local distinctiveness and take account of the need for stronger and safer communities. Policy CS5 confirms design that does not demonstrate it has had regard to local context and fails to enhance character will not be acceptable.

161. Saved Local Plan policy 4.14 requires the layout and design of new housing developments to respect the established pattern and character of development in the locality and saved Policy 9.2 requires development proposals in rural areas to be of a high standard of layout and design.
162. The application is submitted in outline form with all matters reserved to a later date. Accordingly matters of design are not particularly relevant to the outcome of this planning application.
163. A design and access statement has been submitted with the planning application to explain potential design strategies that could be implemented at the outline stage. Furthermore, an illustrative layout drawing has been submitted in order to demonstrate that it is physically possible to provide (up to) 81 dwellings on the site.
164. The illustrative drawing does contain a few design weaknesses some of which have drawn comment from the Highway Authority, and may need to be altered to address these and (for example) provide appropriate levels of public open space and boundary landscaping. However, given that the development proposals are 'up to' 81 dwellings the Council, in granting planning permission for development, would not be held to that figure per se and a lower number of dwellings may actually be appropriate when greater thought is given to the layout of the site, including, provision of open space and surface water drainage and fully acknowledging the physical constraints of the site (including tree root protection zones).
165. Whilst not a reason for refusal at this stage given the planning application is seeking to establish the principle of development only at this stage, a summary of these design concerns could be included as an informative on the decision notice to inform the preparation of later submission/s of reserved matters.

Impact upon residential amenity

166. The protection of residential amenity is a key component of 'good design'. The Framework states (as part of its design policies) good planning should contribute positively to making places better for people. The Framework also states that planning decisions should aim to (inter alia) avoid noise from giving rise to significant adverse effects on health and quality of life as a result of new development.
167. Vision 1 of the Core Strategy seeks to provide 'a higher quality of life' for residents. Saved Local Plan policy 4.15 seeks to ensure new housing developments do not result in the loss of residential amenity.

168. The application is accompanied by a noise assessment (August 2014) which reaches the following conclusions:
- We have assessed air traffic noise at the site of proposed residential development off Rabbithill Covert, Lakenheath.
 - The measured and calculated daytime noise levels at the site are set out in the report. If assessed against the now withdrawn PPG24, the site would fall into NEC "B".
 - We have identified typical construction and ventilators requirements for the external façades of proposed dwellings to meet the WHO and BS8233 internal noise criteria.
169. The noise information summarised above was received only recently. The Council's Environmental Health Officers have been asked to comment on the methodology, findings and recommendations for mitigation set out in the report. Furthermore, an additional round of consultation has been carried out (and is on-going) with the Parish Council and local residents given that concerns have been raised from these sources on noise grounds.
170. In the absence of advice from the Environmental Health Officer, the 'planning balance' assessment and recommendation at the end of this report assumes that the development would not be adversely affected by aircraft noise such that a refusal of planning permission is warranted (as with the other schemes at Lakenheath including the nearby proposals for development north of Briscoe Way), and regards the noise influence as a dis-benefit of the proposals (particularly to the undefended garden areas of the proposed dwellings. Appropriate safeguards have been included into the officer recommendation to ensure the application is returned to Committee for further consideration should the Environmental Health Officer (or equivalent) raise any concerns that are not or cannot be addressed by the applicant and/or new issues are raised in correspondence which have not previously been considered by the Committee.
171. The amenities of occupiers of dwellings abutting the application site to the west would not be adversely affected by development given the separation distances created by the need to retain mature tree landscaping along this boundary. Accordingly, there should be no issues with overlooking, dominance or overshadowing of existing dwellings and their garden areas when the proposed housing scheme is designed at reserved matters stage.

Loss of agricultural land

172. The Framework states where significant development of agricultural land is demonstrated to be necessary, local planning authorities should seek to use areas of poorer quality land in preference to that of a higher quality.

173. The development of agricultural land (green field sites) in the District is inevitable given the level of growth planned for by the Core Strategy to 2031. There is not a sufficient stock of available previously developed land (brownfield land) at appropriate locations to accommodate new development in this period. Accordingly, the future development of greenfield sites is inevitable.
174. The application site is Grade 3 agricultural land (good to moderate) and whilst it is not regarded as 'poor quality' land (ref DEFRA agricultural land classifications) its loss is not considered significant. Nonetheless the development of Grade 3 agricultural land which is currently of use for agriculture is a dis-benefit of the scheme. Whilst not an issue that would justify a refusal of planning permission on its own, it is an issue to be taken into account in the overall balance of weighing the development's benefits against its dis-benefits.

Sustainable construction and operation

175. Section 19 (1A) of the Planning and Compulsory Purchase Act 2004 requires local planning authorities to include in their Local Plans "policies designed to secure that the development and use of land in the local planning authority's area contribute to the mitigation of, and adaptation to, climate change".
176. The Framework confirms planning has a key role in helping shape placed to (inter alia) secure radical reductions in greenhouse gas emissions and supporting the delivery of renewable and low carbon energy. The Government places this central to the economic, social and environmental dimensions of sustainable development.
177. The document expands on this role with the following policy:
178. In determining planning applications, local planning authorities should expect new development to:
- comply with adopted Local Plan policies on local requirements for decentralised energy supply unless it can be demonstrated by the applicant, having regard to the type of development involved and its design, that this is not feasible or viable; and
 - take account of landform, layout, building orientation, massing and landscaping to minimise energy consumption.
179. The importance the Government placed on addressing climate change is reflected in the Core Strategy Visions (Vision 1) and Spatial Objectives (ENV2 and ENV3). Core Strategy Policies CS4 and CS5 set out requirements for sustainable construction methods. There are also emerging policies relating to sustainable construction set out in the Joint Development Management Policies document (DM2, DM7 and DM8), but these are the subject of currently unresolved objections which means the policies can be attributed only limited weight at the present time.

180. The documentation submitted in support of this planning application (the amended design and access statement in particular) confirms that the proposed development will be sustainable, by ensuring that sound design principles will be incorporated into the development - including measures to assist with adapting to and mitigating effects of climate change. Planning conditions could be imposed to secure these measures and any other measures which may be appropriate or required by planning policies prevailing at the time Reserved Matters are submitted. On this basis, the development proposals are considered acceptable with regard to sustainable construction and operation.

Cumulative Impacts

181. Members will note there are a number of planning applications for major housing development currently under consideration, three of which are before the Committee for decision at this meeting. Furthermore, as the Development Plan progresses and the Site Allocations Document progresses, further sites are likely to be allocated for new residential development irrespective of the outcome of these planning applications. Whilst the evidence base behind the Development Plan documents will assess potential cumulative impacts of any formal site allocations, no such assessments have been carried out with regard to the potential cumulative impacts of the current planning applications.
182. This sub-section of the officer assessment considers potential cumulative impacts upon village infrastructure of the three planning applications on this Committee agenda (references DC/13/0660/FUL, F/2013/0345/OUT and F/2013/0394/OUT).

Education

183. The three planning applications together (288 dwellings) would generate approximately 72 children of primary school age once all have been built and occupied. The existing village primary school has reached capacity and by the time the construction of these developments is underway (if all are granted and commence early) with occupations and new primary pupils emerging, the school will have filled its 315 pupil place capacity.
184. The County Council has instructed a land agent to scope the village for potentially suitable sites that may be available for a new primary school. This work is underway and the County Council is in discussion with representatives of various landowners/developers.
185. A site for a new primary school facility is yet to be secured such that the County Council cannot guarantee its provision at this point in time. Your officers consider it is likely a site will emerge either as part of work on the Site Allocations Development Plan document or in advance given that work is already underway. It is unfortunately that some children may have to leave Lakenheath in order to access a

primary school place on a temporary basis as a consequence of new housing development being permitted (should a temporary solution not be found at the existing village school site) but this is not an uncommon phenomenon in Suffolk or the country as a whole.

186. The (potential) need for some pupils to travel to a school outside of Lakenheath would impact upon the sustainability credentials of the proposals and are regarded as a dis-benefit of development in advance of a new school site being found. It is important to note, however, that the County Council has confirmed school places would be available for all pupils emerging from these development proposals, even if they are all built early on and concerns have not been expressed by the Authority that educational attainment would be affected. It is your officers view (particularly in the absence of confirmed objections from the Local Education Authority) that the absence of places for children at the nearest school to the development proposals is not in itself sufficient to warrant a refusal of planning permission but the issue (both individually for this proposal and cumulatively with the other extant development proposals) needs to be considered as part of the planning balance in reaching a decision on the planning applications.
187. In weighing up the benefits and dis-benefits of development in the balancing exercise, it is important to note that the development proposals would provide proportionate funding for the erection of a new primary school. Accordingly, the applicants have done all they can possibly do (and all they have been asked to do) to mitigate the impact of their developments upon primary school provision.
188. Highways
189. In its most recent representations about this planning application (received 8th August – paragraph 26 above), the Strategic Planning department at Suffolk County Council has for the first time raised concerns that the highway impacts of development upon the village (both from the new school and cumulative impacts from village wide development) are uncertain. This is in the context of the Local Highway Authority raising no objections to any of the individual planning applications, subject to the imposition of conditions (please refer to paragraphs 19 and 20 above).
190. These concerns are not backed up with evidence or a considered analysis of the nature of the possible impacts (i.e. it is not clear which parts of the local highway network would be particularly vulnerable to new housing growth at Lakenheath). This matter needs to be considered further by the County Council in liaison with the applicants, but given the issue has been raised so late in the planning process (more than a year after the first of the three planning applications was registered), officers are recommending this work continues after Members have considered the three planning applications and, if a reasonable package of highway works can be demonstrated as being necessary to mitigate the likely highway impacts of these development

proposals (and anticipated growth via the emerging Local Plan) the developers could be asked to make a proportionate contribution towards the package. These contributions could be secured via a S106 Agreement. The officer recommendation at the end of this report is worded to secure a strategic highway contribution should it be deemed necessary and is adequately demonstrated.

Special Protection Area

191. The potential cumulative recreational pressure impacts of the Lakenheath housing developments upon the Special Protection Area are discussed above in the Natural Heritage sub-section of this report.

Landscape

192. Given the locations of the three proposed housing developments around Lakenheath, no cumulative landscape impacts are anticipated despite all three sites being located on the edge of the village. Lakenheath is a sizeable village and the development proposals would not represent a significant expansion to it.

Utilities

193. The potential cumulative impact of development upon the sewerage network was a concern of officers, particularly as the IECA study identified a tipping point of 169 dwellings before the Treatment Works reaches capacity. Whilst each planning application in isolation could be accommodated within this identified headroom, the three proposals in combination would clearly exceed it.
194. Anglian Water Services has not objected to any of the three planning applications and confirmed for each one there is adequate capacity within the system to accommodate the increased flows from development. Upon further questioning about potential cumulative impacts and the findings of the IECA study, Anglian Water Services has confirmed the following;
195. MCert Flow Monitor was installed at the Lakenheath Water Recycling Centre on 28 October 2010 which is after the Infrastructure and Environmental Capacity Assessment (IECA) Study and the Water Cycle Study. Please note that both of these studies were high level and were utilising best available data.
196. Based on the MCert flow monitor data over the past four years, it has been established that up to 1000 properties could be accommodated at the Lakenheath Water Recycling Centre. Therefore, the proposed 288 dwellings in total for the three planning applications stated in your email dated 10 July 2014 could be accommodated at the Lakenheath Water Recycling Centre.
197. In light of this explanation, which updates and supersedes evidence presented in the IECA study, officers are satisfied the development

proposals would not have adverse cumulative impacts upon the sewerage infrastructure serving Lakenheath.

198. There is no evidence to suggest there would be significant cumulative impacts upon water and energy (electricity) supplies to the village given the respective capacities identified in the IECA study.

Planning Obligations

199. The Framework repeats the tests of lawfulness for planning obligations which are derived from Regulation 122 of The Community Infrastructure Levy Regulations 2010. The tests are that planning obligations should:

- be necessary to make the development acceptable in planning terms.
- be directly related to the development, and
- be fairly and reasonably related in scale and kind to the development.

200. The Framework also states that pursuing sustainable development requires careful attention to viability and costs, such that sites should not be subject to a scale of obligations that their ability to be developed viably is threatened.

201. The Framework advises that in order to ensure viability, the costs of any requirements likely to be applied to development, such as requirements for affordable housing, standards, infrastructure contributions or other requirements should, when taking account of the normal cost of development and mitigation, provide competitive returns to a willing land owner and willing developer to enable the development to be deliverable.

202. Core Strategy Spatial Objective ENV7 seeks to achieve more sustainable communities by ensuring facilities, services and infrastructure are commensurate with development. Core Strategy Policy CS13 sets out requirements for securing infrastructure and developer contributions from new developments.

203. The developer has confirmed a willingness to meet the required obligations 'subject to viability'. No claim to reduce the level of contributions on viability grounds has so far been claimed by the applicants and a viability assessment has not been submitted. The recommendation (at the end of this report) therefore assumes the development can provide a fully policy compliant package of measures.

204. The following developer contributions are required from these proposals.

Affordable Housing

205. The Framework states that local planning authorities should use their evidence base to ensure that their Local Plan meets the full objectively assessed needs for market and affordable housing. It also states that policies should be set for meeting the identified need for affordable housing, although such policies should be sufficiently flexible to take account of changing market conditions.
206. Core Strategy Spatial Objective H2 seeks to provide a sufficient and appropriate mix of housing that is affordable, accessible and designed to a high standard. Core Strategy policy CS9 requires 30% of the proposed dwellings (20.1 dwellings in this case) to be 'affordable'. The policy is supported by Supplementary Planning Guidance which sets out the procedures for considering and securing affordable housing provision (including mix, tenure, viability and S106).
207. As the planning application is in outline form, it is appropriate to secure the percentage of units for affordable housing as required by policy CS9 (30% of 'up to' 81 dwellings = 'up to' 24.3 affordable dwellings). It is also appropriate to secure the housing mix requested by the Strategic Housing Team as this best fits the evidence of housing need at the current time. However, it is important that an element of flexibility is added into the agreement to allow the mix to be reviewed should circumstances change (i.e. numbers of dwellings or evidence of housing need which is sensitive to national housing policy) between the granting of the outline permission and reserved matters approvals (which could be as much as 3 years apart).

Education

208. The Framework states the Government attaches great importance to ensuring that a sufficient choice of school places is available to meet the needs of existing and new communities. It advises that Local planning authorities should take a proactive, positive and collaborative approach to meeting this requirement, and to development that will widen choice in education.
209. Core Strategy Policy CS13 (b) considers educational requirements as a key infrastructure requirement. The Local Education Authority (Suffolk County Council) has confirmed there is no capacity at the existing primary school to accommodate the additional pupils forecast to be resident at the proposed development and has requested a financial contribution from this development that is to be used towards the construction of a new primary school in the village. It has also confirmed a need for the development to provide a contribution to be used towards pre-school provision in the area to cater for the educational needs of pre-school children (aged 2-5) that are forecast to reside at the development. The Authority has confirmed there is no requirement for a contribution to be secured for secondary school provision. The justification for these requests for financial contributions and the amounts are set out at paragraphs 23 and 32

above.

Public Open Space

210. The Framework confirms that access to high quality open spaces and opportunities for sport and recreation can make an important contribution to the health and well-being of communities.
211. Core Strategy Spatial Objective CS2 seeks to promote an improvement in the health of people in the District by maintaining and providing quality open spaces, play and sports facilities and better access to the countryside. Policy CS13 (g) considers provision of open space, sport and recreation as a key infrastructure requirement.
212. Saved Local Plan policies 10.2 and 10.3 address play space requirements and state such areas will be provided as an integral part of new residential development. It is also stated that provision will be made for a wider area than just the development site.
213. These Development Plan policies are expanded upon via the adopted Supplementary Planning Document for public open space, sport and recreation. This document sets out the requirements for on-site and off-site provision and maintenance. The document imposes a formula based approach to calculating developer contributions from development proposals (both for on site 'in-kind' provision and off site 'cash' contributions). Accordingly, planning application for outline consent, where numbers of dwellings and the mix (no's of bedrooms) is uncertain and unsecured, it is only possible to secure the formula for calculating public open space via S106 contributions. The precise areas of land at the site and any off site financial contributions would be secured by the formulaic approach in the S106 Agreement at reserved matters stage.

Libraries

214. The Suffolk County Council has identified a need to provide library facilities for the occupiers of this development and has requested a capital contribution of £17,496.

Health

215. The NHS Property Services has confirmed there is sufficient capacity in the existing health infrastructure (i.e. GP surgeries) to cater for the additional demand for local services this development would generate. Accordingly, no health contribution is to be secured from the proposed development.

Summary

216. With these provisions in place, the effects of the proposal on local infrastructure, including affordable housing, open space, recreational facilities, education, and libraries would be acceptable. The proposal

would comply with Core Strategy Policy CS13 by which the provision or payment is sought for services, facilities and other improvements directly related to development. The proposed planning obligations are considered to meet the CIL Regulation 22 tests set out at paragraph 176 above.

Conclusions and Planning Balance:

217. Development Plan policies relating to the supply of housing are out of date, by virtue of the fact that a five year supply of deliverable housing sites cannot be demonstrated.
218. With this background it is clear that permission should be granted unless the adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework as a whole. There are no specific policies in the Framework which indicate that this development should be restricted. National policy should therefore be accorded great weight in the consideration of this planning application, especially the presumption in favour of sustainable development, which officers consider this proposal represents.
219. In relation to the economic role of sustainable development, the proposal would generate direct and indirect economic benefits, as housing has an effect on economic output both in terms of construction employment and the longer term availability of housing for workers. The development would provide additional infrastructure of wider benefit – including, education provision and public open space.
220. In terms of the social role of sustainability the development would enhance the local community and provide a level of much needed market and affordable housing to meet the needs of present and future generations. The development would, on balance, result in a built environment of good quality. The proposal would rely on, and to a limited extent enhance, the accessibility of existing local services – both within Lakenheath and further afield.
221. The absence of capacity at the local primary school to cater for the pupils emerging from this development on a permanent basis is a dis-benefit of the development proposals. The in-combination effects of this development with other planned developments in the village could have significant impacts upon primary education provision in the village and could force some pupils to leave the village to secure their primary school place. This is tempered somewhat, however, by temporary nature of the arrangement whilst a new school is built and in the absence of objections from the Local Education Authority. Furthermore, the Local Education Authority has not suggested that pupil attainment would be adversely affected during these temporary arrangements.
222. In relation to the environmental role it is self-evident that the

landscape would be changed as a result of the proposal albeit this would only be perceptible at the immediate location of the application site. This would be the case for any development on a greenfield site - which will inevitably have to happen in order to meet the pressing housing needs of the District. Good design and the retention of existing vegetation and provision of new planting would mitigate this effect to a great degree. Of significance is the fact that the site does not benefit from any specific ecological, landscape or heritage designation, unlike large areas of the District, and the effect on the character of the settlement would be acceptable. Longer landscape views would be very limited, if at all.

223. The development proposals would be impacted adversely by noise from aircraft operating from the nearby runways at the Lakenheath airbase. This is not capable of being fully mitigated and the external areas (e.g. garden spaces) would be particularly exposed to the effects of aircraft noise. Subject to the confirmation of the Environmental Health Team, it is considered that internal spaces are capable of mitigation through appropriate design and construction measures.
224. The progress of the LDF has been slow to date owing largely to the successful challenge of the Core Strategy (CS7) in the High Court, and its future progress is uncertain, given that the Single Issue Review and Site Allocation documents have reached only the early preparatory stages in the process with public consultation yet to be carried out. In any event, there is no evidence that the proposal would be premature to or prejudice the development plan process.
225. The lack of a five year supply of deliverable housing land, combined with the historic (but not persistent) under supply of housing, is an important material consideration. To the limited extent that the evidence demonstrates material considerations against the proposal - essentially relating to the limited local landscape effects, loss of agricultural land of good to moderate quality and some design weaknesses in parts of the layout - this consideration (benefit) significantly outweighs those concerns (dis-benefits) and points clearly towards the grant of planning permission in this case.
226. The lack of a five year supply of deliverable housing land, combined with the historic (but not persistent) under supply of housing, is an important material consideration. To the limited extent that the evidence demonstrates material considerations against the proposal - essentially relating to the limited local landscape effects, loss of agricultural land of good to moderate quality and adverse impacts to the new residents from aircraft noise - in your officers view the benefits of this development being realised significantly outweigh the dis-benefits and points clearly to the grant of planning permission in this case.

Recommendation:

227. That, subject to no new concerns, objections or material planning issues being raised by Natural England, the Suffolk Wildlife Trust, the Council's Environmental Health Team or arising out of public consultation for the recently received noise assessment, outline planning permission be granted subject to:

The completion of a S106 agreement to secure:

- Affordable housing (30%)
- Education contribution (Primary School – up to £355,560 towards build costs and up to £109,820 towards land costs)
- Pre-school contribution (up to £48,728)
- Libraries Contribution (up to £17,496)
- Public Open Space contribution (Formula to be included in the Agreement to secure policy complaint provision on site at reserved matters stage and appropriate off-site contribution)
- Local Highways contribution (Footpaths and lighting works) up to £75,000.
- Strategic Highway Contribution (should this be deemed compliant with CIL Regulation 122 – a proportionate contribution would be appropriate, sum to be determined)
- SPA Recreational Impact Contribution – which may include monitoring of potential impacts from development (should this be deemed compliant with CIL Regulation 122 – sum to be determined)
- Any further clauses considered necessary by the Head of Planning and Regulatory Services.

228. And subject to conditions, including:

- Time limit (3 years for commencement)
- Materials (to be submitted with the Reserved Matters)
- Sustainable construction and operation methods (further details to be approved and thereafter implemented)
- Bin and cycle storage strategy (to be submitted for approval with the Reserved Matters and subsequently implemented)
- Public open space (strategy for future management and maintenance)
- Landscaping details and tree information (including precise details of new hard and soft landscaping and surveys/arboricultural information about the existing tree stock)
- Retention and protection of existing trees and hedgerows
- Ecology (enhancements at the site and any further survey work required)
- Construction management plan
- As recommended by LHA
- Contamination & remediation (further investigations and any remediation necessary)
- Means of enclosure (to be submitted with Reserved Matters)
- Implementation of noise mitigation measures

- Fire Hydrants
- Waste minimisation and re-cycling strategy
- Details of the surface water drainage scheme (SUDS – full details to be submitted with the Reserved Matters).
- Any additional conditions considered necessary by the Head of Planning and Regulatory Services.

229. That, in the event of the Head of Planning and Regulatory Planning Services recommending alternative (reduced) Heads of Terms from those set out at paragraph 227 above, or Natural England the RSPB, the Suffolk Wildlife Trust, Environmental Health Officers, the Parish Council or other members of the public raise objections concerns or substantive and material issues about the proposals which have not already been considered by the Committee and cannot be resolved or satisfied by the applicant, the planning application be returned to Committee for further consideration.

230. That in the event the applicant declines to enter into a planning obligation to secure the Heads of Terms set out at paragraph 227 above for reasons considered unreasonable by the Head of Planning and Regulatory Services, planning permission be refused for the following reasons:

i) Unsustainable form of development not mitigating its impact upon, education provision (primary and pre-school), open space, sport and recreation, transport, health and libraries (contrary to the Framework and Core Strategy policy CS13 and saved Local Plan policy 10.3).

ii) If appropriate following further investigation; adverse cumulative impacts upon i) the highway network ii) the Special Protection Area (from increased recreational pressure) or iii) the amenity of future residents of the development from air craft noise.

ii) Non-compliance with affordable housing policy (contrary to Core Strategy policy CS9 and supporting SPD document).

Documents:

All background documents including application forms, drawings and other supporting documentation relating to this application can be viewed online:

<http://planning.stedmundsbury.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=ZZZZVRHHXB478>

Alternatively, hard copies are also available to view at Planning, Planning and Regulatory Services, Forest Heath District Council, District Offices, College Heath Road, Mildenhall, Suffolk, IP28 7EY (or West Suffolk House details as applicable)

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