



St Edmundsbury
BOROUGH COUNCIL

DEV/SE/16/19

Development Control Committee

3 March 2016

Planning Application DC/15/2277/HYB

Erskine Lodge and land adjoining, Stanningfield Road, Great Whelnetham

Date Registered: 20 November 2016 **Expiry Date:** 19 February 2016

Case Officer: Gareth Durrant **Recommendation:** Grant permission with S106 Agreement

Parish: Great Whelnetham **Ward:** Horringer and Whelnetham

Proposal: Hybrid Planning Application. (i) Full Application for 23 affordable dwellings with associated open space, landscaping and parking served by existing access from Stanningfield Road and demolition of existing sheltered housing units; and (ii) Outline Application for up to 35 dwellings served by continuation of access of full application.

Site: Erskine Lodge and Land Adjoining, Stanningfield Road, Great Whelnetham.

Applicant: Havebury Housing Partnership

Synopsis:

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

Recommendation:

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

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Background:

This application is referred to the Development Control Committee because it is for 'major development' and the Officer recommendation to grant planning permission is contrary to the views of the Parish Council.

Proposal:

1. The application has been submitted in a 'hybrid' form being partly for detailed (full) planning permission (phase 1 - 23 dwellings) and partly for outline planning permission (phase 2 - up to 35 dwellings). The application proposes the erection of up to 58 dwellings in total. The existing Erskine Lodge buildings would be demolished to make way for the development of phase 1.
2. The development would be served by the existing single vehicular access to Stanningfield Road close at the south-east corner of the site. There is a further access, also from Stanningfield Road (and also an existing access) although this would be secondary access for pedestrian/cycle access (and, if required, for emergency vehicles).
3. The 23 dwellings proposed in phase 1 are all proposed as 'affordable housing' and all for social rent. There would be 16 no. 1-bedroom and 4 no. 2 bedroom flats. These would be provided in four separate blocks. Three dwellings are proposed (1 no. 2-bedrooms, 1 no. 3 bedrooms and 1 no. 4 bedrooms. The dwellings would all be two-storeys and provided in the form of semi-detached pair. The third dwelling would be attached to one of the blocks of flats. Details of the 35 dwellings proposed for phase 2 are reserved.
4. The majority of the buildings (19 units) proposed in phase 1 would be between 7.4 and 7.8 metres tall to ridge. There are some taller buildings (4 units) up to 8.7, 8.9 and 9.1 metres in height.
5. The plans submitted with the planning application indicate the use of a limited palette of external building materials for the Phase 1 buildings;
 - Bricks – Istock Bradgate Light Buff
 - Roof tiles – Natural Slate/Clay Plain Tiles
 - Detailing – Thermowood vertical timber cladding and render to walls, upvc double glazed windows, upvc doors, upvc fascias and soffits and aluminium rainwater goods.
6. The application has been amended since submission to include further information about off-site highway measures, surface water drainage proposals and minor amendments to the internal road specification.

Application Supporting Material:

7. The following documents accompanied the planning application upon submission:
 - Forms and drawings including location, layouts and dwelling/perspectives details for phase 1, illustrative layout for phase 2, site sections, physical constraints/opportunities plans
 - Design, Access and Heritage Statement
 - Arboricultural survey and tree survey
 - Land Contamination Assessment
 - Statement of Community Involvement
 - Flood Risk Assessment
 - Surface Water Drainage Strategy (as amended)
 - Archaeological Briefs
 - Affordable Housing Statement
 - Ecological Assessment and bat surveys
 - Transport Statement (including addendum)
 - Soft Landscaping Strategy Report

Site Details:

8. The site is situated relatively centrally to Great Whelnetham. It is within the settlement boundary as defined by the Rural Vision 2031 Area Action Plan. The site is allocated for a residential development by the Plan and has the benefit of an adopted Development Brief to guide a development scheme.
9. The application site is comprised of two separate land parcels in separate ownership. The site supports Erskine Lodge a currently vacant 23-unit sheltered housing scheme which sits towards the Stanningfield Road frontage. The remainder of the application site is unused meadow land situated behind Erskine Lodge.
10. The site is within and close to the edge of the Great Whelnetham Conservation Area and there are various listed buildings situated outside the site to the north.
11. The east boundary of the site adjoins the Stanningfield Road highway. The site abuts existing dwellings (and village post office) along its northeast, north and part southern boundaries. The remainder of the south boundary and west boundary abuts open countryside. The village wastewater treatment works facility is situated at the southwest corner.
12. The site rises up from its boundaries, peaking close to its centre. The site is on higher levels than adjacent land. This is particularly apparent along the north-west site boundaries where the site is circa two metres higher than existing abutting developments.

13. There are a number of trees on the site and a domestic hedgerow marks the boundary between Erskine Lodge and the meadow.

Planning History:

14. 1972 – Outline planning permission granted for the erection of 'Elderly Persons Sheltered Accommodation'. Reserved Matters were subsequently approved in 1975 (Applications N/72/2549 and E/75/1217)
15. 1979 – Planning permission refused for the erection of 3 dwellings (Application E/79/3167/P).
16. 1980 – Planning permission refused for the erection of 1 dwelling (Application E/80/1762/P). A subsequent appeal was dismissed in 1981.

Consultations:

17. **Natural England – No objections** to the proposals (noting they have not assessed the proposals for impacts upon protected species). Natural England requests that opportunities should be secured for biodiversity and landscape enhancements if planning permission is granted.
18. **Environment Agency** – comment that, owing to recent remodelling, none of the properties would be situated within Flood Zones 2 and 3 (at risk from flooding). The Agency has **no objections** to the proposed development due to the location of the site and the flood risk mitigation measures proposed in the Flood Risk Assessment. The Agency is providing its advice on the assumption the LPA deems the site to have passed the Sequential Test.
19. **Anglian Water Services – no objections** and comment the Gt Wheltenham Water Recycling Centre has available capacity for flows arising from the development. AWS also confirms the sewerage system also has available capacity for the flows generated.
20. **Historic England – no objections** (subject to amendment) and comment as follows:
 - We would not object to the proposals as it would not cause harm to the significance of the conservation area in terms of paragraph 132 of the NPPF.
 - The application site lies on the western edge of the conservation area. Historic England would chiefly be concerned with the effect that the proposals would have on the conservation area and we would leave the Council to determine the impact on the grade II listed buildings nearby. The existing building on the site is a large residential care home which is neither a positive or negative contributing factor to the conservation area. It occupies an area which has modern, linear development to the south and a more historic development pattern to the north and east. The views into and away from the conservation area are important and would be

considered a positive contribution to the heritage asset.

- Significance is based on a range of heritage values that make up the overall architectural, artistic and/or archaeological interest of the heritage asset, in this case the Great Whelnetham Conservation Area. As the NPPF makes clear, significance derives not only from a physical presence but also from its setting. The NPPF further defines the setting as the surroundings in which a heritage asset is experienced, and makes clear that the impact on significance can occur through change within setting of a heritage asset.
 - The proposals broadly follow the concept layout within the Development Brief. In our previous comments, we noted that this layout followed the analysis of the site opportunities and positive features, including permeable views and landscape features. Rather than the 1½ and 2 storey units indicated at enquiry stage, these proposals are for 2 storey buildings.
 - We previously commented that changes to this parcel of land would affect the conservation area, however this redevelopment provides an opportunity for enhancement. We suggested that a good variety of materials and plot designs are used in any proposals, to encourage a high quality development with a sense of place and remove any risk of monotonous construction.
 - The application proposes unique layouts for each building and when combined with the variety of materials proposed, would provide a development which would have interest. Whilst this is welcomed, it seems that the chosen materials could have some more thought. The window, fascia and soffit are proposed as uPVC, which could conflict with the aluminium rainwater goods and timber cladding. We suggest that, if minded to approve, the Council requires additional information on the products proposed, to ensure that it is consistent with the good quality materials needed to satisfy paragraph 137 of the NPPF. It may be that powder coated aluminium windows and door units provide a higher quality feature which would better suit the contemporary design proposed. In addition, we suggest that good quality detailing is secured by way of condition.
 - We would not be able to comment further on the phase 2 part of the application, as it includes no additional information than that contained within the Development Brief. As before, we would not object to it, and again suggest that a varied plot design broadly in accordance with the concept layout proposed would be appropriate. High quality materials would be the most appropriate way of enhancing the conservation area and should be secured at reserved matters stage.
21. **Suffolk Wildlife Trust** – raises **no objections** and requests conditions are imposed to secure existing boundary planting (given its wildlife benefits), to mitigate impacts upon hedgehogs (and to encourage use of

the development by hedgehogs) and to protect bats. Further survey work will also be required to assess the potential for reptiles and grass snakes.

22. **Suffolk Constabulary** – raises **no objections** and invites the applicant/developer to work with them to ensure the proposed development incorporates crime reduction design techniques (including 'Secured By Design').
23. **Suffolk County Council (Highway Authority)** (December 2015) – **Objects** to the planning application and requests various design amendments to the road and access layout of the scheme and requests various S106 contributions.
24. **Suffolk County Council (Highway Authority)** (February 2016, following receipt of amended plans) – **no objections** subject to conditions (details of footpath link to and pedestrian crossing of, the site access; details of areas for bin storage; details of estate roads and footpaths; timing of construction of carriageways and footways and manoeuvring/parking areas & secure cycle storage; details of a Sustainable Travel Information Pack). The Authority also requests a developer S106 contribution of £16,000 to be used to provide bus stop improvements in Stanningfield Road, including passenger shelters should space be available.
25. **Suffolk County Council (Flood and Water Management)** – (December 2015) **objects** to the planning application and requests further information/clarification of surface water drainage for Phase 1. No objections were received with regard to the drainage strategy proposed for Phase 2, subject to conditions.
26. **Suffolk County Council (Strategic Development)** – submit **holding objections** in the absence of archaeological assessment work requested by the Archaeological Unit. The following comments were also received;
 - **Education (Primary and Secondary)** - The local catchment schools are Great Whelnetham CEVCP School and King Edward VI CEVC Upper School. At both the primary and secondary school levels Suffolk County Council currently forecasts that there will not be sufficient surplus capacity to accommodate any of the pupils arising. Therefore the County Council seeks the following contribution towards new school places.
 - Primary: £133,991
 - Secondary: £128,485
 - Sixth Form: £39,814
 - Total: **£302,290**
 - **Education (Pre-school provision)**. It is the legal duty 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. At present there is a surplus of places in this locality, sufficient to absorb the additional children emanating from the development.

- **Play space provision.** Consideration will need to be given to adequate play space provision.
 - **Libraries.** Great Whelnetham is served by a mobile library service and this is considered sufficient provision in the specific circumstances of this case.
 - **Waste.** A waste minimisation and recycling strategy (including bins) should be implemented by planning conditions.
 - **Accessible Housing -** In line with Sections 6 and 8 of the NPPF, homes should be designed to meet the health needs of all groups in society. Policy DM22 of the West Suffolk Development Management Policies also identifies that new homes should be 'adaptable in terms of lifetime changes and use', with paragraph 5.3 explaining that this means the Lifetime Homes standard. Following the replacement of the Lifetime Homes standard, designing homes to the new 'Category M4(2)' standard offers a useful way of fulfilling this objective, with a proportion of dwellings being built to 'Category M4(3)' standard.
 - **Sustainable Drainage Systems.** Summarises the hierarchy of responsibility and national policy relating to SuDS drainage and recommends the relevant lead flood authority is consulted.
 - **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.
 - **Superfast broadband.** SCC would recommend that all development is equipped with high speed broadband (fibre optic).
27. **Suffolk County Council (Archaeology)** – (December 2015) **object** to the planning application in the absence of adequate information (desk based assessment and field investigation) with respect to the potential of the site to contain significant archaeological deposits. The service notes that a large Roman settlement with burials is recorded on the site (other Roman finds have been recovered previously). The application should not be determined until this work is undertaken.
28. **Suffolk County Council (Fire and Rescue Service)** - **no objections** to the proposals and advise that access for fire appliances needs to meet with Building Regulations requirements and advocates the use of sprinkler systems within new buildings. The service confirms no additional water supply for fire fighting is required.
29. **SEBC (Environment Team – Contaminated Land)** - **no objections**, and recommend the imposition of a standard contaminated land condition given the desk study has revealed potential sources of contamination.

30. **SEBC (Strategic Housing Team) – supports** the planning application in principle and comment the second phase of the development should provide more larger family accommodation in order to meet the needs of the village.

31. **SEBC (Public Health and Housing) – no objections.**

Representations:

32. Parish Council: **object** to the planning application and provide the following comments;

- The density of the proposed development is not consistent with the existing pattern of dwellings in the village
- The high number and concentration of dwellings proposed, taking into account the combination of the full application for 23 dwellings and the outline application for 35 properties will have a negative effect on the current village social structure
- Is this increase in population sustainable and adequately supported by local services and infrastructure? In particular there are concerns about:
 - availability of school places
 - traffic – this development will put additional pressure on the already busy and dangerous A134 junction
 - drainage – additional hard surfaces could create greater rainwater drainage issues in an area where heavy rainfall already creates problems
- The number of houses proposed for this site is not consistent with the Vision 2031 plan – where is the justification for the deviation from the master plan so soon after its approval?
- There is a strong desire that there should be enforceable priority in the availability of the proposed properties for those with local connections
- The proposed finish of the buildings with wood cladding does not seem to be sympathetic with or in the vernacular of the existing stock
- There are doubts about the ratio of maisonettes to houses. The proposed development has little provision for families. Is there evidence that this is in line with the requirement for this village?
- Parking places – the provision for car parking is seriously inadequate. There have been historic problems with parking provision in other parts of the village, and it would be a mistake for the design not to take account of local needs from the beginning. A car is near-essential in this village location because of limited and crowded public transport

provision. The Council believes that there is a requirement for an average provision of at least two parking places per dwelling for residents, with additional parking for visitors. There is also some scope for confusion in the supporting documentation:

- Section 10 of the Application quotes the number of places as 85. This number applies to the total places for the full application and outline application, with a total of 58 dwellings
- The Plan 14-017-A-009 gives the number of parking places as 34, which applies to the full application for the 23 buildings of phase 1.

33. Three letters have been received from local residents objecting to the proposed development. The issues and objections raised can be summarised as follows:

- Too many dwellings proposed and of the wrong type.
- Development likely to become 'run down' in time.
- There is only limited need for affordable housing in the village.
- Not sufficient information with which to be able to judge impact.
- Overlooking and loss of privacy.
- There is no space on existing roads to cater for cyclists.
- There would be insufficient car parking.
- Loss of elderly person's accommodation is a concern.
- Increase in traffic.
- Development density is too high.
- Loss of bat habitat owing to demolition of Erskine Lodge.
- Adverse impacts upon biodiversity.
- The housing is not needed.
- Village infrastructure will not support this level of development.
- Development is too close to the treatment works.
- Increased threat of surface water flooding to existing properties.
- Adverse impact upon property values.

34. One letter has been received from a local resident whom does not wish to object to the planning application but wishes to raise concerns about security and privacy issues and request the provision of boundary fencing to ameliorate these concerns.

Policy:

35. The following policies of the Joint Development Management Policies Document (2015), the Rural Vision 2031 (2014) and the St Edmundsbury Core Strategy (2010) have been taken into account in the consideration of this application:

Joint Development Management Policies Document (2015):

- Policy DM1 – Presumption in Favour of Sustainable Development.
- Policy DM2 – Creating Places – Development Principles and Local Distinctiveness.

- Policy DM4 – Development Briefs
- Policy DM6 – Flooding and Sustainable Drainage.
- Policy DM7 – Sustainable Design and Construction.
- Policy DM10 – Impact of Development on Sites of Biodiversity and Geodiversity Importance.
- Policy DM11 – Protected Species.
- Policy DM12 – Mitigation, Enhancement, Management and Monitoring of Biodiversity.
- Policy DM13 – Landscape Features
- Policy DM14 – Protecting and Enhancing Natural Resources, Minimising Pollution and Safeguarding from Hazards.
- Policy DM15 – Listed Buildings.
- Policy DM17 – Conservation Areas.
- Policy DM20 – Archaeology.
- Policy DM22 – Residential Design.
- Policy DM42 – Open Space, Sport and Recreation Facilities.
- Policy DM45 – Travel Assessments and Travel Plans.
- Policy DM46 – Parking Standards.

Rural Vision 2031 (2014)

- Policy RV1 – Presumption in Favour of Sustainable Development.
- Policy RV3 – Housing Settlement Boundaries.
- Policy RV20(a) – Allocates the application site for redevelopment.

St Edmundsbury Core Strategy December (2010).

- Policy CS1 (Spatial Strategy)
- Policy CS2 (Sustainable Development)
- Policy CS3 (Design and Local Distinctiveness)
- Policy CS4 (Settlement Hierarchy and Identity)
- Policy CS5 (Affordable Housing)
- Policy CS7 (Sustainable Transport)
- Policy CS13 (Rural Areas)
- CS14 (Community Infrastructure Capacity and Tariffs)

Other Planning Policy:

36. 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 (December 2012).
37. Full Council considered the Erskine Lodge Development Brief at their meeting on 15 December 2015 and resolved to adopt it, subject to some minor changes being secured to its content. Those changes have been made to the document, which has subsequently been adopted. The Development Brief document can be given weight in the consideration of

this planning application.

38. The Development Brief, which has been prepared in the light of Development Plan policies, does not form part of the Development Plan for the District. The Development Brief has the status of informal planning guidance and will be a material consideration when determining planning applications. It is a matter for the decision maker in each case to consider the weight to be afforded to the Development Brief.

39. The National Planning Policy Framework (hereafter referred to as 'the Framework') sets out government's planning policies for England and how these are expected to be applied.

40. Paragraph 14 of the Framework identifies the principal 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."

41. 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".

42. The relevant policies of the Framework are discussed below in the Officer Comment section of this report.

43. The Government has (March 2014) published 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.

Officer Comment:

44. The issues to be considered in the determination of the application are:

- Principle of Development
- Transportation and Highway Safety
- Natural Heritage
- Built Heritage
- Environmental Conditions
- Design and Layout
- Residential Amenity (existing and potential residents)
- Sustainable Construction and Operation
- Planning Obligations

Principle of Development

45. 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.

46. 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;)

47. 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.

48. 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):

- 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.

49. Policy RV1 of Rural Vision 2031 repeats national policy set out in the Framework insofar as there is a presumption in favour of sustainable development. This is repeated by Policy DM1 of the Joint Development Management Policies document. Policy RV3 of Rural Vision 2031 states new residential development will be permitted within the Settlement boundaries where it is not contrary to other policies in the plan.
50. Policy RV20a of Rural Vision 2031 allocates the application site for residential development. The policy sets out the following requirements:
- Development of the site in the short term is acceptable.
 - The amount of land available for development, location of uses, access arrangements, design and landscaping will be informed by a Development Brief.
 - Applications for planning permission will only be determined once the Development Brief has been adopted by the LPA.
 - The mix of market and affordable housing will be detailed in the Development Brief and will include trigger points for delivery.
 - Proposals for development should reflect the scale and form of surrounding development.
 - Strategic landscaping and open space must be provided to address the sites requirements and location.
51. The Erskine Lodge Development Brief was prepared and adopted in accordance with the requirements of policy RV20 of Rural Vision 2031 and Policy DM4 of the Joint Development Management Policies Document. The planning application (Phase 1 in particular at this stage) accords with the content of the adopted Development Brief.
52. In the light of the above planning policy and Development Brief context, officers consider the development of the Erskine Lodge site at Great Whelnetham accords with national and local policies, including allocation in Policy RV20a of Rural Vision 2031, and is therefore acceptable in principle.
53. The remainder of the officer assessment below considers other material considerations and impacts in detail (and in no particular order) and discusses S106 requirements before reaching conclusions and a recommendation.

Transportation and Highway Safety

54. The Framework states 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. It also confirms that development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe.
55. Policy CS7 of the Core Strategy seeks to secure a sustainable transport system and reduce the need to travel through spatial planning and design. Policy CS8 seeks to secure strategic transport improvements (particularly

in the urban areas). Policy CS14 sets out infrastructure delivery requirements from new development proposals and how these are to be secured.

56. Policy DM2 of the Joint Development Management Policies Document requires that new development should produce designs that accord with standards and maintain or enhance the safety of the highway network. Policy DM45 sets out criteria for the submission of Transport Assessments and Travel Plans to accompany planning applications whilst Policy DM46 addresses parking standards.
57. The planning application was accompanied by a Transport Statement which considered the transport implications of the entire development (58 units). The Assessment calculated there would be 24 car/van movements during the am peak hour (6 arrivals and 18 departures) and 23 car/van movements during the pm peak hour (14 arrivals and 9 departures).
58. The Transport Statement concludes the village is locationally accessible and sustainable in accordance with national and local policy. It also concludes that the vehicular demands arising would have a minimal impact on the capacity and safety of the highway network.
59. The development would not generate significant traffic movements, particularly during the crucial am and pm peak hours. The proposals would not lead to congestion of the highway network.
60. A total of 22 bay car parking spaces are provided for the 23 dwelling units proposed within Phase 1 of the scheme. Further car parking is made available in layby's aligning one of the internal roads (approximately 9 additional spaces). Whilst this level of parking is around 5 spaces below the adopted Parking Standards (2014) this has not triggered an objection from the Highway Authority. Opportunities would exist to park additional vehicles on other parts of the new roads provided within the development such there is unlikely to be demand for additional parking on roads outside the application site, including during peak demand periods. The level of off-street car parking proposed for the development is considered acceptable, despite being contrary to (slightly below) the standards adopted by the County Council.
61. Access to the proposed development is considered safe and suitable and the development would not lead to significant highway safety issues or hazards on approaches to the site, around the village or further afield. Furthermore, satisfactory evidence has been submitted to demonstrate the proposed development would not lead to congestion of the local highway network, including during am and pm peak hours.

Natural Heritage

62. 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.

63. Core Strategy Policy CS2 seeks to secure high quality, sustainable new development by (inter alia) protecting and enhancing biodiversity, wildlife and geodiversity. Policy DM2 of the Joint Development Management Policies Document sets out the Councils requirements and aspirations for achieving design quality. One of these requirements is that development should not adversely affect sites, habitats, species and features of ecological interest. Policy DM10 sets out more detailed requirements relating to potential impacts upon sites of biodiversity and geodiversity interests. Policy DM11 specifically relates to protected species. Policy DM12 seeks to secure (inter alia) biodiversity enhancements from new developments where possible.
64. The development proposals would not affect any internationally, nationally or locally designated sites of nature conservation interests.
65. The applicant's ecological assessment confirms the application site has been surveyed for a range of rare species. The report recommends the following measures are taken;
 - Biodiversity enhancement measures to be incorporated into the landscaping scheme, provision of bat and bird nest boxes, creation of deadwood habitat, and retention of trees where possible.
 - Protection of retained trees and the watercourse during construction (requirement for an otter survey if this area is to be disturbed).
 - Further bat emergence surveys during the bat activity season.
 - Protection of the function of the river as a wildlife corridor (those areas within the site).
 - Enhancement of the retained areas of semi-natural habitat.
 - Covering of excavations and exposed pipework overnight
 - Watervole survey
 - Retention of vegetation during the bird nesting season.
 - Walkover survey immediately prior to commencement of works to ensure badgers have not colonised the site in the interim.
 - Careful use of lighting
66. The applicants have already carried out further bat surveys as recommended by the ecological assessment. This discovered a day bat roost within the Erskine Lodge building. This means that no unlicensed work can be carried out at the site. Any work that has the potential to disturb bats would require a prior license from Natural England. In advance of being able to secure a license, the 'developer' would need to secure a grant of planning permission and discharge any conditions relevant to bats. The bat report recommends further surveys are carried out during the 2016 bat survey season and x3 bat boxes be installed on an appropriate tree prior to any licensed demolition works being carried out to Erskine Lodge. Any construction team on the site would be briefed to ensure they are aware of bat issues associated with their works. The elements of the demolition works that might affect bats would be

undertaken by hand and supervised by a bat worker. Any bats found would be re-located to a bat box.

67. These recommendations have been accepted by the Suffolk Wildlife Trust whom also recommends that reptile surveys are carried out subsequently. The recommendations of the ecological survey, bat report and submission of the results of further surveys (including any mitigation requirements) requested by the Trust could be secured at the appropriate time, by means of appropriately worded planning conditions.

Built Heritage

68. 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.
69. Core Strategy policy CS2 seeks to secure high quality, sustainable development by (inter alia) conserving or enhancing the historic environment including archaeological resources.
70. Policy DM15 of the Joint Development Management Policies Document requires development proposals affecting (inter alia) the setting of a listed building to demonstrate a clear understanding of the significance of the setting of the building alongside an assessment of the potential impact of the proposal upon that significance. The policy also requires new developments to respect the setting of listed buildings, including inward and outward views and be of an appropriate scale, form, height, massing and design which respects the listed building and its setting. Policy DM16 addresses proposals affecting non designated heritage assets. Policy DM17 sets out criteria for considering development proposals within, adjacent to or visible from within a Conservation Area. Policy DM20 sets out requirements for proposals that may affect (inter alia) a site of archaeological importance.
71. There is a small scattered group of listed buildings to the north of the application site. Drury House, a Grade II listed building is the closest of these and is situated adjacent to the north west corner of the site (other listed buildings are significantly separated and screened from the site and would not be adversely affected by the development proposals). Whilst the full extent of impacts of this development upon the setting of the listed building cannot be carried out at this stage, given the outline status of the development nearest to the listed building (phase 2 of the proposals), the development is not anticipated to give rise to adverse impacts. Indeed, the illustrative scheme submitted with the planning application (for phase 2) illustrates a suitable separation between the development and Drury House. The listed building is well separated and

screened from the application site such that the development is unlikely to be prominent in views from the listed building or its grounds. Furthermore, the development is unlikely to be seen in the wider setting of the building, including distant views.

72. The application site is within the Great Whelnetham Conservation Area designation. The conservation area is drawn loosely around the oldest dwellings in the village and follows the A134 Sudbury Road running north/south. The designation also captures areas of woodland and agricultural land to the east of the A134. The modern, high density, estate type developments to the south west of the village (off Stanningfield Road in particular) do not form part of the Conservation Area.
73. The Conservation Area contains a mix of building sizes and types, including a small number of listed buildings to the north of the site. The character is predominantly of low-density housing development fronting onto the A134 Sudbury Road, but there are also examples of higher density development, including the row of buildings abutting the application site and, of course, Erskine Lodge itself.
74. The construction of a scheme of medium density residential units, including higher density flats, at the application site, would represent a marked change to the character of the Conservation Area. Through their design and choice of materials, the proposed buildings would be honest representations of their time. The buildings (in Phase 1) are of a typical Suffolk form, with rectangular plan and pitched roofs. The detailing and materials to be employed on these vernacular forms would be more contemporary and introduce a new phase of architectural style into the village conservation area. The development would not be unattractive in itself, particularly if the architectural themes and choice of materials (perhaps with some variation) employed in Phase 1 are carried forward into the later Phase 2, but would, nonetheless, permanently change the built character of this part of the Conservation Area.
75. There is no suggestion this change would be harmful to the character of the Conservation Area in part or as a whole. The existing character of the Conservation Area (as briefly set out at paragraphs 72 and 73 above) would be maintained. Historic England, having considered these proposals, are of the view the proposed development would enhance the character of the Conservation Area particularly as it would include the removal of the Erskine Lodge buildings (which are of utilitarian mid to late 20th Century appearance). Historic England has commented on the detail of the proposals are have advocated the omission of the UPVC windows and doors currently proposed in favour of higher quality materials. Officers agree with the view of Historic England in this respect and are actively seeking amendments to the application. Members will be updated of progress in this regard at the meeting.
76. The archaeological unit at Suffolk County Council is of the view that archaeological deposits are likely be present at the site given archaeological finds that have occurred in the vicinity (ref paragraph 27 above). Whilst the planning application is accompanied by Archaeological

Briefs for Phases 1 and 2, the Authority has objected to the application in the absence of more detailed assessment based on appropriate field work. The Authority has requested this information in advance of the application being determined (approved). The applicants have commissioned full archaeological works in accordance with the request of Suffolk County Council. Whilst the field work (trenching) has been carried out, the outcomes are still being assessed and a full archaeological report is awaited.

77. The recommendation set out below at the end of this report requests delegated authority to determine the planning application only following receipt of the additional archaeological information required and the subsequent withdrawal of its objection by the archaeological unit at Suffolk County Council. Any reasonable conditions subsequently requested could be imposed upon any (potential) planning permission granted. It is anticipated this matter would be resolved post committee, whilst a S106 Agreement is negotiated.

Environmental Conditions (Flood Risk, Drainage and Contamination)

78. Policies for flood risk set out in the Framework aim to steer new development to areas with the lowest probability of flooding (the sequential test). The Framework policies also seek to ensure that new development does not increase the risk of flooding elsewhere.
79. 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.
80. Policy DM6 of the Joint Development Management Policies Document sets out surface water information requirements for planning applications. Policy DM14 addresses proposals for sites which are or are suspected to be (inter alia) contaminated.
81. The planning application is accompanied by a Flood Risk Assessment (FRA) which examines flood risk to the development (from potential river flooding) and from the development (management of surface water discharge). The document examines the Environment Agency flood zone maps which illustrate large areas to the north and west of the site being within flood zones 2 and 3. However the FRA goes on to confirm, following consultation with the Agency, the 1 in 100 year flood event levels (with an allowance for climate change) were confirmed as 40.61m AOD. The FRA goes on to confirm the whole of the site is substantially above this level and is this not at risk of flooding.
82. The FRA went on to examine fluvial flood levels with specific regard to 1 in 1000 year levels. Given the absence of Environment Agency data in this regard, the applicant commissioned modelling of the 'Ordinary Watercourse Tributary' of the River Lark. The result of the modelling shows there is no flooding across the site when considering the worst case

1 in 1000 year event, thus meaning that high water levels in the Lark do not cause a backing up in the Ordinary Watercourse. The FRA claims the results of modelling demonstrates that the floodplain extent shown on the Environment Agency mapping is not correct and the site is actually entirely in Flood Zone 1 (low risk).

83. The FRA also sets out proposals for a surface water drainage strategy. The document confirms a sustainable approach to surface water management will be adopted using ground infiltration in suitable areas and attenuated discharge to the river Lark where poor infiltration is encountered.
84. The dwellings proposed by the application are not in an area at a risk of flooding (i.e. Environment Agency flood risk Zones 2 or 3). Whilst some peripheral areas are within the high risk zones, all of the dwellings proposed would be sited in Flood Zone 1. Given the fact that all the dwellings are/could be provided within Flood Zone 1 (lowest risk) and no development would be carried out within Zones 2 and 3 (at risk from flooding), there is no requirement to carry out a 'sequential test' in advance of determining this planning application. The proposed development is considered acceptable with respect to the risk of flooding from the river Lark and its tributaries.
85. The planning application includes details of a surface water drainage strategy for the development. The Flood and Water Management Team at Suffolk County Council is generally satisfied with the strategy, but has requested clarification of some matters such that the strategy is not yet fully agreed. The recommendation set out below, at the end of this report, is subject to confirmation that (upon receipt of the information requested) the Flood and Water Management Team are content with the drainage strategy. Any grant of planning permission for the development could then be made subject to any reasonable conditions requested by the Team.
86. The planning application is accompanied by a Phase I Geo-environmental assessment. This concludes that there is a possibility that contamination may exist at the site, and recommends a Phase II (intrusive) assessment is carried out prior to commencement of development (post planning).
87. The Council's Environmental Health team has recommended imposition of a standard condition upon a (potential) planning permission in order to further investigate and remediate the potential sources of contamination and ground gases.

Design, Layout and Landscape Impact

88. 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.

89. 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.
90. Core Strategy Policy CS2 seeks to secure high quality, sustainable development by (inter alia) making a positive contribution to local distinctiveness, character, townscape and the setting of settlements. Policy CS3 sets out more detailed criteria for achieving high quality design that respects local distinctiveness.
91. Policy DM2 of the Joint Development Management Policies Document sets out the design aspirations and requirements the Council expects should be provided by developments. Policy DM13 requires (inter alia) the submission of landscaping schemes with development proposals, where appropriate. Policy DM22 sets out detailed design criteria for considering new residential proposals (including landscape context).
92. Core Strategy Policy CS2 seeks to conserve and enhance (where possible) the character and qualities of local landscapes and the wider countryside. Policy CS3 seeks to ensure appropriate consideration is given to the protection of the landscape as part of development proposals. Policy DM2 of the Joint Development Management Policies Document recognises the landscape as a key feature requiring assessment and consideration when considering proposals for development. Policy DM13 requires development to be sympathetic to the landscape and confirms development will be permitted where it would not have an unacceptable adverse impact in this respect.
93. The planning application was accompanied by a Design and Access Statement. The document explores the opportunities and constraints of the site and explains the design rationale and strategies which have informed the proposals. The application was submitted in a hybrid form, with 23 dwellings proposed in detail at this stage. Whilst illustrative plans have been submitted to demonstrate how the dwellings currently proposed in outline (phase 2; up to 35 dwellings) might be developed, the design discussion here is limited to the detailed (Full planning permission) elements of the proposal (phase 1; 23 dwellings).
94. The site is situated in an existing residential area and is partly developed. The site has a limited frontage onto Stanningfield Road and sits behind existing frontage properties onto the A134 Sudbury Road. The site marks a transition in the character of the village from the mid 20th Century local authority housing and 'estate' type developments situated in/off Stanningfield Road into the more historic, core of the village aligning the A134 to the north. The transition is marked by the Conservation Area designation. The potential impact of the development upon the Conservation Area is discussed elsewhere in this report.

95. The proposed demolition of the existing Erskine Lodge buildings at the site and its replacement with small groups of two-storey flats (in Phase A) would not, in your Officers' view, erode the character of the area and the Stanningfield Road streetscene which, at this point, is of a mixed, transitional character.
96. The layout of the site is efficient with 58 dwellings on a 2.1 ha site representing a density of approximately 27 dwellings per hectare. The Phase 1 would be built at higher density, predominantly because it contains flatted development. The Phase 1 area of the site (about a third of the total site area) would be built out at a density of approximately 36 dwellings per hectare. Given the spacing of the blocks and the retention of existing semi-mature landscaping at this part of the site, the high density development would not appear over-crowded. The later phase of development (circa 1.4 hectares) would be built out to a maximum density of 25 dwellings per hectare. The development density is what one would expect of a modern small to medium housing development in a village setting and would respect and reflect the density of existing modern estate type developments in the village.
97. Given the flatted nature of the phase 1 proposals, there would be limited sub-division of plots. The majority of the site would be open and 'public' which would create an open, spacious character. Car parking is communal and interspersed. There are some communal parking areas, but these are small, well landscaped and overlooked. Other car parking is provided via informal bays alongside the internal road, interspersed with street trees and landscaping. The interesting layout of Phase 1 of the site is considered acceptable.
98. The materials (brick and boarding to walls and pantiles or plain tiles to roofs) are considered acceptable, albeit with amendment to omit UPVC doors and windows. Given the sensitive Conservation Area location, a condition should be imposed requiring samples of external materials to be submitted for approval.
99. The impact of the proposed development upon the landscape (to the west and south in particular) is considered acceptable with any significant adverse effects capable of mitigation via the introduction of new strategic landscaping (the precise details of which would be secured at reserved matters stage as part of proposals for Phase 2).
100. The design and layout of the development (including its impact upon the village conservation area, which is discussed elsewhere in this report) is considered acceptable and fully accords with National and Local planning policy aspirations of achieving high quality design.

Residential Amenity

101. 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.

102. Policy DM2 of the Joint Development Management Policies Document seeks to safeguard (inter alia) residential amenity from potentially adverse effects of new development.
103. The north east site boundary is in close proximity to a number of buildings, including dwellings which back on to the site (these buildings front on to the A134 Sudbury Road). The site is on higher levels than these dwellings such that the application site levels are approximately at first floor equivalent level to the adjoining buildings. This factor, combined with the fact the adjacent buildings have, for the most part, shallow rear garden spaces, means they are particularly vulnerable to development of the application site.
104. The 'hybrid' nature of the planning application means that details of proposed phase 1 only are to be considered at this time. Details of a potential layout of proposed phase 2 are included for illustrative purposes only. There are three dwellings fronting onto the A134 Sudbury Road adjacent to the Phase 1 part of the application site. These are (from south to north); 'Rose Cottage', 'Windfalls' and 'Riverside'. Other properties on the north side of these three would not be affected by the Phase 1 proposals and impacts of the later Phase 2 proposals would need to be carefully considered at the appropriate time. There would also be no adverse impacts upon No.1 Stanningfield Road to the south of the site given the separation of proposed buildings from that property (circa 22 metres).

Impact upon 'Rose Cottage'

105. 'Rose Cottage' is a small cottage with first-floor accommodation within its Mansard Roof. Its aspect (and main windows for light and outlook) faces east away from the application site towards the A134 Sudbury Road. It sits on a lower level to the application site and is divided from it by a combination of a (circa) 1.5m high fencing and existing semi-mature vegetation. There are no first floor windows in the rear elevation of the cottage facing towards the application site nor on the side facing south (obliquely facing the phase 1 application site). Similarly there are no ground floor windows facing towards the site and the majority of the limited space immediately behind (west) the cottage has been infilled with a single storey flat roofed extension (facing south towards the side gardens of the property).
106. The nearest proposed building block to this dwelling contains plots 1-4, a block of two-storey flats. Whilst there would be ground and first floor windows facing towards 'Rose Cottage' and its side garden, the relationship to the property is considered acceptable given the circa 15m separation between the buildings in combination with the character of the cottage, its window positions and protection currently afforded by the existing changes in levels and boundary treatment (which protects the side garden space in particular).

107. There are no concerns arising with respect to potential impacts of the development upon the amenities currently enjoyed by the occupiers of 'Rose Cottage'.

Impact upon 'Windfalls'

108. 'Windfalls' is the immediate neighbour to 'Rose Cottage' and sits immediately to the north. This dwelling also sits on a lower level than the application site with site levels falling between the sites by the equivalent of (approximately) one storey. The property has been extended to its side and its principal element has a Mansard roof. The roof is aligned such that its tiled surfaces face north & south. It is the gable walls of this particular property which face towards the A134 Sudbury Road to the front and the application site behind. There are two windows at first-floor level in the rear gable elevation of 'Windfalls', both of which face towards the application site (and which are positioned circa 6 metres from the site boundary).
109. The nearest of the proposed Phase 1 buildings to 'Windfalls' are plots 22 and 23, a pair of semi-detached two-storey dwellings. At their nearest (plot 23) these would be positioned approximately 16 metres into the application site away from the mutual boundary with 'Windfalls'. The 'back to back' distance between 'Windfalls' and proposed plot 23 would be 22 metres, which is considered an acceptable distance to avoid overlooking between (and into) windows. Careful treatment of the common boundary would protect the occupiers of 'Windfalls' from the use of the external areas of the site in-between the buildings.
110. There are no concerns arising with respect to potential impacts of the development upon the amenities currently enjoyed by the occupiers of 'Windfalls'.

Impact upon 'Riverside'

111. 'Riverside' is situated to the north of 'Windfalls' and is also a two-storey dwelling on lower levels (equivalent to approximately 1-storey) than the application site. This property also has first-floor windows facing towards the application site. Like its neighbour 'Windfalls' the nearest proposed building to 'Riverside' is also plot 23 although the separation distance to this plot is much greater than that of 'Windfalls' and its relationship to plot 23 would also be off-set in comparison. Accordingly, there are no concerns arising with respect to the potential impacts of the phase 1 development upon the amenities currently enjoyed by the occupiers of 'Riverside'. This particular property (and others positioned further north) are more vulnerable to impacts arising from Phase 2 of the development (presently proposed by this planning application in outline form) and thus any reserved matters submissions pertaining to Phase 2 would need to have full regard to its impacts upon the dwellings abutting the site, including 'Riverside'.

Sustainable Construction and Operation

112. 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”.
113. The Framework confirms planning has a key role in helping shape places, 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.
114. The document expands on this role with the following policy:
- 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.*
115. Core Strategy Policy CS2 seeks to secure high quality, sustainable development by (inter alia) incorporating principles of sustainable design and construction in accordance with recognised appropriate national standards and codes of practice covering various themes.
116. Policy DM7 of the Joint Development Management Policies Document sets out requirements for achieving sustainable design and construction. The policy expects information to accompany planning applications setting out how Building Control standards will be met with respect to energy standards and sets out particular requirements to achieve efficiency of water use. The policy is also supported by the provisions of Policy DM2 of the same plan.
117. The planning application was not accompanied by a statement confirming how Building Control requirements for energy efficiency will be achieved. The Design and Access Statement does not suggest any methods will be used above standard Building Control Requirements, which is currently deemed acceptable by National Planning policy and related national guidance.
118. The planning application does not address water efficiency measures and does not presently propose a strategy for minimising water use. The proposals are therefore contrary to policy DM7 of the Joint Development Management Policies Document in this respect. It is, however, considered reasonable to impose a condition on any potential planning permission

granted, to require these details to be submitted at a later date and the agreed measures subsequently incorporated into the construction/fitting out of the development.

Other issues

119. The application proposals, given their relatively small scale, are unlikely to have significantly adverse impacts upon local infrastructure provision that are not capable of mitigation (including education, sewerage capacity and energy supply).
120. Some concerns have been expressed that a grant of planning permission for this development would have a negative impact upon property values in the area. The perceived impact of new development upon third party property or land value is not a material planning issue.

Planning Obligations

121. 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.
122. 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.
123. Core Strategy policy CS2 seeks to secure high quality, sustainable development by (inter alia) providing the infrastructure and services necessary to serve the development. Further details of the requirements for infrastructure delivery are set out in Policy CS14.
124. The following Heads of Terms are triggered by the development proposals (by policy requirement, consultee requests or identified development impacts).

Affordable Housing

125. 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.

126. Core Strategy policy CS5 requires 30% of the proposed dwellings 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).
127. Core Strategy Policy CS5 requires up to 17.4 of the 58 dwellings to be secured as 'affordable' (80% (14 no.) for affordable rent and 20% (3.4no) for shared ownership).
128. In this case the developer is an affordable housing provider and they have offered all of the stock proposed in Phase 1 (23 dwellings = just under 40%) for affordable housing. Whilst this level of affordable housing would exceed the levels required by adopted planning policies, the Local Planning Authority is able to accept the offer of enhanced provision on the proviso the S106 Agreement acknowledges the obligation does not accord with the tests set out a Regulation 122 of the CIL Regulations (paragraph 121 above) and that the Council (in this case Members of the Development Control Committee) do not have regard to the uplift in affordable housing in reaching their decision on the planning permission.

Education

129. 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.
130. Core Strategy Policy CS14 considers educational requirements (additional school places) as an essential infrastructure requirement.
131. The Local Education Authority has confirmed, post School Organisational Review, there is no capacity at local primary and secondary schools (including Sixth form) to accommodate the pupils forecast to emerge from this development and has requested developer contributions to mitigate impacts. The contributions would be used towards delivering additional school places in the catchment. These contributions could be secured via S106 Agreement.
132. Suffolk County Council has also confirmed there is no requirement for the development to provide a contribution to be used towards pre-school provision in the area given there is existing capacity.

Public Open Space

133. 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.
134. Core Strategy Policy CS14 considers provision of open space and

recreation as required infrastructure.

135. Policy DM42 of the Joint Development Management Policies Document requires new development proposals to make appropriate provision for new public open space infrastructure.
136. These Development Plan policies are supported 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.
137. Following the enactment on Regulation 123 of the CIL Regulations in April 2015, which deems the pooling of more than five developer contributions towards infrastructure categories unlawful, it is no longer possible to secure developer contributions towards non-specific off-site projects (i.e. pooled contributions).
138. The planning application proposes some areas of 'public open space' at quantities below policy expectations. There are potential opportunities to secure developer contributions to be used towards off-site provision of public open space on the assumption the development proposals are generating need for additional off-site provision. Officers have asked the Parks Team to assess whether there is a need to secure a contribution in this case. Members will be updated of the current position at the meeting.

Health

139. The NHS Property Services has been consulted of the proposals. Any reasonable request for developer contributions to be used to off set the health impacts of the development proposals could be secured via the S106 Agreement. The recommendation at the end of this report has been drafted to accommodate a health contribution as part of a S106 Agreement, should a reasonable and justified request be received.

Highways

140. Funding to be used to upgrade existing bus stops in Stanningfield Road has been requested by the County Council (Highways Development Management). These bus stops are close to the application site and could be used by residents of the proposed development. The 'stops' are presently un-marked such that the provision of flags, timetable information and shelters would be beneficial and may encourage some residents of the scheme to use local bus services. The improvements would also benefit secondary school children from the development accessing bus services into Bury St Edmunds.

Summary

141. With these provisions in place, the effects of the proposal on local infrastructure, including affordable housing, open space, education, public transport and health care 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. Further details of some of the proposed planning obligations may be required in order to confirm compliance with CIL Regulation 22 tests (set out at paragraph 121 above) may be required prior to the completion of the formal Agreement.

Conclusions:

142. The principle and detail of the development is considered acceptable and in compliance with relevant Development Plan policies and the National Planning Policy Framework.
143. The proposals would result in a more efficient use of the site and achieve a high quality development without leading to significantly adverse impacts upon its surroundings, including existing dwellings in close proximity to the site. The development complies with relevant National and Local planning policies and accords with the Development Brief recently adopted for the site.

Recommendation:

144. That, subject to:

(i) receipt of satisfactory archaeological information from the applicants and subsequent withdrawal of objections by the Archaeological Unit at Suffolk County Council;

(ii) satisfactory amendments being received to replace currently proposed UPVC door and window details with suitable alternative materials, and;

(iii) the receipt of satisfactory further surface water drainage information and subsequent confirmation being received from Suffolk County Council Floods Team they do not object to the planning application;

Part FULL and part OUTLINE planning permission be **granted** subject to:

145. the completion of a S106 agreement to secure:

- Policy compliant level and tenure split of affordable housing
- Education contribution (Primary, Secondary and Sixth Form contribution of up to £302,290).
- Off-site public open space contribution, if subsequently reasonably requested by the Parks Team (£ amount to be calculated and agreed).
- Local Highways contribution (Bus Stop improvements) up to £16,000.
- Health contribution (if subsequently and reasonably requested by the relevant NHS Trust – £ amount to be agreed).
- Any further clauses considered necessary by the Head of Planning and Regulatory Services.
- Removal/amendment prior to decision of any S106 clauses the

Head of Planning and Growth subsequently considers do not meet the legal tests set out at Regulations 122 and 123 of The Community Infrastructure Levy Regulations 2010.

146. and subject to conditions, including:

- Time limit (separate conditions for the full and outline elements of the proposals)
- Implementation of the recommendations of the ecological assessment, including provision for hedgehogs in the landscaping scheme (full and outline).
- Implementation of the recommendations of the bat surveys (full and outline)
- Further field survey work (at the appropriate time) for reptiles (full and outline).
- Samples of external materials (full only, materials for the outline proposals could reasonably be resolved at Reserved Matters stage by inclusion within the submission or by condition attached to any Reserved Matters consent).
- Water efficiency measures (full and outline)
- Bin and cycle storage strategy (full and outline)
- Open space strategy for future management and maintenance (full and outline)
- Hard and soft landscaping details, including boundary treatments (full application only landscaping for the outline proposals is reserved)
- Retention and protection of existing trees and hedgerows (full and outline)
- Any reasonable archaeological conditions subsequently requested by the Archaeological Service at Suffolk County Council (Full and/or outline)
- Construction management plan (full and outline)
- As recommended by the Highway Authority at paragraph 24 of the report (full and outline, as appropriate)
- Contamination & remediation (further investigations and any remediation necessary – full and outline)
- Means of enclosure (full and outline)
- Waste minimisation and re-cycling strategy (including demolition of Erskine Lodge buildings – Full and outline)
- Precise details of a surface water drainage scheme (full and outline), and/or other surface water conditions as may subsequently be reasonably requested by the Floods Team at Suffolk County Council)
- Any deletions, amendments or additional conditions subsequently considered necessary by the Head of Planning and Regulatory Services.

147. That, in the event of one or more of the following arising;

(i) the Head of Planning and Growth recommending alternative (reduced) Heads of Terms from those set out at paragraph 227 above on the grounds of adverse development viability, or

(ii) Suffolk County Council Floods Team and/or Archaeological Team outstanding requests for further information not being resolved within a reasonable time period, or

(iii) satisfactory details not being received in a reasonable time period to remove current proposals for UPVC door and window detailing proposed and replacement with suitable alternative materials,

the planning application be returned to the Development Control Committee for further consideration.

148. That in the event the applicant declines (in full or in part) to enter into a planning obligation to secure the Heads of Terms set out at paragraph 145 above for reasons considered unreasonable by the Head of Planning and Growth , planning permission be refused for the following reasons (as may be appropriate):

(i) Unsustainable form of development not mitigating its impact upon, education provision (primary and pre-school), open space, sustainable transport and/or health (contrary to the Framework and relevant Development Plan policies)

(ii) Non-compliance with affordable housing policy (contrary to Core Strategy policy CS5 and supporting SPD document).

Documents:

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

Case Officer: Gareth Durrant

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