



Development Control Committee

4 August 2016

Planning Application DC/15/2298/FUL

Village Hall, Thelnetham Road, Hopton

Date	26 November	Expiry Date:	30 August 2016
Registered:	2015		(with agreement)
Case Officer:	Penny Mills	Recommendation:	Grant planning permission, subject to Section 106 agreement and planning conditions
Parish:	Hopton cum Knettishall	Ward:	Barningham
Proposal:	Planning Application – (i) Extension and alterations to Hopton Village Hall; (ii) Doctor’s surgery and associated car parking and the modification of the existing vehicular access onto Thelnetham Road; and (iii) residential development of 37 dwellings (including 11 affordable housing units) and associated public open space including a new village green, landscaping, ancillary works and creation of new vehicular access onto Bury Road.		
Site:	Village Hall, Thelnetham Road, Hopton		
Applicant:	Pigeon Investment Management		
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 Approve the application with the recommended conditions subject to the completion of the S106 Agreement.		

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BACKGROUND:

This application is referred to the Committee because it is for 'major development' of considerable local interest, which raises issues that Officers consider worthy of consideration by the Development Control Committee.

The application is recommended for conditional APPROVAL following completion of a Section 106 agreement.

A site visit is scheduled to take place on Thursday 28 July 2016.

PROPOSALS:

1. This is an application for full planning permission. It proposes the following:
 - The extension of Hopton Village Hall to provide a new room, toilets and storage space, and associated extension of the existing village hall car park.
 - Doctors' surgery and associated car park.
 - Thirty seven residential dwellings on land to the immediate south of the village hall.
 - On site provision of open space, including a new village green which will be capable of accommodating a youth sized football pitch.
2. Vehicular access to the village hall will be taken from the existing access from Thelnetham Road. This will remain largely unchanged, although one of the entrances will be widened.
3. The application proposes that the new residential dwellings, open space and doctors' surgery will be served by a new vehicular access from Bury Road. As part of the application, it is proposed that a new footpath will be provided on the Bury Road frontage, whilst the public footpath along the southern boundary of Sarsons Field will be upgraded.
4. The proposed doctors' surgery will be 15 square metres in floor area, and includes parking for up to 21 cars.
5. The residential units will front Bury Road, and be arranged around a main spine road which serves the development. The application proposes a mix of 26

market and 11 affordable homes, with a range of property types as detailed below:

Private market homes:

X4 2-bed houses/bungalow
X8 3-bed houses/bungalow
X11 4-bed house
X3 5-bed house

Affordable homes:

X2 1-bed apartments
X5 2-bed houses
X4 3-bed houses

6. As part of the application proposals, a new footpath is to be provided along the Bury Road frontage. The public footpath along the southern boundary of Sarsons Field will be upgraded.
7. The proposals are supported by a Development Brief that details how the site will be developed. It sets out final housing numbers, location and types of uses on site, access arrangements, design and landscaping and a proposal for influencing recreation in the surrounding area, to avoid a damaging increase in visitors to the Waveney Little Ouse Fens Valley SAC.

AMENDMENTS:

8. During the course of the application, the scheme was amended to address issues raised during the original consultation process.

Amendment received 03 March 2016

9. The purpose of this amendment was to address Suffolk County Council Highways and Drainage comments. The main changes are summarised as follows:
 - Provision of visibility splays at Bury Road.
 - Alteration of estate road and footpath within the scheme.
 - Traffic calming measures.
 - Confirmation of parking arrangements.
 - Details of surface water holding and discharge into the wider drainage system.

In addition, alterations were also made to the layout and landscaping.

A partial re-consultation to relevant technical consultees was carried out as part of this amendment.

APPLICATION SUPPORTING MATERIAL:

10. The application is accompanied by the following documents:
 - i. Application forms and drawing.
 - ii. Planning, Design and Access Statement.
 - iii. Tree Survey, Arboricultural Impact Assessment, Method Statement and Tree Protection Plan.
 - iv. Archaeological Evaluation Report.
 - v. Ecology Report and Breeding Bird Survey Report.
 - vi. Preliminary Flood Risk Assessment and Water Management Plan.
 - vii. Utilities and Services Report.
 - viii. Framework Travel Plan.
 - ix. Transport Statement.

SITE DETAILS:

11. The village of Hopton is designated as a Local Service Centre in the St. Edmundsbury Rural Vision. The application site is located on the southern side of the village and is approximately 3.3 hectares in size. The site slopes gently down from north to south and comprises Hopton Village Hall and its associated playing field to the north, and Sarsons Field to the south.
12. The Village Hall is a utilitarian post war building with brick walls and asbestos sheet roof. The hall site includes associated storage buildings and youth shelter, recycling bins, children's playground and grassed area with a small football pitch which is understood to be used by the primary school.
13. Sarsons Field is a single arable field with few features, except for boundary hedges and trees, which form the northern and eastern boundaries of the site. The field is roughly rectangular in shape and has a road frontage to Bury Road (B111) to the west. A hedge and ditch demark the southern boundary of the site, along which runs a public footpath. Immediately beyond the footpath are buildings used by an engineering company, and open countryside.
14. The opposite side of Bury Road is characterised by low density houses and bungalows which form a single frontage along the public highway. Beyond the eastern boundary of the application site is the bowls club and associated range of buildings and to the north-west are bungalows in a small cul-de-sac. To the north of Sarsons Field is Hopton Primary School and to the north east are houses on Shortgrove Lane which provides access to the bowls club.
15. Theltnham Road to the north of the site marks the edge of the village Conservation Area. Listed buildings in the vicinity of the site are a grade II listed house on the opposite side of Theltnham Road to the Village Hall and the grade I Church of All Saints at the crossroads.
16. The Environment Agency flood risk maps indicate that the site is situated within Flood Zone 1 ('little or no risk of flooding').

17. The site is approximately 375m from Weston Fen, which lies to the west and forms part of the Waveney & Little Ouse Valley Special Area of Conservation (SAC); a component fen habitat site that supports Annex I wetland habitats.
18. The application site is identified as RV21 in the Rural Vision, which allocates this land for residential, community and/or village hall facilities and open space. This policy sets out the criteria for the future development of the site, and advises that applications for planning permission on the site will only be determined once the development brief has been adopted by the Local Planning Authority.

PLANNING HISTORY:

19. There is no planning history relevant to the application site. However, a development brief for the site was adopted by the Council in September 2015. This development brief is available to view on the Council's website using the link below:

http://www.westsuffolk.gov.uk/planning/Planning_Policies/upload/Hopton-development-brief.pdf

CONSULTATIONS:

Members of the public and statutory consultees were consulted in respect of the scheme as submitted. The following is a summary of statutory comments received in relation to the scheme as originally submitted and as amended. Full responses are available to view on the Council's website.

20. West Suffolk Strategic Housing – No objection.
The development complies with our affordable housing CS5 policy to deliver 30% affordable housing on site and provides a good range of affordable dwelling types to meet the needs of the village of Hopton.
21. West Suffolk Environment Team – No objection.
The recommendation for limited intrusive investigations is considered reasonable given the size of the proposed development. Recommend condition relating to contaminated land.
22. West Suffolk Public Health and Housing – No objection.
Some concerns were initially raised regarding the potential noise from the intensified use of the Village Hall and a noise report requested. Following further consideration, conditions in respect of noise from the village hall were recommended.

Potential nuisance from external lighting to the buildings and football pitch highlighted.
23. West Suffolk Tree and Landscape Officer – Some concerns.
A number of concerns were initially raised in relation to: mitigation measures needed to screen out likely significant effects on Weston Fen SAC; the lack of

planting on the eastern boundary; the uncertainty over whether the strategic landscaping on the southern boundary could be delivered; the lack of details of the proposed landscaping scheme; and, some concerns in relation to layout. Following the submission of additional information and amendments to the scheme, the Tree and Landscape Officer has confirmed that, in respect of Habitats Regulations Assessment, no likely significant effects are expected. However, the measures that have been identified will need to be implemented.

Conditions are recommended to secure the following: phased delivery of open space prior to first occupation; a tree method statement in relation to the mature oak tree on the southern bank close to the bridge across the southern ditch.

The Officer remains concerned with the following aspects of the development:

- Potential for conflict with the SUDs features and landscaping;
- The strategic landscaping as illustrated in the development brief has not been fully provided.
- There is no planting shown on the eastern boundary (plots 32-37).
- The plan does not demonstrate that strategic landscape planting on the southern boundary of the site can be delivered.
- There are no details of the proposed landscaping scheme. An indicatively illustrated layout on a photographic background is not sufficient to show the detail of the planting. A plan showing at least the species size and spacing of the structural landscaping has been requested but has not been submitted.

24. West Suffolk Conservation Officer – No objection.
The proposed development would not harm the setting of the Conservation Area or the listed buildings All Saints Church and Hunters.
25. Suffolk County Council Archaeology – No objection.
Conditions recommended in relation to the village hall site.
26. Suffolk County Council Public Rights of Way – No objection.
Public Footpath No. 9 is recorded adjacent to the proposed development area. As a result of anticipated increased use of the public rights of way in the vicinity of the application site a contribution may be required for the resurfacing of the footpath, to be secured through a S106 Agreement.
27. Suffolk County Council Fire and Rescue – No objection
Recommends that fire hydrants be installed within the development.
28. Suffolk County Council Planning Obligations – No objection.
Detailed advice received on a range of planning matters, including S106 developer contributions.

The following contributions are sought for education:

- £97,448 towards eight primary school places
- £39,814 to fund two additional Sixth Form places
- £6,091 to fund one additional pre-school place

The following contributions are sought for public rights of way:

- £19,700.00 for the resurfacing of Public Footpath 9 for the entire length between Bury Road and Shortgrove Lane with a rolled hoggin surface.

- £850.00 for EA consent, for supply and installation of footbridge to provide pedestrian access from the development to FP9.

The following contribution is sought for library provision:

- £7,992 for Ixworth library, based on a proportionate approach.

29. Suffolk County Council Highways – Initial objections overcome. Initial concerns in relation to traffic calming measures, visibility splays, and the internal layout.

Further to receiving amended plans, Highways are now in a position to recommend conditions in relation to the following: Access details; bin storage; piping of ditch under access; surface water; details of estate roads and footpaths; construction of estate roads and footpaths; construction traffic; parking; visibility splays; traffic calming measures; footway along Bury Road; and Residents Travel Information Packs;

The following contributions are sought:

- £6,000 to improve the existing bus stops on Bury Road

30. Suffolk County Council Travel Plan Officer: No objection. No travel plan required, but measures such as the provision of resident welcome packs, seven day bus taster tickets and a commitment to upgrade the local bus stop infrastructure should be implementation.

31. Suffolk County Council, Flood and Water Manager – Initial Objections overcome. Initial concerns were raised with regards to the inadequacy of the Flood Risk Assessment and Layout plan.

Following discussions with the applicant regarding flood and water management issues a method of replacement water storage has been proposed. The Flood and Water Manager is therefore requesting the use of a condition to secure the required flood risk assessment, and surface water management strategy, including adoption and maintenance.

32. Anglian Water - No objection. Recommends planning condition relating to foul water drainage strategy.

33. Historic England – No objection
Advised that the application should be determined in accordance with national and local policy guidance, and on the basis of your specialist conservation advice.

34. Environment Agency – No objection.
We are no longer a statutory consultee for developments on sites one hectare or more in Flood Zone 1. Accordingly, the lead Local Flood Authority should be consulted on this application.

35. Natural England – No objection.
Initial advice provided in respect of the requirements of Regulations 61 and 62 of the Habitats Regulations.

Following additional information, Natural England agrees with Suffolk Wildlife Trust's comments concerning surface water related issues at Weston Fen SSSI. Providing all the measures associated with surface water set out in the development brief (and including any suggested amendments from the flood and water management team) can be secured and managed appropriately, we do not consider the proposal is likely to result in a significant effect to the Waveney and Little Ouse Valley Fen SAC and Weston Fen SSSI. We have no other issues with the proposal.

36. Suffolk Wildlife Trust – No objection

Provided that mitigation measures are appropriately secured, delivered and maintained as part of the development, we do not think that this proposal is likely to result in a significant adverse impact on the Market Weston Fen. Request that the recommendations within the ecological survey report are implemented in full should permission be granted.

REPRESENTATIONS:

37. Hopton cum Knettishall Parish Council – Support.

For over two years the Parish Council has worked closely with Pigeon Investment Management Ltd to help to shape the plans for this development. The proposed layout and design is the result of considerate local consultation in order to address concerns and meet the needs and aspirations of the community and it is hoped that this can be approved without any significant alterations. Whilst providing additional homes for the village, most importantly the development will help deliver a new surgery and also much needed improvements to the village hall. We would wish to seek further clarification of the S106 and planning obligations with Pigeon and the Planning Officer and understand that this will be followed up once this consultation is closed.

38. Garboldisham Parish Council – Support.

Supports the application because of the inclusion of the Doctor's Surgery. Approximately 50% of Garboldisham residents use the Hopton Surgery, and the temporary measures for using Stanton makes access much more difficult.

39. Third party representations have been received from residents of the following properties:

- Cottars Hall, Nethergate Street, Hopton.
- Rose Villa, Nethergate Street, Hopton.
- Pemberley, Shortgrove Street, Hopton.
- Pipanbrig, Shortgrove Street, Hopton.
- 3 Walnut Close, Hopton.
- 11 Shickle Place, Hopton.
- Revell Architecture and Engineering, The Old Greyhound Barn, Bury Road.

40. The following is a summary of the issues raised:

Support principle of development.

Drainage concerns:

- Understood that drainage is intended to pass down Nethergate Street to the pump station adjacent our property. Has been unable to cope with the current throughput from the village and has periodically flooded both Nethergate Street and our own property. Do not believe that the pump station has sufficient capacity to cope with the proposed development.
- Access should be maintained to the drainage ditches that run from the hall past the bowls club.

Highways issues:

- Parking provision appears excessive. Documents suggest that surgery needs 10 spaces yet 21 are proposed. The extra spaces should be landscaped or added to the play area.
- Will the parking areas be secured at night?

Landscaping and layout:

- Request that new suitable height planting will take place to protect residential amenity of occupants of Walnut Close.
- Placing seven properties relatively tight to Bury Road in a long terrace is entirely alien and at odds with the current openness in the street scene.
- The number of units on the street scene should be reduced and set back to the approximate building line of the rest of the properties within this location.
- Objection to the separation of the (existing) equipped play area and the proposed open space area. This will make it more difficult for parents and will discourage children from coming to play there.
- Areas for play should be closer to the affordable housing.
- Disappointed to see a youth shelter and bin/cycle store to the village hall placed directly next to the small children's play area.
- New children's play area should be constructed within the vicinity of the playing field.

Amenity issues:

- Measures should be taken to ensure proper control of noise and light levels.

Other Issues

- Reservations over site layout and separation of affordable and market housing. Affordable housing should be distributed around the site to improve social interaction.
- Social housing is on smaller price of land, close to the highway with inadequate double stacked parking while market housing is more spacious with more pleasant outlook.

DEVELOPMENT PLAN POLICIES:

41. The following policies of the Joint Development Management Policies Document (2015), the Bury St Edmunds 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 DM3 - Masterplans
- 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 DM14 – Protecting and Enhancing Natural Resources, Minimising Pollution and Safeguarding from Hazards.
- Policy DM15 – Listed Buildings.
- Policy DM16 – Local Heritage Assets.
- Policy DM20 – Archaeology.
- Policy DM22 – Residential Design.
- Policy DM30 – Appropriate Employment Uses and Protection of Employment Land and Existing Businesses.
- Policy DM35 – Proposals for Main Town Centre Uses.
- Policy DM37 – Public Realm Improvements.
- Policy DM42 – Open Space, Sport and Recreation Facilities.
- Policy DM44 – Rights of Way.
- Policy DM45 – Travel Assessments and Travel Plans.
- Policy DM46 – Parking Standards.

Bury St Edmunds Rural Vision 2031 (2014)

- Policy RV1 – Presumption in Favour of Sustainable Development.
- Policy RV21 – Hopton

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 CS8 - Strategic Transport Improvements.
- Policy CS13 - Rural Areas.
- Policy CS14 - Community Infrastructure Capacity and Tariffs.
- Policy CS15 - Plan, Monitor, Manage.

Other Planning Policy:

42. 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).
43. Full Council considered the Hopton Development Brief at their meeting on 15th November 2015. The Council resolved to adopt the Development Brief, which can now be given weight when considering planning applications.
 44. The National Planning Policy Framework ('the Framework') sets out government's planning policies for England and how these are expected to be applied. The relevant policies of the Framework are discussed below in the Officer Comment section of this report.
 45. The National Planning Practice Guidance (NPPG) assists with interpretation about various planning issues and advises on best practice and planning process. The Guidance is (where relevant) discussed in the Officer Comment section of this report.

Officer Comment

46. The subsequent section of the report discusses whether the development proposed by this application can be considered acceptable in principle, in the light of extant national and local planning policies. It then goes on to consider other relevant material planning considerations, (including site specific considerations) before concluding by balancing the benefit of the development proposals against the dis-benefits.

Principle of Development

47. Section 38(6) of the Planning and Compulsory Purchase Act 2004 states that applications must be determined in accordance with the plan unless material considerations indicate otherwise.
48. The National Planning Policy Framework (NPPF) does not change the statutory status of the development plan as the starting point for decision making. However, it contains at its heart, a presumption in favour of sustainable development, which should be seen as a golden thread running through both plan-making and decision-taking, and is an important material consideration carrying significant weight in the planning balance. The presumption in favour of sustainable development is also set out in policy RV1 of the Rural Vision 2031 and Policy DM1 of the Joint Development Management Policies Document.
49. 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".

50. 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)
51. 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.
52. 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.
53. Core Strategy Policy CS1 sets out the spatial strategy for St. Edmundsbury. This policy identifies the towns of Bury St. Edmunds and Haverhill as the main focus for the location of new development, and states that appropriate levels of development will be supported in Key Service Centres, Local Service Centres and Infill Villages. This is re-affirmed by Policy CS4 which sets out the settlement hierarchy for the Borough.
54. The village of Hopton is designated as a Local Service Centre and the application site is allocated by policy RV21 of the Rural Vision for residential, community and/or village hall facilities and open space.
55. Policy RV21 sets out the key development criteria and requires the production and adoption of a site Development Brief by the local planning authority, prior to the determination of applications for planning permission on the site. The Hopton Development Brief was adopted by the authority as informal planning guidance in November 2015. It was prepared by consultants acting on behalf of the landowner, with public consultation carried out in Summer/Autumn 2014. The brief was prepared in accordance with the Vision 2031 Development Plan document, Core Strategy Development Plan Document and the Council's Protocol for preparing Development Briefs.
67. Given the planning policy context set out above, it is considered that the principle of the proposed development is acceptable and in accordance with national and local planning policies, including the allocation in Policy RV21 of the

Rural Vision. Significant weight in support of the scheme should therefore be given.

68. The remainder of the officer assessment below considers the detail of the proposals, against both national and Local Planning Policy and the Adopted Development Brief, with regard to relevant material considerations and impacts, before reaching conclusions and a recommendation.

Sustainable Transport/Impact upon the Highway Network

69. National planning policy in relation to the transport planning of developments is set out in the Framework. Section 4, paragraphs 29 to 41 deal specifically with transport planning and the promotion of sustainable transport.
70. 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. Paragraph 32 of the Framework requires all developments that generate significant amounts of movements to be supported by a Transport Statement or Transport Assessment. It goes on to advise that development should not be prevented or refused on transport grounds, unless the residual cumulative impacts of development are severe.
71. Paragraph 34 of the Framework states 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 recognises that different policies and measures will be required in different communities, and opportunities to maximise sustainable transport solutions will vary from urban to rural areas.
72. Policy CS7 of the St. Edmundsbury Core Strategy seeks to secure a sustainable transport system and reduce the need to travel through spatial planning and design. Policy CS8 seeks to improve transport infrastructure, including the public transport network in rural areas and public rights of way. Policy CS14 sets out infrastructure delivery requirements from new development proposals and how these are to be secured.
73. 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.
74. A Transport Statement and Framework Travel Plan have been submitted with the planning application. The Transport Statement assesses the potential likely impact of the vehicular traffic associated with the development. The statement concludes that there are no highways or transport grounds to prevent this development.
75. During the course of the application, the scheme was amended following initial consultation comments from the County Highways Engineer. These amendments include the identification of traffic calming measures, the provision of visibility splays and alterations to the internal road layout.

Access Arrangements

76. It is proposed that the main access to the development will be taken from Bury Road. This will be provided as a formal road, in accordance with highways design guidance. The second access from Thelnetham Road to the north will serve the community facilities and associated car parking, and take the form of a shared surface access. It is proposed that visibility splays would be provided in both directions, in accordance with the advice of the County Engineer. Relevant conditions can be recommended to secure this.
77. Whilst vehicular access will be achievable from one access road to another, it is anticipated that this will be limited to emergencies only. This can be enforced by the installation of removable bollards on the connecting link.

Pedestrian and Cycle linkages

78. Hopton is served by a network of footways throughout the village, which provide links to local services. A wider network of Public Rights of Way both within Hopton and its wider area provide the opportunity for leisure routes. Public Footpath No. 9 runs along the southern boundary of the site, and connects to the Bowls Club to the east of the site and beyond.
79. It is anticipated that the proposed development will increase the usage of the Public Rights of Way network and the County Rights of Way Officer has therefore advised that off-site improvement works will be required. It is proposed that the works will include the resurfacing of Public Footpath No. 9 for its entire length between Bury Road and Shortgrove Lane, and the installation of a footbridge to provide pedestrian access from the development to the footpath. These measures can be secured by way of planning condition and S106 agreement.
80. In terms of cycling, it is considered that the provision of a shared surface around the community facilities and a cycling link to the school from the residential area will encourage the use of cycling.

Parking

81. It is proposed that car and cycle parking will be provided across the development in accordance with the County Parking Standards (2015). In terms of the residential development, car parking is provided at each dwelling, and the scheme includes adequate provision for visitor parking.
82. 61 car parking spaces are proposed to serve the community facilities in separate parking areas. The County Highways Engineer has confirmed the acceptability of the parking provision. The detail can be controlled by planning condition.

Traffic Generation

83. The Transport Statement advises that the traffic flows resultant from the proposed development will not significantly exacerbate current traffic flows.
84. In accordance with the advice of the County Travel Planner, a planning condition can secure the provision of a Sustainable Travel Information Packs, in the interests of encouraging sustainable travel.

Traffic Calming

85. The Transport Statement identifies that there is currently poor adherence to the speed limit on the roads in the local area. The application proposes the encouragement of lower driving speeds, through the design of the development frontages on Bury Road and Thelnetham Road, and the provision of off site improvements. These measures can be secured by way of planning condition, in accordance with the advice offered by the County Highways Officer

Public Transport

86. There is a bus stop in the vicinity of the application site, approximately 220 metres to the north, on Bury Road. This serves the village for southbound buses. The County Highways Engineer has requested a financial contribution to improve the existing bus stops on Bury Road. The proposed works would include the provision of raised kerbs, and amendments to the layout to prevent cars obstructing the bus stop, and road markings. This works can be secured by way of Section 106 agreement.

Summary

87. The Framework directs that applications should only be refused on transport grounds if the residential cumulative impacts of the development are severe. The proposed highway works are considered to present a safe and sustainable provision, whilst the wider network infrastructure improvements will benefit the whole of the community.
88. Officers are satisfied that the proposed development can be accommodated in highways terms, and will bring about local transport improvements which can be secured through the Section 106 process. In reaching this decision, it is material that that the County Highways Engineer has raised no objection to the proposals.
89. The applicant has confirmed that the financial contributions sought by the County in relation to the highways improvements set out above, to be secured through a S106 agreement, are acceptable.

Flood Risk, Drainage and Pollution

90. 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.

91. The Framework also offers advice in respect of pollution and land instability, and states that 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.
92. Development Management Policy DM6 states that proposals for all new development are required to demonstrate that on site drainage will be managed so as not to cause or exacerbate flooding elsewhere. Policy DM14 addresses proposals for sites which are or are suspected to be contaminated.

Flood Risk/Surface Water Drainage

93. The application site lies within Flood Zone 1 on the Environment Agency Flood Risk maps, representing an area at low risk of flooding and suitable for all forms of development.
94. The application documentation includes a Preliminary Flood Risk Assessment and Water Management Plan. This sets out the surface water drainage strategy for the site, which assumes groundwater infiltration through the use of soakaways. The proposed strategy provides a network of attenuating forms of surface water drainage (SuDS).
95. During the course of the development, further information was provided by the applicant to address drainage concerns raised by Suffolk County Council. This information included a Preliminary Foul and Surface Water Drainage Strategy.
96. A key issue is the amount of compensatory flood storage needed to be provided on site following the filling of the low areas at the southwest corner of the site. The applicant has advised that that compensatory volume for water storage is to be provided by the enlargement of the existing ditch along the southern boundary. Broad calculations have been provided which indicate that the necessary storage can be created and the County Council has recommended the use of a condition to secure the necessary surface water management strategy and its future maintenance, to ensure both the quantity and quality of water leaving the site is adequately controlled.
97. It is regrettable that this matter has not been addressed at an earlier stage in the design process. However, it is deemed to be technically possible to achieve the necessary surface water management and as such, subject to the use of a planning condition to secure this, the development is considered to be acceptable in this respect.

Contaminated Land

98. The planning application is accompanied by a Phase I Environmental Assessment. The report concludes that the risk of contamination at the site is low. The report recommends further intrusive, limited, survey work is carried out to confirm the findings of the Environmental Assessment. In accordance with the advice offered by the Council's Environmental Health Officer, it would

not be unreasonable to require this as a condition of a potential planning permission.

Foul Drainage

99. The application site is located in an area which is served by the public foul sewer. It is understood that foul drainage from the development is in the catchment of Coney Weston Water Recycling Centre, which currently does not have capacity to treat the additional flow which would arise from the proposed development. Anglian Water has advised that there is an obligation to accept the foul flows from development with the benefit of planning consent, and would take the necessary steps to ensure that there is sufficient treatment capacity, should the application be granted planning permission.
100. A local representation has been raised in relation to the capacity of the existing pumping station. However, in the absence of an objection to the development in this respect by Anglian Water, this matter could only attract very limited weight against the development in the planning balance. Indeed, in accordance with the advice offered by Anglian Water, it is considered that full details of the foul water strategy can be controlled by planning condition.

Summary

101. The Environment Agency (risk of flooding, contamination and pollution control), Anglian Water Services (drainage and pollution control), Suffolk County Council (drainage) and the Council's Environmental Health team (contamination and pollution control) do not object to the proposals in their current form and all have recommended the imposition of reasonable conditions upon any potential planning permission to secure appropriate mitigation.
102. The proposals are therefore considered to be acceptable with regard to flood risk, surface water drainage and pollution (contaminated land and potential contamination of water supply) considerations, subject to the imposition of suitably worded conditions.

Landscape Impact

103. The Framework confirms the planning system should protect and enhance 'valued landscapes' and promotes development of previously used land. However, National policy stops short of seeking to protect the 'countryside' from new development in a general sense.
104. Development Management Policy DM13 reflects the guidance in the Framework and seeks to protect and enhance the quality, character and local distinctiveness of the landscape.
105. The application site includes undeveloped land on the edge of the built up area of Hopton. The southern part of the site is visually prominent from public viewpoints along Bury Road, and the landscape character will change irreversibly in the long term as a result of the development proposals.

106. The extent of the visual impact of the proposed development on the landscape will be mitigated to some extent by landscape planting along the southern boundary. However, the proposal fails to provide the strategic landscaping as illustrated in the development brief and specified in policy RV21. Furthermore, there is a lack of planting shown on the eastern boundary and the plan does not demonstrate that landscape planting on the southern boundary of the site can be fully delivered.
107. These shortcomings in the proposed soft landscaping reduce its potential to successfully mitigate the visual impact of the development on the rural landscape and this must carry some weight against the proposal in the planning balance.
108. This issue was taken up directly with the applicant, who provided additional landscaping drawings. However, the concerns of the Tree and Landscape Officer, particularly in relation to the strategic landscaping, have not been fully addressed. The proposed landscaping scheme, also continues to lack the required level of detail and as such a detailed soft landscaping scheme would be required by planning condition
109. Whilst the detailed proposals may go some way to further mitigate any landscape impact, it is disappointing that the level of strategic landscaping planting anticipated may not be achieved. However, subject to the use of a condition to secure appropriate soft landscaping, it is considered that the development would not result in significant harm to the wider landscape.
110. Subject to appropriate protection measures and replacement tree planting secured as part of a landscaping scheme, the impact of the development proposals on arboricultural issues is also considered acceptable.

Summary

111. Officers have considered the submitted documentation, and visited the application site and surrounding area. Whilst the proposals would irreversibly change the character of the immediate locality, the wider impact of the development proposals upon landscape quality and character are considered to be broadly acceptable. However, the failure to provide the level of strategic landscaping on the southern boundary set out in the development brief should carry some weight against the proposal in the planning balance.

Impact upon the Natural Environment

112. The Framework confirms the planning system should contribute to and enhance the natural environment by 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.

113. Development Management Policy DM10 requires the local planning authority to have regard to expert nature conservation advice. It sets out detailed criteria for the consideration of the impact of development on sites of biodiversity importance.
114. The application site is located in close proximity to a European designated site, the Waveney and Little Ouse Valley Fens Special Area of Conservation (SAC). The site is also within 500m of Weston Fen Site of Special Scientific Interest (SSSI), which forms part of the Norfolk Valley Fens Special Area of Conservation (SAC).

Habitats Regulations Assessment

115. The local planning authority, as the competent authority, is responsible for the Habitats Regulation Assessment (HRA) as required by The Conservation of Habitats and Species Regulations 2010 (as amended). Natural England, in consultation correspondence, has advised that the proposed development is not likely to have significant effects on the European Sites and an Appropriate Assessment is not required.
116. The HRA screening process was undertaken by the Council's Ecology, Tree and Landscape Officer, as part of the consultation response. This confirms that the proposal will not have a likely significant effect on any European site, and can therefore be screened out from any requirement for further assessment.

Ecology

117. Ecological Survey reports were submitted to support the planning application. These note that the application site comprises land of low biodiversity and ecological interest. The recommendations made within the reports include ecological enhancement including the incorporating of bird and bat roost features into the development. These recommendations can be secured by planning condition, should approval be granted, in accordance with advice offered by Suffolk Wildlife Trust.
118. The recommendations contained in Ecological Surveys can all be secured by way of planning condition.

Summary

119. Subject to the implementation in full of recommended mitigation and enhancement measures (which can be secured through relevant planning conditions), the proposed development is considered to satisfactorily address ecological issues.
120. On the basis of the above evaluation, officers are of the opinion that the development proposals would not have an unacceptable impact on the nature conservation value of the application site, or on European Sites, subject to securing the necessary mitigating measures by condition and S106.

Impact upon the Historic Environment

121. 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 interest.
122. The Framework advises that local planning authority's 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. Core Strategy Spatial Objective aims to protect and enhance the Historic Environment and this objective is implemented through Policy CS3. Policies DM15, DM16 and DM17 of the Joint Development Management Policies Document also seek to protect the all aspects of the historic environment.

Archaeology

123. The proposed development lies in an area of high archaeological potential as recorded by information held by the county Historic Environment Record. The site is located in the Little Ouse Valley overlooking Hopton Fen, in a location that was topographically favourable for early occupation of all periods. Extensive scatters of Prehistoric Saxon, Roman and medieval pottery have been recorded in fields immediately west, and the northern section of the site falls within the historic corner of the village, where there is potential for medieval roadside settlement.
124. The main part of the site, Sarsons Field, has already been subject to a pre-application archaeological evaluation, which revealed a limited number of features requiring no further archaeological mitigation. The Village Hall site remains to be evaluated, and it was agreed with the applicant that this could be undertaken by condition.
125. In accordance with the advice offered by the County Archaeological Officer, a condition can be secured to ensure a scheme of archaeological investigation. This would accord with Core Strategy Policy CS3 and the advice offered in the Framework with regard to the conservation of heritage assets of archaeological interest.

Heritage Assets

126. The proposed development site is outside the Hopton Conservation Area, although it adjoins its boundary at the site entrance along Thelnetham Road (the site of the village hall). The part of the site along Bury Road is visible in the approach to the Conservation Area. Both of these parts of the site contribute to the setting of the Conservation Area.

127. The village hall is a simple modern building of no distinguishing architectural merit. The proposals would include a modern extension together with alterations to the existing building which together would enhance the village hall and improve the modest contribution it makes to the Conservation Area.
128. The listed building opposite the village hall, Hunters, is set back from the road in a spacious plot and partially screened from view by trees and bushes. Its setting would not be harmed by the proposed development.
129. All Saints Church is a prominent building on the approach to Hopton along Bury Road, standing at the junction of High Street and Thelnetham Road. The building line of the new development would be set back from Bury Road by approximately 10 metres, which is more than the bungalow closest to the road in Walnut Close immediately north of the application site. As the church is positioned close to the roadside, the houses would be sufficiently set back when viewing north along Bury Road to not obscure or detract from the setting of the church.

Summary

130. Officers have considered the application proposals in the context of the impact on the historic environment. The proposed development would not harm the setting of the Conservation Area nor the listed buildings All Saints Church and Hunters and no objection has been made by the Conservation Officer. Subject to the recommendation of appropriate archaeological conditions as described above, the proposal would not cause significant harm to the historic environment.

Design Considerations

131. 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.
132. The Framework also advises that although visual appearance and the architecture of individual buildings are very important factors, securing high quality and inclusive design goes beyond aesthetic considerations. Therefore, planning decisions should address the connections between people and places and the integration of new development into the natural, built and historic environment.
133. The Design and Access Statement confirms that the design and layout of the proposal has its basis the original Concept Plan that was prepared by the Village Advisory Group in 2013. This concept was then considered through local consultation as part of the preparation of the Development Brief.
134. The design and layout is considered to reflect the feel and pattern of existing development within the village, with dwellings predominantly fronting highways,

with front gardens and spaces between them. Gardens and trees are a dominant feature within the development, helping to maintain a rural and feel that is sensitive to this edge of village location.

135. The layout is, to some extent, driven by the need to provide particular elements and the location of existing facilities. Working within these constraints an effective layout has been achieved with green space at the heart of the scheme, closely related to the existing school to facilitate its anticipated dual use as both public open space and for school sports.
136. Concern has been raised in a public representation regarding the terrace of dwellings at the front of the site facing Bury Road. Whilst this terrace form is not a common feature in the existing streetscene, the linear form it provides is a feature of Bury Road, and the positioning of parking to the rear allows for a continuous green, car-free frontage. Where there are gaps in the frontage, the layout of the development is such that the views into the site will be softened by planting.
137. Active frontages are provided along all access routes in the development and the central 'village green' will benefit from natural surveillance on three of its four sides.
138. The scale of the development proposed is considered to be appropriate in this location and sensitive its surroundings, with bungalows located next to the bungalows in Walnut Close and other adjacent homes. The design of the dwellings is also considered to respect the local character, with a range of house types within the development creating a varied and interesting streetscene. Full details of the external materials to be used in all the buildings would be secured through the use of a condition.
139. The layout and landscaping permits views through from Sarsons Field to Market Weston Church; a requirement identified by the Village Advisory Group, carried forward into the Development Brief. The road layout in the Sarasons field part of the development is also designed to be of sufficient standard to provide using the proposed Doctor's Surgery.
140. It is acknowledged that the layout creates two relatively straight sections of Road, which is not always conducive to creating an interesting sense of place within a development. However, such road patterns are not unusual within the Village. In addition, the creation of views out over the surrounding countryside along the shared surface roads leading to the south, helps to create a more interesting journey through development, with visual links to the surrounding countryside. In this context, and in light of the specific layout constraints, this design approach is considered to be acceptable.
141. The layout also provides for a direct link from the village facilities to the local rights of way network via a footbridge in the south east corner of the site.

Summary

142. On balance, it is considered that the scale design and layout of the development proposed is of a sufficiently high standard to create a sense of place and local

character that relates well to the existing village and meets the requirements of policy DM2 of the Joint Development Management Policies Documents.

Residential Amenity

143. The protection of residential amenity is a key component of good design. The Framework states (as part of its design policies) that good planning should contribute positively to making places better for people. The Framework also states that planning decisions should aim *inter alia* to avoid noise from giving rise to significant adverse effects on health and quality of life as a result of new development.
144. Policy DM2 of the Joint Development Management Policies Document seeks to safeguard *inter alia* residential amenity from potentially adverse effects of new development.

Existing neighbours and future occupants

145. It is considered that all residents of the proposed development will enjoy a reasonable level of residential amenity. Garden sizes are considered to be adequate and the positioning and scale of dwellings is such that there would be no unacceptable levels of overlooking or overbearing impacts. Appropriate boundary treatments to safeguard the amenity of future occupants would be secured through the use of a condition.
146. There are also considered to be no significant adverse effects on the residential amenity of existing neighbours with buildings carefully design and positioned to reduce the potential for overlooking and overbearing impacts.

Noise and disturbance

147. Some concerns were raised by Public Health and Housing regarding the potential noise from the intensified use of the Village Hall, specifically from amplified music and from mechanical services such as ventilation systems.
148. The existing village hall is a well used and well managed local facility and there is no reason to expect that this would change. However, given the potential for intensification of use, it is considered appropriate to include a condition relating to the times at which amplified music can be played in the hall, in the interests of residential amenity.
149. Some concerns were also raised in relation to external lighting. A condition would be used to seek details of any external lighting in respect of the existing village hall site. However, such a condition is not required to address any possible floodlighting of the open space as this would constitute development requiring a separate permission.

Sustainable construction and operation

150. 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".

151. 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.
152. 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.
153. The Planning Design and Access Statement sets out the passive measures incorporated into the design of the scheme, which include passive solar gain and natural daylighting, as well as elements of the building fabric designed to meet or exceed the Building Regulations Requirements in relation to insulation, air-leakage, ventilation and water efficiency.
154. On balance, it is considered that the proposed design and construction meets the requirements of Development Management policy DM7 and the wider aims of sustainable development.

Section 106 Planning Obligation Issues

155. Planning obligations secured must be in accordance with the Community Infrastructure Levy Regulations 2010, which came into force on 06 April 2010. In particular, Regulation 122 states that a planning obligation may only constitute a reason for approval if it is:
 - (a) Necessary to make the development acceptable in planning terms;
 - (b) Directly related to the development; and
 - (c) Fairly and reasonably related in scale and kind to the development.
156. These are the three principal tests set out in Paragraph 204 of the Framework and are of relevance in guiding the negotiation of planning obligations sought prior to the coming into force of the CIL Regulations. In assessing potential S106 contributions, officers have also been mindful of Core Strategy Policy CS13 and the Suffolk County Council guidance in respect of Section 106 matters, 'A Developers Guide to Infrastructure Contributions in Suffolk'.

Affordable Housing

157. The application proposes 18 of the dwellings as 'affordable', which represents 30% of the total number of units for the site. The Council's Housing Officer, in consultation advice, as confirmed support for the scheme and the provision of affordable housing on the site. The precise detail of the affordable housing scheme, including tenure mix and their transfer to a registered provider can be secured through the S106 planning obligation.

Education

158. Education provision in Suffolk is currently in the process of a major restructuring: middle schools are being phased out and their functions are transferring to primary and secondary schools. The local catchment primary school is Hopton CEVC School. Based on current forecasts, and in order to maintain some spare capacity, the school is considered to have one spare place available to serve the development. A contribution of £97,448 has therefore been requested by Suffolk County Council, towards eight primary school places.
159. At the secondary school level, the catchment school is Thurston Community College, which provides places for children aged 11-18 years. It is understood that the Ixworth Free School also serves the school, and has places available for children arising from this development, up to the age of 16 years. Thurston Community College does not have capacity for the additional children arising from this development aged 16+, and on this basis a contribution of £39,814 has been sought to fund two additional Sixth Form places.

Pre School Provision

160. Suffolk County Council has advised that there is existing capacity at the local pre-school with three spare places available to serve the development at Hopton Little Tots. Suffolk County Council is seeking full capital contributions for the one additional place at a cost of £6,091, to mitigate local impacts. Contributions sought will be invested at a local level to enhance service provision.

Libraries

161. Hopton is served by Ixworth library. Based on a proportionate approach, a contribution of £7,992 has been calculated to enhance service provision at the local library. A capital contribution has been requested by Suffolk County Council. The County Council is yet to confirm how and where the contribution they have requested would be used, in order to meet the tests set out in Regulation 122 of the CIL Regulations.
162. The recommendation at the end of this report makes provision to secure this contribution from the development should it subsequently be justified to do so.

Transport

163. A number of transport improvements have been requested by Suffolk County Council in consultation correspondence.
164. A contribution of £6000 to improve bus stops on Bury Road, Hopton has been sought by Suffolk County Council as Highway Authority.

Open Space

165. There is sufficient onsite provision of open space. It is anticipated that the S106 will make provisions for the management and maintenance of this space for a minimum 10 year period.

Community Facilities

166. Policy RV21 of the Rural Vision 2031 adopted Local Plan states that the application site has an indicative capacity of 25 dwellings. The policy goes on to advise that:

"If new community and or village hall facilities were to be developed on the site of the existing village hall and playing field, a higher level of housing may be feasible, provided that appropriate contributions were secured towards the delivery of the new facilities".

167. The application proposes 37 new dwellings. In accordance with the policy, it is appropriate to seek a contribution in respect of the provision of new community facilities.
168. It is understood that the Parish Council have for many years had aspirations to expand the village hall provision within the village. The developer has confirmed to officers a sum of money which will be given to the Parish Council, towards enhanced village facilities. One of the councils' Quantity Surveyors has confirmed that they believe that the sum offered could provide a community centre extension of circa 125 – 175m² which is broadly the size of village hall extension that the Parish Council and the Village Hall Committee members have been exploring.
169. Officers consider that this sum represents an "appropriate contribution" which is CIL compliant which would satisfy the policy requirements of RV21.

Health Care provision

170. The current surgery is attached to a GP's own residential property and parking is on an adjoining parcel of land outside of the GP's control. The GP who shares the current surgery site has recently retired and as such a new site is needed.
171. The application proposes a site for a new GP surgery, with site access arrangements and parking. This would be located directly to the east of the school playing field and south of the village hall and car park on the existing village playing field.
172. Discussions are ongoing between the GP's, NHS England and the Village Trust on the potential move of the surgery. In the event that the GP Surgery does not move to this site it is the view of officers that the current playing field would remain in its present form and as such this would not act as an impediment to the rest of the proposed development coming forward.

Summary

173. The provisions as described above ensure that the effects of the development proposal on local infrastructure within Hopton, in terms of affordable housing, education, libraries and public open space, would be acceptable.
174. The requests for developer contributions as described above will ensure improvements to existing infrastructure within Hopton and the local area, to accommodate the growth of the village and meet the needs of the community,

in accordance with Core Strategy Policy CS13. Officers are satisfied that they meet the three tests of planning obligations set out in Paragraph 204 of the Framework, and are therefore entirely justified. The planning agent has confirmed the 'in principle' acceptability of entering into a S106 planning obligation to secure these benefits, which is currently in the process of being drafted.

CONCLUSIONS AND PLANNING BALANCE

175. The development proposal has been considered against Development Plan Policies and the objectives of the National Planning Policy Framework and the government's agenda for growth.
176. The principle of the development is in accord with the policies within the development plan and there are other significant policy conflicts arising from the detail of the proposals.
177. The Framework contains within it a presumption in favour of sustainable development, which this proposal is considered to represent, and this is an important material consideration carrying significant weight in favour of the development.
178. In terms economic role of sustainable development, the development would generate direct and indirect economic benefits. New housing provides a range of economic benefits, and has significant and positive effects on economic output – for example in terms of capital investment, construction work and occupational expenditure. Again, this carries significant weight in favour of the proposals.
179. Further weight in favour of the proposals is attracted in relation to the social role of sustainability, due to the provision of much needed market and affordable housing to meeting the needs of present and future generations.
180. In the context of the environmental role of sustainable development, the landscape would be irreversibly changed as a result of the development proposals – although this would have only limited impact on the immediate environment. Good design and the retention of existing trees would assist in the mitigation of this impact. Furthermore, the site does not benefit from any specific ecological, landscape or heritage designation. However, there are elements of the soft landscaping, specifically the strategic landscaping on the southern boundary that do not meet the anticipated standard, and this must attract a degree of weight against the proposals.
181. It is considered that any potential impacts in relation to the historic environment, foul and surface water and drainage, highways, ecology and protected species and site, trees and amenity could be adequately addressed or mitigated for through the use of conditions and/or S106 agreement.

182. On balance, Officers consider that the benefits of this development would considerably outweigh the dis-benefits of the scheme, and point towards the grant of planning permission.
183. Having regard to the Framework and all other material planning considerations, with the S106 package as set out below (which is necessary for the development to be acceptable in planning terms), the proposal is considered to comply with the NPPF and Development Plan policy. The recommendation is one of approval.

RECOMMENDATION

184. That planning permission is **GRANTED** subject to:

(1) **The completion of a S106 agreement to secure the following (subject to meeting the CIL Reg 122 tests):**

- Policy compliant level and tenure split of affordable housing.
- Education contribution – Primary (up to £97,448), Sixth Form (up to £39,814)
- Pre-school contribution – up to £6,091
- Libraries contribution (£7,992) (if deemed compliant with CIL Regulation 122) -
- Provision of on-site and appropriate long term management
- Transport contribution – Bus stop Improvements on Bury Road, £6000
- Public rights of way improvements - £20,550
- Offer of financial contribution from developer for improvements to Hopton Village hall - £334,125

In the event that there are any substantive changes to the S106 package, then this will go back to Members for consideration.

In the event the Applicant declines to enter into a planning obligation to secure the Heads of Terms set out above, for reasons considered unreasonable by the Head of Planning and Regulatory Services, planning permission be refused for the following reasons (as may be appropriate):

1. Unsustainable form of development not mitigating its impact on education provision, open space sport and recreation, transport (contrary to the Framework and Core Strategy Policy CS13).
2. Non compliance with affordable housing policy (contrary to Core Strategy policy CS9 and supporting SPD document).

(2) And the following conditions:

1. Time.

The development hereby permitted shall be begun not later than 3 years from the date of this permission.

Reason: In accordance with Section 91 of the Town and Country Planning Act 1990.

2. Compliance With Approved Plans.

The development hereby permitted shall be carried out in complete accordance with the details shown on the following approved plans:

Ref:	Version	Document Type	Date
SUMMARY		Other Statements	16.11.2015
LOCATION PLAN	(0010) 013-035-003	Location Plan	16.11.2015
LANDSCAPE DESIGN		Other	16.11.2015
AFFORDABLE HOUSING	(0010) 013-035-005 rev A	Other	03.03.2016
PROPOSED LEVELS	(0010) 013-035-006 rev A	Other	16.11.2015
SITE LAYOUT	(0010) 013-035-001 rev A	Layout	16.11.2015
LANDSCAPE DOCTORS SURGERY	1653 01G (0010) 013-035-DS01	Masterplan Proposed Elevations & Floor Plans	03.03.2016 16.11.2015
EXISTING VILLAGE HALL	(0010) 013-035-VH02	Ex Elevations & Floor Plans	16.11.2015
VILLAGE HALL	(0010) 013-035-VH01A	Proposed Elevations & Floor Plans	26.11.2015
LOCATIONS	(0010) 013-035-002A	Street Scene Elevations	26.11.2015
(No Nos.)	(No Nos.)(0010) 013-035-011	Street Scene Elevations	16.11.2015
(No Nos.)	(No Nos.)(0010) 013-035-012	Street Scene Elevations	16.11.2015
HOUSE TYPE 2A _3A	(0010) 013-035-021	Proposed Elevations & Floor Plans	16.11.2015
HOUSE TYPE 3AI _3B	(0010) 013-035-022A	Proposed Elevations & Floor Plans	26.11.2015
HOUSE TYPE 3C _4A	(0010) 013-035-023	Proposed Elevations & Floor Plans	16.11.2015
HOUSE TYPE 4AI _4B	(0010) 013-	Proposed Elevations & Floor Plans	26.11.2015

	035-024A				
HOUSE TYPE 4C _4D	(0010)	013-	Proposed Elevations & Floor Plans	16.11.2015	
	035-025				
HOUSE TYPE 4E _4F	(0010)	013-	Proposed Elevations & Floor Plans	16.11.2015	
	035-026				
HOUSE TYPE 5A	(0010)	013-	Proposed Elevations & Floor Plans	16.11.2015	
	035-027				
HOUSE TYPE AF1, AH2 _AH2I	(0010)	013-	Proposed Elevations & Floor Plans	16.11.2015	
	035-028				
HOUSE TYPE AH3 _AH3I	(0010)	013-	Proposed Elevations & Floor Plans	16.11.2015	
	035-029				
GARAGES	(0010)	013-	Garage Plans & Elevations	16.11.2015	
	035-030				
UTILITIES AND SERVICE REPORT				26.11.2015	
FRAMEWORK TRAVEL PLAN				26.11.2015	
PHASE 1 ENVIRONMENTAL ASSESSMENT				26.11.2015	
TREE SURVEY REPORT				26.11.2015	
BREEDING BIRD SURVEY				26.11.2015	
ECOLOGY REPORT				26.11.2015	
FLOOD RISK ASSESSMENT				26.11.2015	
TRANSPORT STATEMENT				26.11.2015	
TREE PROTECTION PLAN	4062-d-2 rev B			26.11.2015	
ACCESS AND HIGHWAYS	PL05 rev A			03.03.2016	
PRELIM FOUL AND SURFACE WAT	PL06 rev C			03.03.2016	
VILLAGE GATEWAY	PL07			22.03.2016	

Reason: For the avoidance of doubt and in the interests of proper planning.

3. Construction Method Statement – Prior to Commencement of Development

No development shall take place, including any works of demolition, until a Construction Method Statement has been submitted to, and approved in writing by, the Local Planning Authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide for:

- i. the parking of vehicles of site operatives and visitors.
- ii. loading and unloading of plant and materials.
- iii. site set-up including arrangements for the storage of plant and materials used in constructing the development and the provision of temporary offices, plant and machinery

- iv. the erection and maintenance of security hoarding including external safety and information signage, interpretation boards, decorative displays and facilities for public viewing, where appropriate
- v. wheel washing facilities
- vi. measures to control the emission of dust and dirt during construction
- vii. scheme for recycling/disposing of waste resulting from demolition and construction works
- viii. hours of construction operations including times for deliveries and the removal of excavated materials and waste
- ix. noise method statements and noise levels for each construction activity including piling and excavation operations,
- x. access and protection measures around the construction site for pedestrians, cyclists and other road users including arrangements for diversions during the construction period and for the provision of associated directional signage relating thereto.
- xi. Hours of operations

Reason: It is considered necessary to impose a pre-commencement condition as the site is in close proximity to existing residential properties. It is therefore important to agree a construction method statement before works commence, to ensure that the impact of the proposed development on existing residential amenity is acceptable, in accordance with Policies DM2 and DM22 of the Joint Development Management Policies Document (February 2015).

4. Site Levels – Prior to the Commencement of Development

Prior to the commencement of development, cross sections/details indicating the proposed finished ground levels surrounding the application site shall be submitted to and approved in writing by the Local Planning Authority and the works shall be completed accordingly.

Reason: To ensure that the details of the development are acceptable.

5. Contamination – Prior to the Commencement of Development

Prior to the commencement of development, the following components to deal with the risks associated with contamination of the site shall each be submitted to and approved in writing by the Local Planning Authority:

- i. A site investigation scheme (based on the approved Preliminary Risk Assessment(PRA) within the approved Desk Study, to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.
- ii. The results of a site investigation based on (i) and a detailed risk assessment, including a revised Conceptual Site Model (CSM).
- iii. Based on the risk assessment in (ii) an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken. The strategy shall include a plan providing details of how the remediation works shall be judged to be complete and arrangements for contingency actions. The plan shall also detail a long monitoring and maintenance plan as necessary.

No occupation of any part of the permitted development shall take place until a verification report demonstrating completion of works set out in the remediation strategy (iii). The long term monitoring and maintenance plan in (iii) shall be updated and be implemented as approved.

If, during development, contamination not previously identified is found to be present at the site, then no further development (unless otherwise agreed in writing with the local planning authority) shall be carried out until the development has submitted a remediation strategy to the local planning authority detailing how this unsuspected contamination shall be dealt with and obtained written approval from the local planning authority. The remediation strategy shall be implemented as approved.

Reason: To protect and prevent the pollution of controlled waters, future end users of the land, neighbouring land, property and ecological systems from potential pollutants associated with current and previous land uses in line with the NPPF paragraphs 109, 120, 121, Environment Agency groundwater Protection: Principles and Practice (GP3) Policy CS2 (Sustainable Development) of the Core Strategy and Policy DM14 of the Joint Development Management Policy Document. This condition requires matters to be agreed prior to commencement since it relates to consideration of below ground matters that require resolution prior to further development taking place, to ensure any contaminated material is satisfactorily dealt with.

6. Highways – Deliveries Management Plan (prior to any deliveries)

All HGV traffic movements to and from the site over the duration of the construction period shall be subject to a Deliveries Management Plan which shall be submitted to the planning authority for approval a minimum of 28 days before any deliveries of materials commence. No HGV movements shall be permitted to and from the site other than in accordance with the routes defined in the Plan. The site operator shall maintain a register of complaints and record of actions taken to deal with such complaints at the site office as specified in the Plan throughout the period of occupation of the site.

Reason: To reduce and / or remove as far as is reasonably possible the effects of HGV traffic in sensitive areas.

7. Highways – Ditch Beneath Access (Prior to construction of the access)

Prior to the construction of the access from Bury Road, the ditch beneath the proposed access shall be piped or bridged in accordance with details which previously shall have been submitted to and approved in writing by the Local Planning Authority and shall be retained thereafter in its approved form.

Reason: To ensure uninterrupted flow of water and reduce the risk of flooding of the highway, in accordance with policy DM6 of the Joint Development Management Policies Document.

8. Highways – Access (Prior to other parts of the development)

No other part of the development shall be commenced until the new vehicular access has been laid out and completed in all respects in accordance with Drawing No. 1309-29 PL05 A; and with a minimum entrance width of 5.5 metres and been made available for use. Thereafter the access shall be retained in the specified form.

Reason: To ensure that the access is designed and constructed to an appropriate specification and is brought into use before any other part of the development is commenced in the interests of highway safety.

9. Highways – Visibility Splays (Prior to first use of the access)

Before the access is first used visibility splays shall be provided as shown on Drawing No. 1309-29 PL05 A with an X dimension of 2.4 metres and a Y dimension of 90 metres and thereafter retained in the specified form. Notwithstanding the provisions of Part 2 Class A of the Town & Country Planning (General Permitted Development) Order 1995 (or any Order revoking and re-enacting that Order with or without modification) no obstruction over 0.6 metres high shall be erected, constructed, planted or permitted to grow within the areas of the visibility splays.

Reason: To ensure vehicles exiting the drive would have sufficient visibility to enter the public highway safely and vehicles on the public highway would have sufficient warning of a vehicle emerging in order to take avoiding action.

10. Highways – Bin Storage (Prior to above ground construction)

Before any above ground construction takes place, details of the areas to be provided for storage of Refuse/Recycling bins shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be carried out in its entirety before the development is brought into use and shall be retained thereafter for no other purpose.

Reason: To ensure that refuse recycling bins are not stored on the highway causing obstruction and dangers for other users.

11. Highways – Details of Estate Roads and Footpaths (Prior to above ground construction)

Prior to any above ground construction taking place, details of the estate roads and footpaths, (including layout, levels, gradients, surfacing and means of surface water drainage), shall be submitted to and approved in writing by the Local Planning Authority. All works shall be carried out in accordance with the approved details.

Reason: To ensure that roads/footways are constructed to an acceptable standard.

12. Highways – Details of Manoeuvring and Parking of Vehicles (Prior to above ground construction)

Prior to any above ground construction taking place, details of the areas to be provided for the manoeuvring and parking of vehicles including secure cycle storage shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be carried out in its entirety before the development is brought into use and shall be retained thereafter and used for no other purpose.

Reason: To ensure the provision and long term maintenance of adequate on-site space for the parking and manoeuvring of vehicles, where on-street parking and manoeuvring would be detrimental to highway safety.

13. Highways – Carriageways and Footways (Prior to occupation)

No dwelling shall be occupied until the carriageways and footways serving that dwelling have been constructed to at least Binder course level or better in accordance with the detail which shall previously have been submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure that satisfactory access is provided for the safety of residents and the public.

14. Highways – Link Between Village Hall and Residential Development (Prior to first occupation)

Prior to the first occupation of any dwelling hereby approved, the pedestrian cycle link and emergency vehicle link between the village hall site and the rest of the development, the details of which shall be agreed in respect of condition 13 above, shall be fully constructed and available for public use.

Reason: To ensure the appropriate links within the development are in place to allow proper circulation through the site, for the benefit of future occupants and in accordance with the Design Brief and policy DM2 of the Joint Development Management Policies Document 2015.

15. Highways – Traffic Calming Measures (Prior to occupation)

The occupation of the development authorised by this permission shall not begin until:

- a. the local planning authority has approved in writing a full scheme of works of improvement to:

Provide traffic calming measures (including village gateway features and vehicle activated signs) on Bury Road and Thelnetham Road, Hopton as indicatively shown on drawing no. 1309-29 PL07;

And

- b. The approved works have been completed in accordance with the local planning authority's written approval and have been certified in writing as complete on behalf of the local planning authority.

Reason: To provide traffic calming in areas that suffer from excessive vehicle speeds in order to improve highway safety at these locations.

16. Highways – Bury Road improvements (Prior to occupation)

The occupation of the development authorised by this permission shall not begin until:

- a. the local planning authority has approved in writing a full scheme of works of improvement to:
Provide a footway along the frontage of the development on Bury Road as shown on drawing no. 1309-29 PL05 A;

And

- b. The approved works have been completed in accordance with the local planning authority's written approval and have been certified in writing as complete on behalf of the local planning authority.

Reason: To provide a footway link to improve highway safety and encourage sustainable travel.

17. Highways – Residents Travel Information Pack (Prior to occupation)

Within one month of the first occupation of any dwelling, the occupiers of each of the dwellings shall be provided with a Residents Travel Information Pack (RTIP). Not less than 3 months prior to the first occupation of any dwelling, the contents of the RTIP shall be submitted to and approved in writing by the Local Planning Authority in consultation with the Highway Authority and shall include walking, cycling and bus maps, latest relevant bus timetable information, car sharing information and a multi-modal travel voucher. The RTIP shall be maintained and operated thereafter.

Reason: To encourage the use of sustainable modes of travel in accordance with policy DM2 of the Joint Development Management Policies Document 2015.

18. Archaeology – Programme of Work (Prior to commencement of development)

No works on site involving any ground disturbance shall take place within the village hall site to the north of 'Sarasons Field' until the implementation a programme of archaeological work has been secured in accordance with a Written Scheme of Investigation which first shall have been submitted to and approved in writing by the Local Planning Authority.

The Written Scheme of Investigation shall include an assessment of significance and research questions; and:

- a. The programme and methodology of site investigation and recording
- b. The programme for post investigation assessment
- c. Provision to be made for analysis of the site investigation and recording
- d. Provision to be made for publication and dissemination of the analysis and records of the site investigation
- e. Provision to be made for archive deposition of the analysis and records of the site investigation
- f. Nomination of a competent person or persons/organisation to undertake the works set out within the Written Scheme of Investigation.
- g. The site investigation shall be completed prior to development, or in such other phased arrangement, as agreed and approved in writing by the Local Planning Authority.

Reason: To enable any remains of archaeological significance to be investigated and recorded.

19. Archaeology – Site Investigation and Post Investigation Assessment (Prior to occupation)

No building shall be occupied or otherwise used until the site investigation and post investigation assessment has been completed in accordance with the programme set out in the Written Scheme of Investigation approved under Condition 16 above and the provision made for analysis, publication and dissemination of results and archive deposition has been secured.

Reason: To enable any remains of archaeological significance to be investigated and recorded.

20. Foul Water Strategy (Prior to commencement of development)

No development shall commence until a foul water strategy has been submitted to and approved in writing by the Local Planning Authority. No dwellings shall be occupied until the works have been carried out in accordance with the foul water strategy.

Reason: To prevent environmental and amenity problems arising from flooding.

21. Drainage (Prior to commencement of development)

No development shall commence until a Flood Risk Assessment, to include surface water drainage strategy (construction phase and post construction phase) for the site has been submitted to and agreed in writing by the local planning authority. This shall include details showing the means to prevent the discharge of surface water from the development onto the highway. The surface water drainage strategy shall be implemented as agreed and shall be managed and maintained thereafter for the lifetime of the development in accordance with the management and maintenance plan that forms part of the agreed surface water drainage strategy.

Reasons:- To prevent the development from causing increased flood risk off site over the lifetime of the development, to prevent hazards caused by flowing water or ice on the highway, to ensure the development is adequately protected from flooding, & to ensure that the principles of sustainable drainage are incorporated into this proposal. To prevent flooding by ensuring the satisfactory storage and disposal of surface water from the site for the lifetime of the development and to ensure that there are no adverse effects on the water quality and quantity to the European site known as Weston Fen

22. Open Space Phasing (Prior to commencement)

Prior to the commencement of development, details of the proposed phasing for the provision of the onsite open, and connections to the external footpath network shall be submitted to the local planning authority and agreed in writing. On site open space shall be delivered in accordance with the phasing set out in accordance with the agreed details.

Reason: To ensure a timely delivery of usable onsite open space to prevent undue recreational pressures on the European site, in accordance with measures set out in relation to the Habitats Regulation Screening. This information must be secured prior to the commencement of development to ensure a reasonable timetable is secured at an early enough stage in the development to safeguard the European site known as Weston Fen.

23 Soft Landscaping – Proposed Planting Scheme (Prior to commencement of development)

Notwithstanding the submitted landscape masterplan (1653 01 F) and landscape design strategy, no development shall commence until there has been submitted to and approved in writing by the Local Planning Authority a scheme of soft landscaping for the site drawn to a scale of not less than 1:200. The soft landscaping details shall include planting plans; written specifications (including cultivation and other operations associated with plant and grass establishment); schedules of plants noting species, plant sizes and proposed numbers/ densities. The approved scheme of soft landscaping works shall be implemented not later than the first planting season following commencement of the development (or within such extended period as may first be agreed in writing with the Local Planning Authority). Any planting removed, dying or becoming seriously damaged or diseased within five years of planting shall be replaced within the first available planting season thereafter with planting of

similar size and species unless the Local Planning Authority gives written consent for any variation.

Reason: To enhance the appearance of the development.

24. Soft landscaping – existing trees (prior to equipment being brought on to site)

The trees identified for retention in the Tree Survey and Arboricultural Impact assessment, shown on drawing number 4062-D-2, shall be protected in the manner specified on that plan and the associated Arboricultural Impact Assessment, Preliminary Arboricultural Method Statement and Tree Protection Plan, (and the Local Planning Authority shall be advised in writing that the protective measures/fencing have been provided) before any equipment, machinery or materials are brought onto the site for the purposes of development and shall continue to be so protected during the period of construction and until all equipment, machinery and surplus materials have been removed from the site.

Any retained trees removed, dying or becoming seriously damaged or diseased within five years of commencement shall be replaced within the first available planting season thereafter with planting of similar size and species.

Reason: To enhance the appearance of the development and to ensure that the most important and vulnerable trees are adequately protected during the period of construction.

25. Hard landscaping (Prior to commencement)

No development shall commence until full details of a hard landscaping scheme for the site has been submitted to and approved in writing by the Local Planning Authority. These details shall include proposed finished levels and contours showing earthworks and mounding; surfacing materials; means of enclosure; car parking layouts; other vehicle and pedestrian access and circulations areas; hard surfacing materials; minor artefacts and structures (for example furniture, play equipment, refuse and/or other storage units, signs, lighting and similar features); proposed and existing functional services above and below ground (for example drainage, power, communications cables and pipelines, indicating lines, manholes, supports and other technical features); retained historic landscape features and proposals for restoration where relevant. The scheme shall be implemented prior to the occupation of any part of the development (or within such extended period as may first be agreed in writing with the Local Planning Authority).

Reason: To enhance the appearance of the development.

26. Boundary Treatment (Prior to commencement of development)

No development shall be commenced until details of the treatment of the boundaries of the site have been submitted to and approved in writing by the Local Planning Authority. The details shall specify the siting, design, height and

materials of the screen walls/fences to be constructed or erected and/or the species, spacing and height of hedging to be retained and / or planted. The approved soft landscaping to be planted shall be done so within 12 months of the date of first occupation. Any planting removed, dying, being severely damaged or becoming seriously diseased within five years of planting shall be replaced by soft landscaping of similar size and species to those originally required to be planted.

Reason: It is considered necessary to impose a pre-commencement conditions as the site is situated in close proximity to existing residential properties, and it is necessary to ensure that all opportunities for boundary treatment are considered and finalised before construction works starts, in accordance with Policies DM2 and DM22 of the Joint Development Management Policies Document (February 2015).

27. External Materials (Prior to above-ground construction)

No development shall commence until samples of the facing and roofing materials to be used have been submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure that the external appearance of the development is satisfactory.

28. Water Consumption (Prior to occupation)

No individual dwelling hereby approved shall be occupied until the optional requirement for water consumption (110 litres use per person per day) in Part G of the Building Regulations has been complied with for that dwelling.

Reason: In the interests of sustainability in accordance with policy DM7 of the Joint Development Management Policies Document 2015.

29. External Lighting (Prior to any installation)

Prior to the installation of any external lighting serving the village hall, doctors surgery or associated pedestrian and vehicular circulation areas, full details of the lighting shall be submitted to the local planning authority and agreed in writing. The lighting shall be installed in accordance with the agreed details.

Reason: To safeguard the amenity of nearby residential properties, in accordance with policy DM2 of the Joint Development Management Policies Document (February 2015).

30. Bat and bird boxes (Details prior to above ground construction and installation prior to occupation)

Prior to any above ground construction taking place, full details of bat and bird (House Sparrow and Starling)roost features, to be incorporated into the external fabric of the new dwellings shall be submitted to the local planning authority and agreed in writing. The agreed roost features shall be fully installed prior to occupation on any individual dwelling on which they are to be installed and there after be retained in their approved form.

Reason: To secure the appropriate biodiversity enhancements in accordance with policy DM12 of the Joint Development Management Policies document 2015.

31. Circular footpath (details prior to commencement, implementation prior to occupation)

Prior to the commencement of development, details of a circular walk, directing users away from the SAC, shall be submitted to the local planning authority and agreed in writing. These details shall include specifications and locations of proposed on site signage boards, directing users to the walk and details of proposed information leaflets to be distributed to occupiers of the dwellings.

The approved signage boards shall be fully installed onsite in accordance with the agreed details prior to first occupation of any of the dwellings. Within one month of the first occupation of any dwelling, the occupiers of each of the dwellings shall be provided with the agreed information leaflet, detailing the circular walk.

Reason: To reduce recreational pressure to Weston Fen SAC in accordance with the Vision 2013 Habitats Regulation Assessment and The Hopton South Development Brief Habitats Regulations Assessment and in accordance with policy DM12 of the Joint Development Management Policies Document 2015. Given the primary importance of the need to secure this mitigation measure to safeguard the SAC, this condition is pre-commencement.

32. There shall be no live or amplified music or speech inside the Village Hall after 23:30hrs Mon – Saturday and 22:00hrs on Sunday until 09:00hrs the following day.

Reason: In the interests of residential amenity.

Documents:

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

<https://planning.westsuffolk.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=NXR0RIPDLGD00>

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