

Forest Heath District Council

**DEVELOPMENT
CONTROL COMMITTEE**

7 SEPTEMBER 2016

DEV/FH/16/028

Report of the Head of Planning and Growth

**PLANNING APPLICATION DC/16/0596/OUT - LAND EAST OF NEWMARKET
ROAD AND NORTH OF ELMS ROAD, RED LODGE**

Synopsis:

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

Recommendation:

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

CONTACT OFFICER

Case Officer: Gareth Durrant
Email: Gareth.durrant@westsuffolk.gov.uk
Telephone: 01284 757345

Committee Report

Date 21st March 2016 **Expiry Date:** 20th June 2016

Registered:

Case Officer: Gareth Durrant **Recommendation:** Grant Planning Permission

Parish: Red Lodge **Ward:** Red Lodge

Proposal: Outline Planning Application (Means of Access to be considered) - (i) Residential development for up to 125 dwellings (ii) Public open space including children's play area and electricity substation

Site: Land East Of Newmarket Road And North Of Elms Road, Red Lodge

Applicant: Jaynic Properties Ltd

Background:

This application is referred to the Development Control Committee as it is a proposal for 'major' development. The proposal also raises matters requiring interpretation of extant planning policy.

A panel of Members are due to visit the site on 5th September 2016.

Proposal:

1. Outline planning permission is sought for the erection of up to 125 dwellings, including public open space. Means of access to the site is included for consideration at outline stage whilst proposals for the layout and landscaping of the site and scale and appearance of the dwellings are reserved. The planning application is accompanied by a number of illustrative plans, including a layout plan, serving to demonstrate how the site might accommodate the dwellings proposed by the application.
2. The proposed dwellings would be developed at a density of just over 30 units per hectare (125 dwellings across a 4.15 hectare site).

Application Supporting Material:

3. The following documents were submitted to support this application when it was registered in March 2016:
 - Application forms and drawings including site location, illustrative land use plan, illustrative landscape strategy, illustrative housing layout, illustrative development framework, opportunities and constraints

- plan.
- Planning Statement
 - Design & Access Statement
 - Economic Statement
 - Landscape and Visual Appraisals
 - Ecological Impact Assessment
 - Transport Assessment
 - Travel Plan
 - Air Quality Assessment
 - Archaeological Desk Based Assessment
 - Noise Impact Assessment
 - Geo-environmental desk study and investigation reports
 - Tree Survey and Arboricultural Impact Assessment, Preliminary Arboricultural Method Statement and Tree Protection Plan.
 - Flood Risk Assessment
 - Draft Proposed Heads of Terms Document (later amended)
 - Foul sewage and utilities assessment

Site Details:

4. The site, which is approximately 4.15 hectares in size, is presently in agricultural use (predominantly Grade 4, but also Grade 5 towards the southern fringe) and has a 270 metre open frontage onto Newmarket Road.
5. The application site is situated within the settlement boundaries of Red Lodge as defined by the Development Plan. The site is allocated for employment related development by the Red Lodge Masterplan which is linked to the 1995 Forest Heath Local Plan. The site is also allocated for employment related development in the emerging Site Allocations Development Plan Document (Preferred Options version, 2016).
6. The site fronts east onto Newmarket Road towards residential properties on the opposite side of the road. The majority of the east boundary is marked by a post and rail fence. The site backs onto the A11 trunk road to the west. The southern site boundary is open and abuts Elms Road. A small group of dwellings are situated on the opposite side of Elms Road to the site.
7. There are no landscape or heritage asset designations at the site, and there is no Conservation Area at Red Lodge. The Environment Agency flood risk maps indicate that the site is situated within Flood Zone 1 (with little or no risk of flooding).

Planning History:

8. There is no history of planning applications associated with the application site.

Consultations:

9. The planning application has been the subject to a single round of consultation in April 2016. The following is a summary of all responses received.
10. **Environment Agency** - raises **no objections** and provides advisory comments for the benefit of the applicant/developer. The Agency comments the proposal is at low risk of contamination (such that no further provision needs to be made at this stage).
11. **Anglian Water Services** – **no objections** and comment that the sewerage system and waste water recycling centre (Tuddenham WRC) have capacity available to accommodate waste water generated by this development. Anglian Water notes the presence of its assets close to the site which may affect the future layout of the development. They advise there should be no development proposed within 15 metres of the boundary of the pumping station to the north of the application site.
12. **Natural England** – submit **no objections** and comment that the proposals, if undertaken in strict accordance with the details submitted, is not likely to have a significant effect on the interest features for which the Breckland SPA has been classified. Natural England advises that an Appropriate Assessment (under the Habitats Regulations) is not required. Natural England also advises that increased recreational disturbance to the SPA needs consideration and whilst its opinion is there will not be significant recreation effects, the site may contribute to recreational impacts in future. Natural England therefore advises of the need for a strategic review of recreational impacts upon the SPA and the importance of ensuring that residential applications have sufficient green infrastructure on site and in the settlement in order to contain recreational activity.
13. **Natural England** also notes the presence of the Red Lodge Heath SSSI in close proximity to the site and reports this is showing signs of recreational damage, particularly in close proximity to the main path. Whilst the extent of existing damage is not significant, Natural England is keen to ensure this does not become an issue in future with increasing levels of housing in the vicinity. Natural England is satisfied the proposed development, if carried out in strict accordance with the details of the application submitted, is not likely to lead to a significant effect on the SSSI, either alone or in-combination.
14. **NHS Property Services** – considered the proposals would place additional pressures upon local NHS services which are operating beyond capacity and requested a development contribution of £39,500 to be used towards increasing the capacity of the local GP surgery. The letter confirms by raising **holding objections** to the planning application which would be resolved if the requested contribution is secured via a S106 Agreement or equivalent.
15. **Suffolk Police** – provides **comments** on the detail of the illustrative

layout drawing submitted with the application and sets out other advice to inform the later design and layout of the development.

16. **FHDC (Environmental Health) – no objections** – and comment they are satisfied the risk from contaminated land is low and that residents of the scheme are unlikely to suffer air quality issues and traffic emerging from the new dwellings would not be significant.
17. **FHDC (Strategic Housing)** (April 2016) – are content to support the development in principle but express concerns about the affordable dwelling sizes proposed as they appear to be below DCLG Technical Space Standards.
18. Also in April 2016 the **Strategic Housing** team revised their comments following confirmation from the applicants that the affordable housing units would (at Reserved Matters stage) adhere to the DCLG space standards. The following comments were provided:
 - *I can confirm that the Strategic Housing Team supports the above application in principle as it meets our CS9 policy to deliver 30% affordable housing. I can confirm that I am happy with the affordable housing mix proposed of 1,2 3 and 4 bedroom dwellings and consider that the overall development provides a good mix of dwelling types and sizes for Red Lodge.*
 - *The Strategic Housing Team in line with our Affordable Housing SPD would look to secure a tenure mix of 70% (affordable rent) and 30% (shared ownership) on the affordable dwellings.*
19. **FHDC (Leisure, Culture and Communities)** made the following comments:
 - The site layout makes no meaningful area of public open space that would be suitable for informal recreational opportunities for a development of this size.
 - The location of the children's play area should be reconsidered as it is not easily accessible to all within the development with no clear/safe access/egress routes.
 - Consideration should be given to the existing barrier provided by Turnpike Road and safe access to the wider community of Red Lodge for young people from this development.
 - Consideration should also be given to providing safe access links between the new developments on this side of Red Lodge.
 - The provision of the SUD's features are a requirement in their own right and should not form part of the required POS.
20. **FHDC (Planning Policy)** – raises **no objections**. The written comments received summarise relevant emerging saved and adopted local policies

and national policies set out in the NPPF and NPPG before confirming the Council is presently able to demonstrate a 5-year supply of deliverable housing sites. They also confirm the application site is not included in the calculation of the 5-year supply and its 'deferred' status in the Strategic Housing Land Availability Assessment (SHLAA) is on the basis it has an existing designation for employment. The following additional comments were received:

Employment land review

- The preparation of the Core Strategy was informed by the 'Western Suffolk Employment Land Review (May 2009). This document helped determine the number of jobs to be accommodated in the district in the plan period 2006-2026, broad locations for employment allocations and in setting the approximate amount of land required to accommodate the established levels of employment growth. It made a number of recommendations for Forest Heath of which the following are particularly pertinent to this proposal. (Forest Heath South focused on Red Lodge and Kentford):
- R28: Maintain existing employment sites with the exception of London Road, Brandon.
- R30: Concentrate Development within Forest Heath South and Forest Heath Newmarket.
- R31: Allocate additional employment land in Forest Heath South or Forest Heath Newmarket.
- This document remains a key evidence base for the local plan however the Employment Land Review (ELR) is currently being updated to inform the emerging Submission SIRLP & SALP documents, with a final report expected in late August 2016.

Conclusions

- The Council has demonstrated an up to date five year land supply for housing land (March 2016).
- The LPAs main employment evidence bases, the West Suffolk 2009 ELR and A11 study indicate that Red Lodge is a key location for employment growth in the district and that the existing sites should be retained.
- Given the stage that the Authority has reached in the preparation of the SIRLP & SALP, refusal on the grounds of prematurity is unlikely to be justified.
- The Merrifields report commissioned by the LPA has verified the applicants marketing information in the submitted Economic Statement. It concludes that an office use is unviable in this location and that unless there is significant improvement in funding,

commercial rents and commercial capital values the site is unlikely to be viable for such uses in the near future.

- It is considered that B2 and B8 employment uses would not be appropriate on this site due to its prominent location on the entrance to the settlement and the potential impact on the amenity of the existing adjacent residential areas.
- The NPPF is clear that where there is no reasonable prospect of a site being used for an allocated employment use, applications for alternative uses of land or buildings should be treated on their merits having regard to market signals and the relative need for different land uses to support sustainable local communities.
- The proposal has also demonstrated that it can meet the requirements of Policies CS6 and DM30 (b) in terms of viability and that alternative uses can be considered on the site.
- The need for a very high quality of design and landscape setting for any scheme on this prominent site at the 'entrance' to the settlement should be noted.
- The emerging SALP document gives the LPA the opportunity to review its land allocations as required by para 22 of the NPPF, allowing it to consider an appropriate strategy for the distribution of new homes and alternative, more viable sites in more appropriate locations, for employment land at Red Lodge to create a sustainable and mixed community.
- To conclude it is for the case officer to balance the above planning policy issues and any harm identified against the potential benefits of the proposed housing scheme including the provision of affordable housing and the economic / employment benefits of house building itself, and to assess if the proposal constitutes sustainable development.

21. **FHDC (Economic Development and Growth)** (June 2016 – before the Merrifields report was received) – **objects** to the proposals on the grounds it would prefer the site to stay in employment use. The following comments are provided:

- Firstly, there are a number of general points to be made that influence the view of ED&G with regard to this application.
 - There are only a limited number of sites currently allocated as Employment land in the Council's Local Plan. This site is one of the larger sites currently available.
 - There are significant "constraints" to development in Forest Heath so finding alternative Employment sites in Forest Heath (if this site were allocated for Housing) would not be straightforward.

- The economy of Forest Heath is, in ED&G's view, broadly "Cambridge-centric." As such the closer employment sites are to Cambridge the more attractive they will be for potential new/inward investment or businesses looking to benefit from or connect with the Cambridge Economic Sub-region and its supply chains.
- The above point would suggest that (within a Forest Heath context) the most attractive location for investors/businesses interested in the Cambridge Economic Sub-region would be Newmarket but, with the possible exception of Hatchfield Farm (where the future position is unclear at the moment), there are very few plots available in Newmarket and nothing of any significant size (i.e. similar to this site). The next Forest Heath location available for this potential market would therefore be Red Lodge. Whilst interest in Red Lodge has not been significant over the last few years it is expected that the demand for locations in/near Cambridge will continue in the future, but the available supply of sites in Cambridge is continuing to decline (and prices will therefore rise) so as we move into the future it is expected that some demand will shift from Cambridge to locations around/near to Cambridge, offering more potential for sites in Forest Heath and potentially this site in Red Lodge will therefore become more attractive/competitive.
- In addition, Forest Heath District Council is now working in collaboration with the neighbouring Councils of East Cambridgeshire, Breckland and South Norfolk to set up an initiative, currently with the working title of "the A11 Technology Corridor," that will work with key landowners and developers along the A14/A11 between Cambridge and Norwich to target particular sectors, tackle any issues holding back site development (by seeking Public Sector funding/support) and look to attract investment and businesses into that area. This initiative is in its formative stages but will look to add some 10,000 additional jobs (as a minimum) along the "Corridor" over the next 15 years. The site covered by this application is currently viewed by the Council as one of at least 11 key locations along the "Corridor" that this initiative would look to support, along with two other sites located in Forest Heath. It is expected that this initiative would raise the profile of this site (and the other 10), significantly add value to any current marketing activity undertaken by landowners/developers and hopefully attract interest and enquiries that would lead to development over the next 15 years.
- In addition to the above there are some specific points raised by the applicant in the supporting evidence supplied with their planning application. These points are essentially that, despite marketing activity to support this site, there has been no significant interest for permitted commercial use to date and that a report jointly commissioned by the Council (along with Breckland and South Norfolk) to look at the feasibility of the "A11 Technology Corridor" concept and the various sites along the length of the "Corridor" designated this site as "unviable." Looking at these points as they are described above: -

- ED&G would accept that marketing activity has been undertaken and that the level of interest generated in this site to date has been disappointing and most interest has been for uses outside of those currently permitted. Nevertheless, it is also our view that, whilst more flexibility on permitted uses would be helpful, the development of the "A11 Technology Corridor" initiative will significantly add value to this site and generate more interest in the site in the future. It is also our view that there is potential in the future for the demand for sites in Cambridge to overheat and force investors/businesses to look further afield – something they have not had to do over the last few years and that this could operate to the benefit of this site.

- With regard to the report commissioned to look at the "A11 Technology Corridor" it is ED&G's view that the reference to the viability of this site, made by the applicant, has been taken a little out of context. It is true that the report does at one point categorise this site as "not viable" but this is not intended within the overall report to signify that the site has no viable employment use. The report was commissioned, amongst other things, to identify to the commissioning Councils any barriers that may be preventing or hindering the development of particular sites and, with due consideration to any such issues, look at the feasibility of the employment aspirations of the Councils with regard to the "Corridor." Set within this brief the report looks at some 27 sites along the Corridor and suggests that the employment aspirations can be achieved if certain issues are addressed and public sector funding is obtained to "remove" certain barriers. The report suggests that aspirations can be achieved over a 15 year period. It also suggests that there should be a focus on 11 key sites in order to achieve this: and this site is listed as one of those key sites. The categorisation of it as "not viable" is used in the report to indicate that without a level of support to address some issues with the site it will, in the opinion of the report authors, remain undeveloped. These issues are identified in the report and "cost" estimates also supplied to provide a figure for the amount of Public Sector support that would be required to deliver the jobs outputs etc. The issues identified in this report for this site are site access, drainage and marketing. The question of marketing has already been discussed above and will most likely be addressed by the development of the "A11 Technology Corridor" initiative. The other issues will, most likely, be incorporated into a wider business case that this initiative will go on to develop and present to Government and other funding agencies once it has been properly established. Given the possibility that these issues will also be addressed in the near future there is, as the report suggests by including this site within the "Key Sites" list for the "A11 Technology Corridor" initiative, every possibility that an employment use could be achieved over the life of the initiative. Notwithstanding the designation of "not viable" and the issues identified, the report does also identify this site as one that could be delivered in the "short term" (within the context of a 15

year project).

- In addition to the above, would it not also be true to say that if the issues of site access and drainage, identified in the A11 Technology Corridor feasibility report, are accurate then they would also impact on any Housing application in a similar way i.e. these issues would need to be addressed regardless of the use?

22.FHDC (Ecology, Tree and Landscape Officer) – no objections
(subject to conditions) and provides the following comments

1. Ecology

Constraints

- The site is located 2.1km from Breckland SPA, and outside of the 1.5km frequent nesters, 1.5km and 400m constraint zones. The nearest component is Breckland Farmland SSSI. The site is located 4.6km from Breckland SAC (Cavenham and Icklingham Heaths SSSI). Fenland SAC/Chippenham Fen NNR/ Chippenham Fen and Snailwell Poor's SSSI is located 4 km to the south west. European sites (also commonly referred to as Natura 2000 sites) are afforded protection under the Conservation of Habitats and Species Regulations 2010, as amended (the 'Habitats Regulations').

Representations

- Natural England has advised that the proposed development is unlikely to have a significant impact on the interest features of the SPA and an Appropriate Assessment is not required. They have, however noted the potential for the site to contribute to cumulative recreational impacts within Breckland SPA, and this should be reviewed. They additionally suggest that the proposal should have sufficient green infrastructure to allow recreational activities on site and to ensure there is sufficient strategic green infrastructure within the settlements in this case Red Lodge to support residents.
- In their comments in relation to Red Lodge Heath SSSI, Natural England highlighted that there have recently been signs of recreational damage to the site reported by the NE site manager. They are concerned that although there has been no significant damage to the interest features they are keen to ensure that this does not become an issue in future with increasing levels of housing in the vicinity.

Habitats Regulations Assessment

- 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).
- *Impact of the proposals on designated sites*

- Breckland SAC - The site is located at a distance of 4.6km from Breckland SAC, and given this distance and the intervening land use (housing, arable and roads), no direct or indirect likely significant effects have been identified.
- Fenland SAC - The site is located at a distance of 4km from Fenland SAC, and given this distance and the intervening land use, no direct or indirect likely significant effects have been identified. The potential for recreational impacts on Chippenham Fen has been considered however this site is unlikely to attract additional visitors because: there are no car parking or toilet facilities at Chippenham Fen and there is limited public access through the Fen with other paths controlled by permit.
- Breckland SPA - The application site is 2.1km from the edge of Breckland SPA (Breckland Farmland SSSI) and is positioned between the main carriageway and junction of the A11 and two further roads on the western side of Red Lodge. A clear avoidance by Stone Curlews of otherwise suitable habitat adjacent to major roads has been demonstrated in a number of studies. These effects exist up to a distance of at least 1,000 m from trunk roads and possibly up to 2,000 m. Recent work found that, regardless of the amount of nearby buildings, the nest density for Stone curlews was always lowest in the subset of areas within 0.5 km of the nearest trunk road (A11, A14 or A47) and highest in the areas furthest from the nearest trunk road.
- The site is also screened by existing development from the SPA and does not advance the line of built development at Red Lodge towards Breckland SPA. The site is therefore located where foraging and nesting stone curlew are unlikely to occur nearby, and likely significant effects can be screened out.

Recreational impacts

- The proposals include a circular walk around the site with dog walking provision as a counteracting measure to address the potential for recreational impacts on Breckland SPA. This route would be the main open space for the site along with a small open space/play space located close to the main entrance to the site. There is concern that the spaces are not laid out to best provide for the needs of the new residents (also see below) and without better onsite provision, residents are very likely to look beyond the boundaries of the site for their local green space. The site is not currently well connected to the Public Rights of Way network however Red Lodge Heath is a short walk to the south along Turnpike Road. This is the closest area of natural greenspace however Natural England has expressed concern that there have recently been signs of recreational damage. Nevertheless the site and the footpath across it are available for the use of new residents. Residents will also be able to use the greenspace which will be delivered as part of the adjacent Turnpike Road development. The proposed level of development alone is unlikely to result in recreational impacts on Breckland SPA; concern about increased pressure on Red Lodge Heath SSSI is discussed below.

In-combination effects

- There is potential for in-combination effects to arise in relation recreational pressure.
- Planning applications registered with the local planning authority or granted permission but not commenced in Red Lodge at the current time including projects published for consultation but prior to application include: F/2013/0257/HYB Land East of Red Lodge – 374 dwellings; and DC/16/0596/OUT Land East Of Newmarket Road And North Of Elms Road - up to 125 dwellings; a total of 500 homes.
- In response to the findings of the recreation study and to support the FHDC Site Allocation Local Plan, the Council has undertaken a natural greenspace study which, based on an existing accessible natural greenspace available in each settlement, recommended an approach to mitigation for each settlement identifying some of the opportunities available to achieve this. For Red Lodge additional provision as part of future developments in particular extension of the existing greenspace provision and/or improvements to divert pressure away from the SPA and Red Lodge Heath SSSI and new access routes are required potentially focusing on the River Kennet corridor was identified.
- This site is located 4.6km from the closest heathland component of Breckland SPA, and has the potential to contribute to in-combination recreational impacts. The proposals must provide measures for influencing recreation in the surrounding area, to avoid a damaging increase in Visitors to Breckland SPA through either provision of suitable alternative natural greenspace on site that will provide an attractive alternative greenspace, the provision and/or enhancement and promotion of a dog friendly access route in the immediate vicinity of the development and/or other contribution that would increase the capacity of the existing green space to accommodate recreational use. This could be achieved through a developer contribution, and could potentially be conditioned- see also below

2. Red Lodge Heath SSSI

- Red Lodge Heath SSSI supports a nationally important assemblage of invertebrates, chiefly associated with dry grassland and wet woodland with ponds, including a nationally important population of the nationally rare five-banded tailed digger wasp *Cerceris quinquefasciata*. The site also supports a nationally important assemblage of rare plants. The SSSI is privately owned although there is access on a public right of way through the site as well as permissive access on a series of paths and tracks around the site.
- The applicant's ecological report identified that heathland and grassland habitats at Red Lodge SSSI are potentially sensitive to inappropriate recreational use. Some aspects of this such as off-road bikes and fly-tipping have been significantly reduced through the

erection of exclusion fencing. The SSSI is actively managed by a local interest group supported by FHDC and is under an HLS scheme in an agreement with Natural England.

- The SSSI is recorded as being in 'unfavourable-recovering' condition and Natural England has expressed concern that the further development could lead to recreational pressure that could damage the interest features of the site in the future.
- The ecological report suggests that overall, based on current management practices and recreational controls, no significant effects are predicted as a result of the proposed development, although there is little evidence to back this up.
- The Natural Greenspace Study formed background evidence for the Preferred Options SALP which was consulted on in spring 2016. As part of this process Natural England made comments on the document, including support for a wardening service for the nationally and locally designated sites located within existing settlements that are showing signs of visitor pressure. Red Lodge Heath is one such site. Provision of a warden at Red Lodge Heath which would support and extend the existing community activities could be achieved through developer contributions and would address the concerns about the impact of the proposals on this SSSI as it is considered that it would increase the capacity of the site to accommodate visitors and additionally make a contribution to the strategic mitigation strategy for the SPA as required above.

3. Other Ecology matters

- The site is currently in arable production, and any biodiversity potential is confined to the margins of the site. There is a short section of planted hedgerow at the northern end of Newmarket Road near the roundabout, and a few young oak trees also located on the verges. The site is generally isolated from other habitat and wildlife sites within the Red Lodge area, with only the A11 providing a corridor for some species for migration purposes and has limited value for wildlife.
- The ecological report suggests the following enhancements, which should be conditioned:
 - bat roosting opportunities (bat boxes);
 - bird nesting opportunities (bird boxes);
 - strategic landscaping to include native species;
 - landscaping within residential areas to include species to benefit to wildlife.

4. Landscape and open space

- The landscape and visual appraisal notes, in section 3.1, that the site is surrounded by roads, and this presents the main challenge for this site: providing good residential amenity for the homes adjacent to

these roads; and connectivity to facilities within Red Lodge which will serve the new residents. The proposals include a substantial bund and acoustic fence to the north-west boundary of the site which is shown to be landscaped to improve its visual quality. The SUDs swales (indicated on the plan to be infiltration basin and crates) have been placed along the same boundary. These essential infrastructure features, whilst making a contribution to the green infrastructure to the site are not considered to be part of the amenity open space that a development of this size would be expected to provide. The open space required in the FHDC SPD has been used to provide a footpath around the periphery of the site as a counteracting measure to avoid recreational impacts on Breckland SPA and also a small LEAP. There is concern that as the whole length of the proposed path would be adjacent to roads, this would not necessarily be an attractive route to take and would give limited opportunities for dog exercising. The children's play space could be better located to provide a meaningful open space in a safe location with informal supervision from overlooking properties and well connected to all parts of the development.

- However, it is noted that the layout is indicative and that this is an application for up to 125 homes. There is scope for a detailed proposal to come forward that would meet the need of the new residents and provide counteracting measures to avoid recreational impacts. The outline of such a scheme would be the provision of meaningful sized POS, which is informally supervised through residential overlooking and well connected by green corridors to the greenspace on the Turnpike Road development to the south and linking to the safe access across Newmarket Road. This would also then provide a number of options and routes suitable for walking dogs onsite, and linking offsite. This could be provided in conjunction with a buffer along the A11 boundary (required to mitigate the noise impacts from the road and ensure residential amenity is protected). The detailed open-space layout of the site should be conditioned to ensure it meets the needs of the new community in particular providing connectivity through the site
- The proposed bund and noise fencing will isolate a section of stopped up Elms Lane between two such fences. There is significant concern about security of this remaining space and a more appropriate design solution should be sought with highways if possible before determination of the planning application.

5. Trees

- The existing vegetation is confined to the periphery of the site. The tree assessment shows the majority of the trees and scrub/hedges retained except tree T004 which is an early mature English oak. There are no tree protection details and these would need to be provided with any reserved matters should the application be granted permission.

23. **Suffolk County Council (Highways)** (April 2016) – The **Development Management Team** provide detailed comments with respect to the proposed access, internal layout and pedestrian/cycle links that require amendment or (if appropriate) control via planning conditions.
24. In the same letter, the **Passenger Transport Team** requests upgrades are made to the bus stops adjacent to the site, with new shelters, raised kerbs and RTPi screens. They request these measures are secured via a S106 Agreement.
25. The letter also includes comments from the **SCC Travel Plan Officer** whom comments that whilst the Travel Plan submitted is clear and well-structured and identifies a 10% reduction in single occupancy vehicle journeys over a 5 year period, some more detail will need to be included. This principally relates to the method of monitoring the travel plan (and further remedial measures if the 10% shift is not being achieved), but also attributing a value and scope to bus and cycle vouchers forming part of residents Travel Information Packs.
26. **Suffolk County Council (Fire and Rescue Service) - no objections** to the proposals and advise that access for fire appliances needs to meet with Building Regulations requirements and advocates the use of sprinkler systems within new buildings. The service confirms no additional water supply for fire fighting is required.
27. **Suffolk County Council (Highways – Development Management, including Travel Planning) - No objections** subject to appropriate amendments to the layout and S106/Travel Plan requests being agreed. Conditions were recommended to ensure future controls are placed over; access, internal roads, turning, parking and footpaths, visibility splays, refuse bins, off site works (pedestrian crossing of the Newmarket Road and cycleway provision). S106 contributions were requested for bus stop improvements and travel planning initiatives.
28. **Suffolk County Council (Archaeology) – No objections** and comments that the site lies in an area of archaeological potential with evidence of prehistoric occupation and ritual activity identified from the wider vicinity. There are no grounds to consider refusal of planning permission in order to secure preservation in situ of any important heritage assets. Conditions are recommended to secure the implementation of a programme of archaeological works, in accordance with a written scheme of investigation.
29. **Suffolk County Council (Planning Obligations)** – provided the following comments (precised):
- Forest Heath is currently undertaking a Single Issue Review looking at housing numbers and distribution across the district. Without the following contributions being agreed, the development cannot be considered to accord with relevant policies.

Education (Primary)

- The local catchment (primary) school is St Christopher's CEVC Primary School and is already under pressure regarding demand for school places to meet existing need.
- With latent population growth and further planned housing growth in Red Lodge over the plan period to 2031 the agreed education strategy is to deliver a new 420 place primary school. A site location has been identified and negotiations are in progress to deliver a new primary school by September 2018. On this basis, SCC considers that it is equitable to share the site acquisition costs and build costs in a pro-rata and proportionate way between developers.
- The estimated cost of providing a new 420 place primary school (excluding land costs) is £6.9M (£16,429 for each school place). It is forecast that this development would generate 31 pupils of primary school age. The contribution to be secured from this development is therefore £509,299 (31 places x £16,429 per place).
- With regard to site acquisition costs we can assume a maximum of, £100,000 per acre (£247,100 per hectare) which gives a total cost of £617,750 for a 2.5 hectare site and equates to £1,471 per pupil place. This gives a land contribution of 31 places x £1,471 per place = £45,601.

Education (Secondary and Vith form)

- There are currently forecast to be surplus places available at the catchment secondary schools serving the proposed development, so we will not be seeking secondary school contributions.

Education (pre-school)

- It is the responsibility of SCC to ensure that there is sufficient local provision under the Childcare Act 2006. The Act sets out a duty to secure free early years provision for pre-school children of a prescribed age. From these development proposals SCC would anticipate up to 12 pre-school pupils at a cost of £6,091 per place, resulting in a capital contribution request of £73,092. The agreed strategy for Red Lodge is to deliver a new early years setting collated with the new primary school.

Play space provision.

- Consideration will need to be given to adequate play space provision.

Transport issues

- A comprehensive assessment of highways and transport issues will be required as part of the planning application. This will include travel plan, pedestrian & cycle provision, public transport, rights of way, air

quality and highway provision (both on-site and off-site). Requirements will be dealt with via planning conditions and Section 106 as appropriate, and infrastructure delivered to adoptable standards via Section 38 and Section 278.

Libraries.

- A capital contribution of £27,000 to be used towards libraries is requested. The contribution would be available to spend in Red Lodge after consultation with local Councillors and the Parish Council. There is no existing library facility in Red Lodge, which clearly demonstrates that there is an existing shortfall of provision.

Waste.

- SCC requests that waste bins and garden composting bins should be provided before occupation of each dwelling and this will be secured by way of planning condition. SCC would also encourage the installation of water butts connected to gutter down-pipes to harvest rainwater for use by occupants in their gardens.

Supported Housing.

- In line with Policy DM22(I) of the West Suffolk Development Management Policies and sections 6 and 8 of the NPPF, homes should be designed to meet the changing needs of residents. The dwellings should be designed to specified standards and provision made for elderly care if a local need is identified.

Sustainable Drainage Systems.

- As of 6th April 2015, the sustainable drainage provisions within the Flood and Water Management Act 2010 have been implemented and developers are required to seek drainage approval from the County Council alongside planning consent. Surface water drainage matters are usually covered by planning conditions.

Fire Service.

- Any fire hydrant issues will need to be covered by appropriate planning conditions. Suffolk Fire and Rescue Service seeks higher standards of fire safety in dwellings and promote the installation of sprinkler systems.

Superfast broadband.

- SCC would recommend that all development is equipped with high speed broadband (fibre optic).

30. **Suffolk County Council (Floods Team)** (May 2016) - **no objections** but requested clarification on a number of technical points. Once these matters are addressed, a condition was recommended to ensure full

details of a drainage scheme are submitted with any subsequent submission of Reserved Matters.

31. In July 2016, the **Floods Team** provided further comments in light of clarification in response to the technical matters it had previously raised. Further clarification had been provided by the applicant's drainage consultants. As a consequence, the Floods Team were able to confirm they are satisfied with the outline drainage strategy and further technical information (infiltration) would be provided at the later reserved matters stage.

Representations:

32. **Red Lodge Parish Council** (May 2016) – **object** to the proposals on the following grounds:
 - Some sheltered housing should be included.
 - The proposed play area would be better sited away from the main road. Any play equipment should complement that provided at the nearby Taylor Wimpey site.
 - Housing for the elderly should be a key feature.
 - Upset that the brick bus shelter has been earmarked for removal and replacement.
33. **Red Lodge Parish Council** (June 2016) – **withdrew its earlier objections** subject to the brick built bus shelter (identified for replacement by SCC's representations) being retained. They request that monies saved should be spent on local highway improvements, specifically resurfacing of a local road to the north.
34. **Worlington Parish Council** – provide the following comments (in full):
 - *Our concerns relate to the additional flow of traffic to and from Red Lodge which will be using the Newmarket Road into Worlington village and the corresponding congestion at the Walnut Tree T-junction. There is strong evidence from Highways, Police and our Speed Watch Team concerning volumes and the speed of vehicles approaching the village.*
 - *We would recommend that we require Traffic calming and a Speed Buffer Zone on the approach road into the village (40 mph). And a revised road layout for traffic joining from the Golf Links Road onto the Newmarket Road to increase the visibility and safety at this junction. We need the road into the village sorting, 40 mph buffer, white entrance gates and a more meaningful traffic calming solution. Also, the exit onto the C610 from Red Lodge from Golf Links Road is dangerous with poor sight lines and visibility and needs better safety.*
35. One letter was received from a **local resident** whom raises **no objections** to the proposed development. Whilst content with the proposals, the author, whom lives and operates his small business from the adjacent Elms Road, comments that any development would need to ensure there is no impact upon the business.

Policy:

36. The Development Plan comprises the policies set out in the Joint Development Management Policies document (adopted February 2015), the Core Strategy Development Plan document (adopted May 2010) and the saved policies of the Forest Heath Local Plan (adopted 1995) and which have not been replaced by policies from the two later plans. The following policies are applicable to the proposal:

Joint Development Management Policies Document (2015)

37. The following policies from the Joint Development Management Policies document are considered relevant to this planning application:
- DM1 – Presumption in Favour of Sustainable Development
 - DM2 – Development Principles and Local Distinctiveness
 - DM5 – Development in the Countryside
 - DM6 – Flooding and Sustainable Drainage
 - DM7 – Sustainable Design and Construction
 - DM10 – Impact of Development on Sites of Biodiversity and Geodiversity Importance.
 - DM11 – Protected Species
 - DM12 – Mitigation, Enhancement, Management and Monitoring of Biodiversity.
 - DM13 – Landscape Features
 - DM14 – Protecting and Enhancing Natural Resources, Minimising Pollution and Safeguarding from Hazards.
 - DM20 – Archaeology
 - DM22 – Residential Design.
 - DM30 – Appropriate Employment Uses and Protection of Employment Land and Existing Businesses.
 - DM42 – Open Space, Sport and Recreation Facilities
 - DM44 – Rights of Way
 - DM45 – Transport Assessments and Travel Plans
 - DM46 – Parking Standards

Core Strategy (2010)

38. The Core Strategy was the subject of a successful legal challenge following adoption. Various parts of the plan were affected by the High Court decision, with Policies CS1 CS7 and CS13 being partially quashed (sections deleted) and section 3.6 deleted in its entirety. Reference is made to the following Core Strategy policies, in their rationalised form.

Visions

- **Vision 1** – Forest Heath
- **Vision 6** – Red Lodge

Spatial Objectives

- **Spatial Objective ECO1** – Attract high quality economic development

into the District

- **Spatial Objective ECO2** - Diversification of Forest Heath's economy
- **Spatial Objective ECO3** - Inward investment.
- **Spatial Objective ECO6** - Support the growth of the local economy and rural regeneration.
- **Spatial Objective H1** - Housing provision
- **Spatial Objective H2** - Housing mix and design standard
- **Spatial Objective H3** - Suitable housing and facilities (life time homes)
- **Spatial Objective C2** - Provision and maintenance of open space, play & sports facilities and access to the countryside.
- **Spatial Objective ENV1** - Habitats and landscapes and improving biodiversity.
- **Spatial Objective ENV2** - Climate change and reduction of carbon emissions.
- **Spatial Objective ENV3** - Promotion of renewable energy and energy efficiency.
- **Spatial Objective ENV4** - Design and architectural quality respecting local distinctiveness.
- **Spatial Objective ENV5** - Designing out crime and anti-social behavior
- **Spatial Objective ENV6** - Reduction of waste to landfill.
- **Spatial Objective ENV7** - Achieve sustainable communities by ensuring services and infrastructure are commensurate with new development.
- **Spatial Objective T1** - Location of new development where there are opportunities for sustainable travel.

Policies

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

Local Plan (1995)

A list of extant 'saved' policies is provided at Appendix A of the adopted Core Strategy (2010) and of those 'saved' policies subsequently replaced upon the Council's adoption of the Joint Development Management Policies Document (2015) are set out at Appendix B of that document.

- **Policy 13.1** - Expansion of Red Lodge to 2006 (approximately 1500 additional dwellings).
- **Policy 13.2** - Preparation of a Masterplan for the expansion of Red Lodge.
- **Policy 13.3** - Content of the Red Lodge Masterplan

- **Policy 13.4** – Provision for infrastructure, community facilities, school, public open space, highway improvements, environmental improvements, affordable housing with respect to the development of Red Lodge promoted by Policies 13.1 and 13.2.
- **Policy 13.5** – Approval of a Masterplan prior to development being permitted.
- **Policy 13.6** – Guidance for the preparation of a Masterplan.
- **Policy 14.1** – Securing Infrastructure and Community Facilities from Major New Developments.

Other Planning Policy:

Supplementary Planning Documents

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

Emerging Development Plan Policy

40. The Council has consulted on issues and options for two Development Plan Documents (Single Issue Review of the Core Strategy and Site Allocations Document). The Council's formal consultation on its 'preferred options' has recently been completed (July 2016). Following further amendments to the document, informed in part by the outcome public consultation, draft plans will be submitted to the Planning Inspectorate for examination and, ultimately, adoption. The plans, once adopted, will set out policies for the distribution of housing development in the District throughout the remainder of the plan period and positively allocate sites for development, including for housing and employment.
41. With regard to the weight decision makers should afford to emerging plans, The National Planning Policy Framework (the Framework) advises (at Annex 1) from the day of publication, decision-takers may give weight to relevant policies emerging plans (unless material indications indicate otherwise) according to:
- The stage of preparation of the emerging plan (the more advanced the preparation, the greater weight that may be given)
 - The extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater weight that may be given); and
 - The degree of consistency of the relevant policies in the emerging plan to the policies in the Framework, the greater weight that may be given.

42. The emerging Single Issue Review and Site Allocations documents have reached 'Preferred Options' stage but, given the consultation period has only relatively recently closed these emerging documents can be attributed limited weight given the significant uncertainties that surround the content of the 'submission' and 'final' versions of these documents. Members should note that, for the purposes of public consultation for the Site Allocations Document, the application site is included as a Preferred Option for employment related development and retains its status and being situated within the defined village settlement boundary.

National Policy and Guidance

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

44. Paragraph 14 of the Framework identifies the principle objective:

"At the heart of the National Planning Policy Framework is a presumption in favour of sustainable development, which should be seen as a golden thread running through both plan-making and decision-taking. For decision taking this means:

- Approving development proposals that accord with the development plan without delay; and
- Where the development plan is absent, silent or relevant policies are out-of-date, granting permission unless:
 - any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this framework taken as a whole;
 - or specific policies in this framework indicate development should be restricted."

45. 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".

46. The relevant policies of the Framework are discussed below in the officer comment section of this report.

47. The Government released its National Planning Practice Guidance (NPPG) in March 2014 following a comprehensive exercise to review and consolidate all existing planning guidance into one accessible, web-based resource. The guidance (which is constantly updated on-line) assists with interpretation about various planning issues and advises on best practice and planning

process.

Officer Comment:

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

Legal Context

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

49. Given the scale of development proposed, its location and the issues it raises, the planning application needs to be screened under the provisions of the Town and Country Planning (Environmental Impact Assessment) Regulations 2011. The Council's formal Screening Opinion concluded the proposals are not 'EIA development' and an Environmental Statement was not required to accompany the planning application.

The Conservation of Habitats and Species Regulations 2010 - (hereafter referred to as the Habitats Regulations).

50. Given the location of the various designated nature sites in the vicinity (including the Breckland Special Protection Area) consideration has been given to the application of these Regulations. If a plan or project is considered likely to give rise to significant effects upon a European site, Regulation 61 requires the decision maker to make an 'Appropriate Assessment' of the implications for that site before consenting to the plan or project.
51. The application site is in the vicinity of designated (International) sites of nature conservation but is not within a designation or land forming a formal buffer to a designation (including the 1.5km Nest Attempts Constraint Zone which serves to protect frequent Stone Curlew nesting attempts at locations outside the designated boundaries of the Special Protection Area).
52. The implications of the development proposals is discussed further later in the 'Natural Environment' section of this report. The Regulations require decision makers to have regard to the impacts arising from developments in isolation and in-combination with other plans and projects.

Natural Environment and Rural Communities Act 2006

53. The Act places a duty on all public authorities in England and Wales to have regard, in the exercise of their functions, to the purpose of

conserving biodiversity. The potential impact of the application proposals upon biodiversity interests is discussed later in this report.

Planning and Compulsory Purchase Act 2004 (as amended)

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

Planning (Listed Buildings and Conservation Areas) Act 1990

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

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

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

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

57. In this case there are no listed buildings at the site or close to the site (such that their settings would be affected). Similarly the development is not situated in or close to a Conservation Area.

Crime and Disorder Act 1998

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

Community Infrastructure Levy Regulations 2010

59. These generally set out regulations relating to the Community Infrastructure Levy, but Part 11 refers specifically to planning obligations (including those in S106 Agreements) and is relevant to the consideration of this planning application and will influence the final content of a potential S106 Agreement (in the event that planning permission is granted).
60. Regulation 122 imposes limitations on the use of planning obligations and

states (where there is no CIL charging regime), a planning application may only constitute a reason for granting planning permission for the development if the obligation 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.

- 61. Regulation 123 imposes further limitations on use of planning obligations and effectively bars the collection of pooled contributions towards infrastructure projects or types where 5 or more obligations securing contributions towards that infrastructure project or type have already been entered into. These restrictions are commonly referred to as 'pooling restrictions'.
- 62. Planning obligations arising from the proposed development are discussed later in this section of the report.

Principle of Development

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

- 63. Paragraph 47 to the Framework states that to boost significantly the supply of housing, local planning authorities should use their evidence base to ensure that their Local Plan meets the full, objectively assessed needs for market and affordable housing in the housing market area (as far as is consistent with policy), including identifying key sites which are critical to the delivery of the housing strategy over the plan period.
- 64. In addition, the Framework requires authorities to identify and update annually a supply of specific deliverable sites sufficient to provide five-years worth of housing against their housing requirements with an additional buffer of 5% (or a 20% buffer if there is evidence of a persistent under-delivery of new housing) to ensure choice and competition in the market for land.
- 65. Paragraph 49 of the Framework states "*Housing applications should be considered in the context of the presumption in favour of sustainable development. Relevant policies for the supply of housing should not be considered up to date if the Local Planning Authority cannot demonstrate a five-year supply of deliverable housing sites*".
- 66. The surviving extant elements of Core Strategy policy CS7 requires the provision of 6,400 new dwellings in the period 2001 – 2021 and a further 3,700 homes in the period 2021 – 2031. The housing numbers included in the plan is presently the subject of review as part of the emerging Single Issue Review document.
- 67. The latest 5-year housing supply assessment (considered by Members of the Local Plan Working Group on 1st March 2016) confirms the Council is

presently able to demonstrate a 5-year supply of deliverable housing sites. Members will note the dwellings proposed by this planning application are not included in current five-year supply forecasts. If planning permission is granted for the development it would add to the 5-year housing supply.

What is sustainable development?

68. 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)
69. 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.
70. 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;
 - improving the conditions in which people live, work, travel and take leisure; and
 - widening the choice of high quality homes.

Prematurity

71. The NPPF does not address 'prematurity' directly, but advice about the approach the decision maker should take is set out in the National Planning Practice Guide. It states:
- Annex 1 of the National Planning Policy Framework explains how weight may be given to policies in emerging plans. However in the context of the Framework and in particular the presumption in favour of sustainable development – arguments that an application is premature are unlikely to justify a refusal of planning permission other than where it is clear that the adverse impacts of granting permission would significantly and demonstrably outweigh the benefits, taking the policies in the Framework and any other material considerations into account.

Such circumstances are likely, but not exclusively, to be limited to situations where both:

(a) the development proposed is so substantial, or its cumulative effect would be so significant, that to grant permission would undermine the plan-making process by predetermining decisions about the scale, location or phasing of new development that are central to an emerging Local Plan or Neighbourhood Planning; and

(b) the emerging plan is at an advanced stage but is not yet formally part of the development plan for the area.

- Refusal of planning permission on grounds of prematurity will seldom be justified where a draft Local Plan has yet to be submitted for examination, or in the case of a Neighbourhood Plan, before the end of the local planning authority publicity period. Where planning permission is refused on grounds of prematurity, the local planning authority will need to indicate clearly how the grant of permission for the development concerned would prejudice the outcome of the plan-making process.

72. In this case the development proposal for (up to) 125 dwellings is not particularly substantial in comparison to the overall quantum of development that needs to be provided in the District over the Plan period. Furthermore, the Single Issue Review of the Core Strategy and the Site Allocations document presently carry only limited weight in the decision making process.
73. Notwithstanding the limited weight officers consider it is appropriate to attribute to the emerging documents, the 'Preferred Options' version of the Site Allocations Document, in particular, allocates the totality of the application site for employment related development. The proposals are therefore inconsistent with the emerging Development Plan position.
74. It would be difficult to justify any decision that approval of this scheme would be premature in the context of the evidence provided with the planning application, expert advice sourced independently and current national policy and guidance. This advice is re-enforced by the fact that the Council is already 15 years into the Plan period (2001 – 2031) and in the continued absence of an adopted Site Allocations Document the proposed development would make a positive contribution towards the overall number of dwellings required to be provided by Core Strategy Policy CS7.
75. On the basis of national guidance on the issue of prematurity and relevant national policies providing for the delivery of sustainable development without delay, your officers (including Planning Policy officers) do not consider it would be reasonable to object to the planning application on the grounds of it being premature to the Development Plan.

Development Plan housing policy context

76. Vision 1 of the Core Strategy confirms development will be focussed in the

towns and key service centres. Core Strategy policy CS1 confirms Red Lodge as a key service centre. Spatial Objective H1 seeks to provide sufficient homes in the most sustainable locations to meet the needs of communities. Policy CS10 confirms the Towns and Key Service Centres will be the focus of new development (providing service to surrounding rural areas).

77. The surviving elements of Core Strategy policy CS7 provides for 10,100 dwellings and associated infrastructure in the plan period (2001 – 2031) and confirms development will be phased to ensure appropriate infrastructure is provided. Policy CS13 confirms the release of land for development will be dependent on there being sufficient capacity in the existing local infrastructure to meet the additional requirements from development.
78. Policy CS1 confirms Red Lodge is identified as a key service centre recognising the completion of the school and village centre is required in order to provide adequate facilities for residents. The School and village centre have been completed. The policy also states the existing outline planning permission for (inter alia) 1,659 dwellings will be implemented in accordance with the most up to date Red Lodge Master Plan. The policy confirms 800 further dwellings are allocated on brownfield or mixed brownfield/greenfield sites, the majority of which are to be built after 2021, but no greenfield urban extensions will come forward prior to 2021. The Red Lodge section of Policy CS1 finishes with a promise to improve links to countryside rights of way and resolve gaps in the bridleway network.
79. A number of saved policies in the 1995 Local Plan address the 'Masterplanned' development of Red Lodge. Significant elements of the overall masterplan, predominantly the housing but also the school, public open spaces and other community facilities, have already been delivered on the ground. Furthermore, an element of the employment land allocated by the Masterplan has been provided, but this particular land use has lagged behind the delivery of housing and associated facilities with large areas of employment land allocated in the Masterplan document (including the application site) remaining undeveloped.
80. Core Strategy policy CS6 states (inter alia) that economic and tourism growth at Red Lodge will be in broad alignment with the scale of housing development to discourage commuting and achieve a homes/jobs balance.
81. Policy DM1 of the Joint Development Management Policies Document reaffirms the tests set out at paragraph 17 of the NPPF (balancing the positives against the negatives).

Impact of the announced closure of Mildenhall airbase

82. In January 2015 the Ministry of Defence announced the United States Air Force is planning to leave the Mildenhall airbase over an extended period whilst at the same time increasing its operations at the Lakenheath airbase. The announcement has only very limited impact upon the

consideration of this planning application given that any alternative development opportunities which may arise at the base are not likely to occur in the short term (i.e. within the 5-year housing supply period) and the need for re-use/re-development to be planned is unlikely to be required until the next planning cycle.

83. The emerging Site Allocations Local Plan – Preferred Options, includes the following commentary on the announced closure of the Mildenhall airbase:

- *3.7 It was announced on 18 January 2016 that the Government will be selling off RAF Mildenhall for housing once the United States Air Force vacates the base by 2022. Until there is certainty from the MoD over the deliverability and timescales for bringing the site forward, it is not possible to include the site as an option in the Site Allocations Local Plan. Should this position change during the plan period, the council will immediately commence a review of the local plan and a masterplan will be prepared.*

Officer comment on the principle of development

84. The application site is situated within the settlement boundary of the village. The detailed settlement boundaries were set out in the 1995 Local Plan as Inset Maps. Local Plan policies providing for settlement boundaries (namely policies 3.1, 3.2, 3.3 and, indirectly, the Inset Maps of the 1995 Local Plan) were replaced by policy CS1 of the Core Strategy upon adoption in 2010. Policy CS1 (and other Core Strategy policies), refer to settlement boundaries, but the document itself does not define them. Settlement boundaries are included on the Policies Map accompanying the Joint Development Management Policies Document (2015) and thus do have Development Plan status. The settlement boundaries are illustrated at a large scale on the Policies Map such that it is difficult to establish their detailed alignment. The settlement boundaries included on the Policies Map were not reviewed prior to adoption of the Joint Development Management Policies Document and thus have not been altered from the 1995 Local Plan Inset Maps. Accordingly, it is reasonable to read the Policies Map and Local Plan Inset Maps together to establish the precise locations of the settlement boundaries.

85. The location of the site within the housing settlement boundary deems the proposals for a housing redevelopment (as a starting point) acceptable in principle. However, this degree of policy support for the proposals must be considered in the context of any other policy based or site/context specific constraints, including the specific allocation of the application site for employment development in both the existing (adopted) and emerging (preferred options) Local Plan documents. The technical details of the proposed development, including the ability of local infrastructure to absorb its impacts also require consideration. These matters are discussed later in this report.

86. In considering this planning application, appropriate weight should be attributed to relevant policies in the Core Strategy and adopted Joint Development Management Policies document, with greater weight

attributed to those policies consistent with national policies set out in the Framework.

87. An officer discussion to assist with Members consideration of the merits of the proposed development is set out below on an issue by issue basis.

Loss of land formally allocated for employment development

88. The application site is currently in agricultural use and there are no buildings present. It is allocated for employment related development as part of the approved Masterplan for the sustainable urban expansion and regeneration of Red Lodge. The Masterplan is intrinsically linked to a number of saved policies of the Forest Heath Local Plan (1995). Furthermore the site is a 'preferred site' for employment related development within the emerging Site Allocations Development Plan document (emerging policy EM1(c)).
89. The Framework commits to securing economic growth, including sustainable growth in rural areas. The document does not contain policies seeking to retain employment sites in employment use per se, but at paragraph 22 states:

Planning policies should avoid the long term protection of sites allocated for employment use where there is no reasonable prospect of a site being used for that purpose. Land allocations should be regularly reviewed. Where there is no reasonable prospect of a site being used for the allocated employment use, applications for alternative uses of land or buildings should be treated on their merits having regard to market signals and the relative need for different land uses to support sustainable local communities.

90. Core Strategy Policy CS6 states that land allocated for employment and existing employment sites will only be considered for alternative uses in exceptional circumstances where it is demonstrated they are no longer viable for employment use and specific community and environmental benefits can be achieved.
91. There are no saved policies in the 1995 Local Plan which seek to retain or control the redevelopment of employment land or premises.
92. Policy DM30 of the Joint Development Management Policies Document addresses proposals involving the loss of employment sites or sites allocated for employment development. It states such schemes will only be permitted if it complies with other policies in the plan (policies DM1 and DM2 in particular) and one of the following criteria has been met:
 - (a) there is a sufficient supply of alternative and suitable employment land available to meet local employment job growth requirements
 - (b) evidence can be provided that genuine attempts have been made to sell/let the site in its current use and that no suitable and viable alternative employment uses can be found or are likely to be found in the foreseeable

future;

(c) the existing use has created over-riding environmental problems (eg noise, odours or traffic) and permitting an alternative use would be a substantial environmental benefit that would outweigh the loss of an employment site;

(d) an alternative use or mix of uses would assist in urban regeneration and offer greater benefits to the community in meeting local business and employment needs

(e) it is for an employment related support facility such as employment training/education, workplace crèche or industrial estate café

(f) an alternative use or mix of uses would provide other sustainability benefits that would outweigh the loss of an employment site.

93. Criteria (c), (d) and (e) from policy DM30 are considered irrelevant to the specific circumstances of the site and/or proposals.

Policy DM30 Criteria (a)

94. The applicants have submitted an Economic Statement with the planning application which seeks to (inter alia) demonstrate the application site is surplus to requirements (in terms of the supply of land for employment development). The document analyses currently available evidence of the need for employment land and concludes there is presently an over-supply of land available for the uses permitted at the site (focussing on B1 office development).
95. The applicant's evidence is contradicted by the findings of the A11 corridor study which investigates the potential of the trunk road corridor to function as a hub for 'high-tech' industries. The report concludes there are opportunities and indicates that Red Lodge is potentially favourable for such development. The corridor study identifies the application site as a potential site for such development (alongside 10 other potential sites).
96. The Council has commissioned an Employment Land Review to inform the strategic employment sites it will be allocating as part of the Site Allocations Local Plan Document. Whilst a final version of the ELR is not yet available, an early draft version did not suggest the application site is strategically important in providing an adequate stock of developable employment land through the current planning cycle to 2031.
97. The applicant's case is convincing with respect to the absence of a current need for the application site to be retained in the stock of existing employment land. Demand for employment land in the District has remained low during and coming out of the 2008/2009 recession. The applicant's conclusions are supported by the fact they have only received enquiries for large scale warehouse (Class B8) developments over the lengthy period it has been allocated in the Development Plan and marketed for those purposes. The application site is not suitable for a Class B8

development given its prominence at the entrance into the village and its relationship to existing residential areas.

98. The applicant's conclusions are contradicted to an extent by the A11 corridor study. The study considers the application site could be strategically important if High Tech industries were to develop along the corridor. The document is aspirational in this respect and there is no guarantee that such industries would ultimately choose to locate to sites along the A11 corridor, away from the large clusters of similar uses that have developed around Cambridge over a long period. The corridor study is diluted somewhat by the initial findings of the ELR which is not indicating that the site is particularly 'strategic' or important in the overall employment land supply. It must be noted, however, the ELR is presently in draft form.
99. Whilst the applicants have demonstrated there is a sufficient supply of land to cater for demand for Class B1 uses at the present time (and over past years), the evidence is less clear with respect to future markets and needs. Whilst independent evidence commissioned by the Council seems to be contradictory with respect to the potential need for the application site to be safeguarded for employment use, officers consider it cannot be concluded at this time that the applicants have adequately demonstrated there is a sufficient supply of alternative and suitable employment land available to meet local employment job growth requirements as required by criteria (a), particularly with respect to future employment needs.

Policy DM30 criteria (b)

100. Whilst criteria (a) addresses future needs for employment land, criteria (b) is very much concerned with past and current requirements. The applicant's have been marketing the site for a number of years. Whilst some interest has been generated by the campaign, this has been for Class B2 warehouse developments for which the site is not deemed suitable for reasons discussed above. Full details of the marketing of the site have been included as part of the applicants report. Officers raised concerns about certain aspects of the marketing, the asking price for the site in particular. A local commercial land agent (Merrifields) was therefore commissioned to assess the marketing information with particular regard to the test set out at criteria (b) of Policy DM30 that "genuine attempts" have been made.
101. The report provided by Merrifields, which is attached to this report as Working Paper 1, is emphatic in its conclusions that genuine attempts have been made to realise an employment related development at the site and appropriate marketing has been carried out in that respect, but planning restrictions and market demands and preferences have conspired against the site coming forward.
102. It is considered, particularly in the light of the Merrifields report and the significant weight that should be attributed to it, the applicants have adequately demonstrated compliance with criteria (b) of Policy DM30.

Policy DM30 criteria (f)

103. The application proposes housing development on a site allocated for (restricted) employment uses. The site was allocated for employment use in order to provide jobs in a village that was (at the time) positively planned in order to accommodate significant new housing growth and by delivering a mix of uses the aim was to achieve sustainable development in its purest sense.
104. Whilst the housing aspects of the Red Lodge Masterplan have been developed and, latterly, its community facilities have followed, there has been little take up of the allocated employment land to date.
105. Given this context and wider ambitions behind the recent growth of Red Lodge, it cannot be concluded that the replacement of an allocated employment site with housing would provide other sustainability benefits that would outweigh the loss of the employment site. This is particularly the case at present with the Council being able to demonstrate a 5-year supply of housing.
106. Officers consider the specific allowances set out under criteria (f) of Policy DM30 can not be attributed to the application proposals.

Conclusions on policy DM30

107. Core Strategy Policy DM6 seeks to protect allocated employment sites. This high level strategy is built upon by Policy DM30 of the Joint Development Management Policies Document which sets out more detailed criteria for considering proposals involving the loss of existing or allocated employment sites. The policies, when read together, are considered fully consistent with Government Policy set out in the NPPF which seeks to avoid the long term protection of employment sites.
108. Policy DM30 sets out six criteria against which proposals involving the loss of existing or allocated employment land is tested. The proposals only need to meet one of the criteria of the policy for the protection it affords to be set aside. In this case the independently tested evidence submitted with the planning application has demonstrated that genuine attempts have been made to seek an employment development of the site over a number of years without success. Accordingly, officers are content the loss of the allocated employment site is, given the particular circumstances of this case, compliant with extant development plan policies.
109. The application site is allocated for an employment related development by the emerging Site Allocations Development Plan document. However, given it has been established the application proposals are not premature or prejudicial to the emerging plan (a view shared by the Planning Policy Team), this should not in itself stand in the way of this proposal for a housing (non-employment) development of the site.

Landscape Impact

110. Core Strategy Policies CS2 and CS3 seek to protect, conserve and (where possible) enhance the quality, character and local distinctiveness of the landscape and refers to the Forest Heath Landscape Character Assessment to inform detailed assessment of individual proposals.
111. Policy DM13 of the Joint Development Management Policies Document seeks to protect the landscape character (including sensitive landscapes) from the potentially adverse impacts of development. The policy seeks proportionate consideration of landscape impacts and calls for the submission of new landscaping where appropriate. It also calls for landscape mitigation and compensation measures so there is no net loss of characteristic features.
112. The Framework confirms the planning system should (inter alia) protect and enhance 'valued landscapes' and promotes development of previously used land but other than continuing protection of formal Greenbelt designations (of which there are none in Forest Heath) and recognising the hierarchy of graded agricultural land, national policy stops short of seeking to protect the 'countryside' from new development in a general sense.
113. The application site is categorised as 'Estate Sandlands' by the Suffolk Landscape Character Assessment (SLCA). The Assessment states that despite the presence of so much forestry, the views in this landscape are often long and there can be a powerful sense of isolation. The 'planned' nature of the landscape over such a large area does, however, mean that there is little variation in the views.
114. The SLCA recognises that one of the key forces for change is the expansion of existing settlements into this landscape and creation of new settlement patterns and clusters associated with infrastructure development.
115. In respect of visual impact the SLCA considers the regular nature of the estate sandlands landscape means that it does have more potential capacity to accept significant settlement expansion than the ancient countryside of the claylands. The assessment recognises (in a general sense) the sandland plateau, with its simpler and more modern land cover pattern and extensive regular pattern of tree cover, can be adapted to accept larger growth. However, the area does not have a history of substantial settlements. Therefore, the impact on the character of the landscape both directly and indirectly can, depending upon circumstances, be highly significant and damaging.
116. The proposed development would be harmful to the character of the countryside as a matter of principle given that it would ultimately change currently undeveloped agricultural land into a developed housing estate and this would be a dis-benefit of the proposals.
117. The impact of the development proposals upon the landscape qualities and character of the wider countryside could be significant given the village

edge location of the site. However, this is tempered somewhat by the fact the site is allocated for employment related development in both extant and emerging Local Plan documents. The presence of larger and taller structures would be anticipated from an employment related development would potentially be of greater harm to the landscape than a residential development. Accordingly, the development of the site with a lower scale housing development is likely to be more successfully assimilated into the local landscape. The fact that a buffer needs to be retained between the housing development and its countryside edge (owing to the presence of the A11 trunk road close to this boundary) means there are generous opportunities available to mitigate the impact of the proposed development upon the landscape through new strategic planting. Careful attention does need to be given to the outer treatment of the bunding and the acoustic barrier which is required along this boundary. This will require particular attention at reserved matters stage when details of the site layout and landscaping (and acoustic measures) are submitted for consideration and approval.

118. The impact of the proposed development upon the landscape is, on balance, considered acceptable with any significant adverse effects capable of mitigation via the introduction of new landscaping (the precise details of which would be secured at reserved matters stage).

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

119. The Framework confirms that the transport system needs to be balanced in favour of sustainable transport modes giving people a real choice about how they travel. There is, however, recognition that opportunities to maximise sustainable transport solutions will vary from urban to rural areas.
120. It is Government policy that planning decisions should ensure developments that generate significant movement are located where the need to travel will be minimised and the use of sustainable modes of transport can be maximised. However, the Framework confirms this policy needs to take account of other policies in the document, particularly in rural areas.
121. The Framework confirms that development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe. It goes on to state that planning decisions should ensure developments that generate significant movement are located where the need to travel will be minimised and the use of sustainable transport modes can be maximised recognising that this needs to take account of policies set out elsewhere in the Framework, particularly in rural areas.
122. Core Strategy Spatial Policy T1 aims to ensure that new development is located where there are the best opportunities for sustainable travel and the least dependency on car travel. This is reflected in Policies CS12 and CS13 which confirms the District Council will work with the partners

(including developers) to secure necessary transport infrastructure and sustainable transport measures and ensure that access and safety concerns are resolved in all developments.

123. Policy DM44 of the Joint Development Management Policies document states improvements to rights of way will be sought in association with new development to enable new or improved links to be created within the settlement, between settlements, and/or providing access to the countryside or green infrastructure sites as appropriate.
124. Policy DM45 requires the submission of a Transport Assessment to accompany planning applications that are likely to have significant transport implications (including preparation and implementation of a Travel Plan). The policy states where it is necessary to negate the transport impacts of development, developers will be required to make a financial contribution, appropriate to the scale of the development, towards the delivery of improvements to transport infrastructure or to facilitate access to more sustainable modes of transport. Policy DM46 sets out parking standards for new development proposals (and links to Suffolk County Council's adopted standards (November 2014)).
125. The Core Strategy categorises Red Lodge as a Key Service Centre and is thus regarded a 'sustainable' location which can support growth. Local employment opportunities are restricted with limited provision in the village at present. The two air bases nearby at Mildenhall and Lakenheath are presently key providers of local employment. The towns of Newmarket, Mildenhall and Bury St Edmunds, which provide a range of more traditional employment opportunities, are positioned nearby. People living in Red Lodge, are likely to need to travel away from the village to their place of work. There is a range of community facilities in the village, including shops, services, a school, public open spaces, a church and other meeting rooms which serve to contain a number of trips. The village does not have a large grocery supermarket (although there is a reasonably sized Nisa grocery store in the village centre, close to St Christopher school).

Information submitted with the planning application

126. The planning application is accompanied by a Transport Assessment. The document uses the TRICS database to calculate that an average of 69 vehicles would use the vehicular access during the am peak (19 arrivals and 50 departures) and 75 vehicles during the pm peak (47 arrivals and 28 departures), which equates up to 1.25 vehicle movements per minute during the peak periods. The document concludes there is capacity in the road network to accommodate this level of housing growth.
127. The document recognises that pedestrian access from the site into the village is good (the school and village centre are located a 6 minute and 6.5 minute walk away) and recognises opportunities for provision within the application site. The Highway Authority has requested additional measures are secured off site, including a formal pedestrian crossing and other foot/cycle improvements. The applicants have agreed in principle to provide/fund these measures.

128. It is likely that potential occupiers of the dwellings proposed by this planning application would need to travel to meet their employment, retail and entertainment needs. Some of these journeys could be lengthy (non-airbase employees in particular) and the majority would be by car. However, there are services and facilities in the village that will prevent the need for travel to some facilities and internalise some trips. The proposals accord with the 'settlement hierarchy' set out at Policy CS1 of the Core Strategy. Given the village scale of Red Lodge and its relatively isolated and self-contained situation in a rural area, the development proposals are considered to accord with relevant accessibility policies in the Framework and are considered sustainable in transport terms.
129. Details of means of access into the site is included with the planning application for consideration now. Vehicular access is to be taken from the existing (but improved) Elms Road with an improved highway junction onto Newmarket Road. The improvements which would not necessitate tree felling or other potentially visually harmful works are considered acceptable on technical and visual grounds. Further and precise details of the access junction improvements and internal roads and other footpath/cycle connections could be secured by means of appropriately worded planning conditions.
130. Access to the proposed development is considered safe and suitable and officers (including the Highway Authority) are content the development would not lead to significant highway safety issues or hazards. Furthermore, the development proposals would enhance pedestrian links towards the village centre (considered to be the school and village centre parade of shops in this case). Having considered the evidence and comments received from the Highway Authority, your officers are content the proposed development would not lead to traffic danger or congestion of the highway network, including during the am and pm peak commuting hours.

Impact upon natural heritage

131. The Framework confirms the planning system should contribute to and enhance the natural environment by (inter alia) minimising impacts on biodiversity and providing net gains where possible. The Framework states that protection of designated sites should be commensurate with the status of the site, recognising the hierarchy of international, national and local designations. The presumption in favour of sustainable development set out at paragraph 14 of the Framework does not apply where development requires appropriate assessment under the Birds or Habitats Directives.
132. Spatial Objective ENV1 of the Core Strategy aims to conserve and enhance the habitats and landscapes of international, national and local importance and improve the rich biodiversity of the District. This objective forms the basis of Core Strategy policy CS2 which sets out in greater detail how this objective will be implemented.
133. Policy DM10 of the Joint Development Management Policies Document sets

out more detailed provisions with respect to the impact of development upon sites of biodiversity and geodiversity importance. Among other things, the policy introduces (in a local policy sense) the need to consider cumulative impacts upon these interests. Policy DM11 addresses proposals that would have an impact upon protected species. Policy DM12 sets out requirements for mitigation, enhancement, management and monitoring of biodiversity. The policy states that all new development (excluding minor householder applications) shown to contribute to recreational disturbance and visitor pressure within the Breckland SPA and SAC will be required to make appropriate contributions through S106 Agreements towards management projects and/or monitoring of visitor pressure and urban effects on key biodiversity sites.

134. Policy DM44 states improvements to rights of way will be sought in association with new development to enable new or improved links to be created within the settlement, between settlements, and/or providing access to the countryside or green infrastructure sites as appropriate.

Impact upon internationally designated sites

135. The designated Special Protection Area (SPA) is situated to the east of Red Lodge. Its qualifying features include the Stone Curlew (breeding), the European Nightjar (breeding) and the Woodlark (breeding). It comprises a number of SSSI's which are designated for similar reasons. The application site is outside the SPA boundaries and outside the 1.5km buffers drawn outside its boundaries. Accordingly, given these distances and the fact the development proposals would be concealed from the SPA by the existing built form of the village, there are unlikely to be significant direct impacts arising. The SPA is also vulnerable to increased recreation visitor pressure (indirect impact) from new housing developments located at distances greater than 1.5km from the SPA boundaries. Accordingly, indirect impacts upon the conservation interests of the SPA can not automatically be ruled out and, in accordance with the requirements of Core Strategy Policy CS2, further consideration of potential impact is required.
136. The likelihood of direct impacts to the SPA from the development proposals has already been addressed. The potential direct impacts of development upon Stone Curlews nesting locations outside the SPA and indirect impacts arising from increased recreational pressure requires closer examination and consideration.
137. The applicants have submitted an Ecological Impact Assessment with the planning application. The information has been prepared by a suitably qualified Ecologist (CSA Environmental). The report considers the direct and in-direct impacts of development (the scheme in isolation and in-combination with other plans and projects) and, with respect to indirect impacts upon the SPA, makes the following observations;
 - Most recent research (Lilley, 2015) indicates there is no clear effect of recreational pressure on breeding success on [protected] birds at the SPA and that recreational disturbance – at current levels – does not seem to be a current issue.

- The research suggests that nightjar and woodlark are instead likely to be declining due to habitat loss linked to forestry management.
 - Significant adverse recreational effects upon nightjar and woodlark at the SPA are not predicted as a result of this development alone.
 - Stone Curlew numbers at the SPA have increased in recent years and therefore recreational impacts are unlikely to be adversely affecting this population currently.
138. The Ecological Impact Assessment also concludes significantly adverse recreational impacts to the Breckland SAC and the Rex Graham Reserve SAC & Chippenham Fen Ramsar site are unlikely.
139. The Assessment also considers the potential impact from recreational pressure upon the Red Lodge Heath SSSI which is located in the village a short (and walkable) distance to the south of the site. No significant effects are predicted. This conclusion is also shared by Natural England. The application proposals do provide (in illustrative format for the time being) a perimeter dog walking route in order to provide an alternative to the SSSI for recreational purposes.
140. The scope of the alternative route and its ability to attract dog walkers away from the SSSI is limited given the relatively small size of the application site (and the relatively short route provided) and whilst it may filter some of the shorter walks away from the SSSI, those wishing to embark on longer walks are likely to leave the site and may opt to use the SSSI as part of their daily route. Accordingly, it is likely, given the absence of alternative public open space on the western side of Red Lodge, the development proposals will increase recreational pressure onto the SSSI.
141. In order to mitigate this impact, the applicants have agreed (in principle) to fund the part time wardening of the SSSI in order to improve its regular management and maintenance. A commuted sum would need to be secured in order to fund the warden over a period of time. At the time of writing, the precise details of the wardening and amount of the developer contributions required is yet to be fully resolved. Once this has been calculated and agreed, the commuted sum will form part of a s106 Agreement to be completed in advance of any (potential) grant of outline planning permission.
142. The Ecological Impact Assessment has been the subject of public consultation. Natural England are content the proposed development would not have significant effects upon the conservation interests of the international and national designated sites and has advised the Council, as decision maker, of its view that an Appropriate Assessment (under Regulation 61 of the Habitats Regulations) is not required.
143. The Council has screened the proposals under the provisions of the Habitats Regulations and has concluded 'appropriate assessment' of the implications for internationally designated sites in view of their

conservation objectives (both individually and in combination with other plans and projects) is not required.

Protected species.

144. The Ecological Impact Assessment concludes the site is of low intrinsic ecological value and no habitats or species of ecological importance are present. The assessment does, however, make recommendations for ecological enhancements. The following measures, which could be secured by means of condition, are recommended:
- Provision of bat and bird nesting boxes within the new development.
 - New strategic landscaping should include native species, including flowering and fruiting trees.
 - Formal landscaping in residential areas should include species known to be beneficial to wildlife.
145. Officers are satisfied that the development proposals would not adversely affect important sites of ecological interest in the area and would not harm populations or habitats of species which are of acknowledged importance (protected or unprotected). It has also been determined that Appropriate Assessment of the implications of the proposals upon the SPA is not required in this case.
146. There is no evidence to dispute the applicants view that a carefully a constructed and landscaped development is likely to result in net ecological gains at the site. The delivery of the mitigation and enhancement measures at and beyond the site could be secured via appropriately worded planning conditions and or via a S106 agreement, as appropriate.

Impact upon trees

147. Existing vegetation is confined to the periphery of the site along part of the boundaries. The tree assessment shows the majority of these (save for one early mature English Oak) are to be retained. No tree protection measures are indicated, although these could be secured by planning condition in the event that planning permission is to be granted.
148. Opportunities are available to enhance the existing tree stock by providing new tree planting throughout the development, but particularly to site boundaries. Details of new planting would as a matter of course be required to accompany a reserved matters submission. Furthermore the longer term and beneficial management and maintenance of the tree belt could be secured.
149. The impact of the development upon existing trees is considered acceptable.

Impact upon built heritage

150. The Framework recognises that heritage assets are an irreplaceable resource which should be conserved in a manner appropriate to their significance. When considering the impact of proposed development upon the significance of a designated heritage asset, great weight should be given to the asset's conservation. The term 'heritage asset' used in the Framework includes designated assets such as Listed buildings, Scheduled Ancient Monuments, Registered Parks and Gardens and Conservation Areas and also various undesignated assets including archaeological sites and unlisted buildings which are of local historic interest.
151. The Framework advises that LPA'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.
152. Core Strategy Spatial Objective C4 aims to protect and enhance the Historic Environment. This objective is implemented via Policy CS3.
153. Policy DM20 of the Joint Development Management Policies Document sets out criteria for development affecting Scheduled Ancient Monuments and/or archaeological sites (including below ground assets).
154. The development proposals would not impact upon any designated heritage assets (i.e. listed buildings, (including their settings) and conservation areas etc).
155. A desk top archaeological evaluation of the site was submitted with the planning application. This considered it unlikely that any archaeological remains are present at the site and all but the lower deposits of deeper features would have been removed by land improvement. The report offered the opportunity for further intrusive archaeological investigations if the archaeological advisors to the local planning authority deemed it necessary.
156. The Archaeological Service at Suffolk County Council has been consulted of the planning application and has requested further investigations are carried out. Their comments are reported at paragraph 28 above. Further archaeological investigations and recordings could be secured by means of appropriately worded planning conditions should planning permission subsequently be granted.
157. The development proposals would have no significant impacts upon undesignated heritage assets (potential archaeological remains in this case).

Impact upon local infrastructure (utilities)

158. The 'economic' dimension of the definition of sustainable development set out in the Framework confirms the planning system should (inter alia) identify and co-ordinate development requirements, including

infrastructure. Furthermore, one of the core planning principles set out in the document states that planning should “proactively drive and support sustainable economic development to deliver the homes, business and industrial units, infrastructure and thriving local places that the country needs.”

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

160. Core Strategy Policy CS13 sets out infrastructure requirements and developer contributions. The policy opens with the following statement:

“The release of land for development will be dependent on there being sufficient capacity in the existing local infrastructure to meet the additional requirements arising from new development”.

161. The policy lists the main areas as health and social care facilities, educational requirements, strategic transport improvements, waste water treatment capacity, energy supply (electricity), access and safety, open space, sport and recreation. The policy confirms arrangements for the provision or improvement of infrastructure will be secured by planning obligation or (where appropriate) conditions attached to planning permission to ensure infrastructure is provided at the appropriate time.

162. The policy concludes that all development will be accompanied by appropriate infrastructure to meet site specific requirements and create sustainable communities.

163. Matters pertaining to highways, education, health and open space infrastructure are addressed elsewhere in this report. This particular section assesses the impact of the proposals upon utilities infrastructure (waste water treatment, water supply and energy supply).

Infrastructure and Environmental Capacity Appraisal

164. The ‘original’ growth strategy in respect of the District’s settlement hierarchy set out in the adopted Core Strategy was found to be sound. This would suggest that Red Lodge has the environmental capacity to deliver the maximum of 125 dwellings proposed by this planning application.

165. In terms of the potential environmental capacity of infrastructure in Red Lodge, it has been held at planning appeal that the 2009 Infrastructure and Environmental Capacity Assessment (‘IECA report’) represents the best available evidence.

166. The IECA report considers the environmental capacity of settlements in the

District, and recognises the need for a mechanism to provide social, physical and environmental infrastructure to support growth. The report also considers settlement infrastructure tipping points which are utilised to evaluate potential impacts on infrastructure.

Waste water treatment infrastructure

167. Details submitted with the planning application confirm the proposed development would connect to existing foul water systems in the village. The village is served by Tuddenham Waste water Treatment Works (WwTW) with waste water being pumped to that facility via the Herringswell pumping station. The applicants Utilities and Waste Water Assessment (received with the planning application) confirms, following liaison with Anglian Water Services that the existing waste water network has sufficient spare capacity to accept flows arising from this development. The document also confirms that there is currently spare capacity at the Tuddenham Water Recycling Centre for the effluent generated by the proposed development.
168. IECA comments that the Strategic Flood Risk Assessment and Water Cycle Study identifies that the rising main runs to the south east of Red Lodge and that Tuddenham WwTW has limited headroom and is significantly constrained due to its location adjacent to a SSSI.
169. The IECA report refers to the Strategic Flood Risk Assessment and Water Cycle Study which identifies that the Tuddenham WwTW can accommodate 1,310 new dwellings within its existing headroom, which is due to be reached by 2025 and the plant is potentially unsuitable for upgrade.
170. Anglian Water Services (AWS) has been consulted of the development proposals and, in response, has not objected to the planning application. Anglian Water's confirmation that there is capacity in the existing foul water system to accommodate the additional flows generated by the development validates the conclusions of the applicant's Utilities and Waste Water Assessment.
171. As part of the background evidence into the emerging Local Plan documents, the Council commissioned Hyder consulting to carry out an independent review of the ability of the waste water infrastructure serving Red Lodge to cope with additional demands from new developments. The study reported in October 2014 and is neatly summarised in the draft Infrastructure Delivery Plan which has been prepared in support of the emerging Single Issue Review and Site Allocations Local Plan:
 - The Hyder study concluded that recent capacity improvements undertaken by Anglian Water at the Tuddenham Waste Recycling Centre (WRC) are sufficient to accommodate proposed development at Red Lodge, and the 2021 embargo placed on expansion by the Core Strategy is no longer appropriate.
 - It also concluded that, depending upon growth levels realised,

additional modifications/extensions to the WRC processes will be required potentially from 2021 onwards.

- The report advised that availability of land on site and the design of the facility should allow Anglian Water to provide any necessary improvements.
- The study also concluded that many of the historic sewerage network issues were unrelated to growth. Furthermore, changes in network connectivity undertaken by Anglian Water now allow the connection of development sites into the network by utilising recent capacity improvements and the avoidance of the areas of the network with historic capacity concerns.
- The study went on to find that wastewater flooding and odour historically experienced at Herringswell relate to operational and resilience issues, rather than a lack of asset capacity. It found that additional flows from proposed development should reduce the risk of wastewater becoming septic, which in turn should reduce the risk of odour nuisance.

Water supply

172. IECA comments that according to the Strategic Flood Risk Assessment and Water Cycle Study the potable water supply network should not be a major constraint to development around Red Lodge and no tipping points are identified.

Energy supply

173. The village is served by Kennet substation. The IECA report states that EDF Energy has identified that the substation is nearing capacity and are planning to upgrade it. IECA (published in 2009) identifies the tipping point (500 dwellings) may be nearing but additional capacity is likely to come forward in due course.

Flood risk, drainage and pollution

174. 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.
175. The Framework states that to prevent unacceptable risks from pollution and land instability, planning decisions should ensure that new development is appropriate for its location. It also confirms that where a site is affected by contamination or land stability issues, responsibility for securing a safe development rests with the developer and/or landowner.
176. Core Strategy Policy CS4 states the Council will support development proposals that avoid areas of current and future flood risk and which do not increase the risk of flooding elsewhere. The policy confirms sites for

new development will be allocated in locations with the lowest risk of flooding (Environment Agency Zone 1 flood category) and will seek the implementation of Sustainable Urban Drainage Systems (SUDS) into all new development proposals, where technically feasible.

177. Policy DM6 of the Joint Development Management Policies Document requires the submission of flood information, including SUDS drainage where possible, to accompany planning applications for development. Policy DM14 seeks to protect proposed development from existing 'pollution' sources and existing development from proposed 'pollution' sources. This includes noise, light and air pollution. The policy also requests the submission of information and sets out requirements for remediation for development proposals of potentially contaminated land.
178. The application site is in Flood Zone 1 (low risk of flooding). It is therefore unlikely the proposed dwellings would be at risk of flooding from the nearest river resource.
179. The flood risk assessment submitted with the planning application confirms that surface water run off from the development would be managed within a series of linear basins/swales and grate features running parallel to the A11. It is also possible that (subject to later detailed design) on-plot infiltration facilities (blankets beneath permeable driveways for example) may also be employed at the site. The proposals, which have been approved in principle by the Flood Management Team at Suffolk County Council (subject to further clarification of some technical points at design stage), are subject to later detailed design which could be secured by means of planning condition.
180. The planning application is accompanied by a Geo-environmental Desk Study Report and a Geo-environmental Investigation Report. The desk study identified the potential for contaminants to be present from suspected made ground and pesticides from agricultural use and recommended a further intrusive study. The intrusive study (as set out in the Investigation Report) included soil testing and found only very low levels of contaminants such that no further remediation works were deemed necessary.
181. The Council's Environmental Health team has advised that no contaminated land conditions are required in the event that planning permission is granted.
182. The planning application is also accompanied by an Air Quality Assessment. The Assessment has been prepared not only to assess any potential air quality impacts to future occupiers of the proposed development from traffic on the A11 but also to assess impacts arising from traffic forecast to be generated by the development itself. The Assessment found that predicted air quality impacts to the development were below the relevant air quality standards across the site and predicted air quality impacts from traffic generated by the development were not significant. The Council's Environmental Health Officers have raised no concerns with respect to these findings. The application proposals would not give rise to any

concerns about potential impacts arising upon air quality at the site or wider village/transport routes.

183. The Environment Agency (risk of flooding, contamination and pollution control and drainage), Anglian Water Services (drainage and pollution control) Council's Environmental Health Team (contamination and pollution control) and the Floods Team at Suffolk County Council have not objected to or raised concerns about the application proposals.
184. The proposals are considered acceptable with regard to flood risk, surface water drainage and pollution (contaminated land and potential contamination of water supply and air quality) considerations.

Impact upon education

185. The County Council as Local Education Authority has confirmed the village school (St Christopher's') is unlikely to be able to accommodate the new pupils forecast to emerge from this and other developments forecast around the village. This means that the primary school aged pupils emerging from these development proposals would need to be accommodated in a new primary school facility yet to be built in the village.
186. Suffolk County Council has identified a site to the north of the village (east of the application site) for the delivery of a new primary school facility. Public consultation has been carried out and a planning application is anticipated to be submitted within the next few weeks. The County Council has requested the developer provides a proportionate commuted sum to be used towards the land purchase and construction costs of the new primary school facility. The sums are calculated on the basis of the number of primary school pupils forecast to emerge from the development proposals. The County Council's request is considered reasonable and lawful (CIL Regulation compliant) and precise sums have been agreed by the applicants. These would be secured as part of a S106 Agreement after the meeting should the Committee resolve to grant planning permission.
187. It is likely that an early years facility would be provided alongside the new school, funded (in part) by contributions secured from developments in the village that may be consented. These contributions would be secured in a similar way to contributions required for the construction of the primary school.
188. The County Council has confirmed there is sufficient capacity at existing secondary schools to accommodate pupil yields forecast to emerge from these development proposals.

Design and Layout

189. 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.

190. Core Strategy Spatial Objective H2 aims to provide a sufficient and appropriate mix of housing that is ... designed to a high standard. Design aspirations are also included in Spatial Objectives ENV4 (high standard of design) and ENV5 (community safety and crime reduction through design). The Objectives are supported by policies CS5 and CS13 which require high quality designs which reinforce local distinctiveness and take account of the need for stronger and safer communities. Policy CS5 confirms design that does not demonstrate it has had regard to local context and fails to enhance character will not be acceptable.
191. Policy DM2 of the Joint Development Management Policies Document sets out general design criteria to be applied to all forms of development proposals. DM7 does the same, but is specific to proposals for residential development.
192. The dwellings proposed by the planning application are submitted in outline form with all matters, except means of access, reserved to a later date. Accordingly matters of design are not particularly relevant to the outcome of this planning application.
193. The application is submitted in outline form with all matters, except means of access, reserved to a later date. Accordingly matters of design are not particularly relevant to the outcome of the planning application at this initial stage.
194. A design and access statement has been submitted with the planning application to explain 'potential' design strategies that could be implemented at the outline stage. Furthermore, an illustrative layout drawing has been submitted which suggests a 'perimeter block' approach to the housing layout. This would be an acceptable approach to the site layout, but as advised by the Council's Ecology Tree and Landscape Officer, further thought needs to be given to the strategic approach to open space provision as part of the development in order to i) make it as attractive as possible to potential users (particularly dog walkers) and ii) sensibly link the development to other strategic green infrastructure and likely desire lines (i.e. in the direction of the schools, shops and other village amenities). These matters would be fully resolved at a potential Reserved Matters stage.
195. The application proposes 'up to' 125 dwellings which means any subsequent reserved matters submission could be for a lower number. The final number of units could be affected by a number of factors including the desired density, the preferred design solution (layout, including provision of public open spaces) and the mix and type of dwelling proposed (for example a 4-bed detached dwelling will accommodate a much larger plot size than a 2-bed terraced dwelling). The maximum gross density of the proposed development would be just over 30 dwellings per hectare, which is considered appropriate at this edge of village location.

196. The development of the application site with a housing scheme would, in combination with the new development to the south on the opposite side of Elms Road, create an undesirable environment to the remaining Elms Road Highway (beyond the point where it has been stopped up to vehicular traffic). Both sites (the application site and the adjacent development site to the south) are required to provide bunds and acoustic barriers to their rear boundaries facing towards the A11. These measures are required in order to mitigate against traffic noise emanating from the trunk road. Given the retained highway status of Elms Road (which terminates at the A11 corridor) neither development is able to close the gap between their respective sites that is formed by Elms Road. This means the acoustic bunds and fencing for both sites need to return back a short distance along Elms Road. This means that a short length of Elms Road bounded to both sides by acoustic barriers set atop earth bunds. This serves to create an uninviting corridor along part of Elms Road.
197. Unfortunately the applicants are unable to improve the design of this area given the retained highway status of the relevant section of Elms Road and the need for the Highways Agency to continue to gain access to the A11 corridor from the stopped up highway. The problem does not exist whilst the application site remains undeveloped, but is likely to be an issue with whatever development is realised at the application site (a commercial user is likely to require security fencing along the same boundary or may even require similar noise mitigation measures). The unresolved nature of the stopped up part of Elms Road closest to the A11 corridor is an unfortunate, but unavoidable negative impact of this development (in combination the adjacent development site, which already has the benefit of planning permission. Whilst the creation of a poor quality and potentially anti-social environment in this area is unfortunate, it is not anticipated that large numbers of people would seek to access this area given it approaches the bus A11 Trunk Road with no opportunity for vehicular access. Accordingly, the impact of this unsatisfactory design feature, whilst counting as a negative against the development, is not considered particularly significant or over-riding.

Impact upon residential amenity

198. The protection of residential amenity is a key component of 'good design'. The Framework states (as part of its design policies) good planning should contribute positively to making places better for people. The Framework also states that planning decisions should aim to (inter alia) avoid noise from giving rise to significant adverse effects on health and quality of life as a result of new development.
199. Vision 1 of the Core Strategy seeks to provide 'a higher quality of life' for residents.
200. The application site is close to a number of dwellings to its south and east, but these are separated by Elms Road (south) and Newmarket Road (east). The design and layout of the development at Reserved Matters state would need to have particular regard to impacts upon these dwellings

from positioning of buildings and window locations, but, no issues are envisaged given the degree of separation provided by these roads.

201. The application site is adjacent to a pumping station which is situated to the south of the site. The infrastructure has a standardised 'cordon sanitaire' of 15 metres drawn around it. Housing development should be avoided in this area (because potential odour release from the pumping station could give rise to amenity issues for occupiers of dwellings inside this distance). The cordon sanitaire affects a small area of the application site to the south and is a minor constraint on the development which will need to be properly resolved at Reserved Matters stage. It is not envisaged this matter will ultimately influence the number of dwellings achieved at the site.
202. The occupiers of the dwellings proposed by this application would potentially be adversely affected by noise emanating from traffic using the A11 trunk road running north/south to the east of the site.
203. The planning application is accompanied by a noise assessment to address this particular matter. The document draws the following conclusions:
 - The noise exposure of the site has been assessed and if appropriate mitigation is afforded in the form of a combination of a bund and barriers, building envelope specification, and internal design then the noise environment for potential future occupiers will be satisfactory.
204. The document goes on to specify areas that require particular attention when the precise details of the scheme are prepared for reserved matters submission. Further details of such measures (that are likely to include noise barriers, bunding, internal dwelling layouts, noise insulation and ventilation) could be secured by planning condition. The adjacent development site to the south, which has a planning permission and is now substantially complete, has a similar relationship to the A11 road and similar measures are being employed at that development.
205. The granting of planning permission for a residential development of the application site does not raise residential amenity concerns at this outline stage.

Loss of agricultural land

206. The Framework states where significant development of agricultural land is demonstrated to be necessary, local planning authorities should seek to use areas of poorer quality land in preference to that of a higher quality.
207. The development of agricultural land (green field sites) in the District is inevitable given the level of growth planned for by the Core Strategy to 2031. There is not a sufficient stock of available previously developed land (brownfield land) at appropriate locations to accommodate all new development over this period. Accordingly, future development of greenfield sites is inevitable.

208. The application site is Grade 4 and 5 agricultural land (poor/very poor quality) and its loss is not considered significant. The development of lower grade agricultural land is favoured over the best and most versatile land by relevant National planning policy. The loss of this particular parcel of low grade agricultural land is not, therefore, considered an 'in-principle' barrier to a development of this particular site.

Sustainable construction and operation

209. 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".
210. The Framework confirms planning has a key role in helping shape places to (inter alia) secure radical reductions in greenhouse gas emissions and supporting the delivery of renewable and low carbon energy. The Government places this central to the economic, social and environmental dimensions of sustainable development.
211. The document expands on this role with the following policy:

In determining planning applications, local planning authorities should expect new development to:

- *comply with adopted Local Plan policies on local requirements for decentralised energy supply unless it can be demonstrated by the applicant, having regard to the type of development involved and its design, that this is not feasible or viable; and*
 - *take account of landform, layout, building orientation, massing and landscaping to minimise energy consumption.*
212. The importance the Government places on addressing climate change is reflected in the Core Strategy Visions (Vision 1) and Spatial Objectives (ENV2 and ENV3). Core Strategy Policies CS4 and CS5 set out requirements for sustainable construction methods.
213. Policy DM7 of the Joint Development Management Policies Document reflects the up-to-date national planning policy on sustainable construction and places lesser requirements upon developers than Core Strategy Policy CS4. Policy DM7 requires adherence to the broad principles of sustainable design and construction (design, layout, orientation, materials, insulation and construction techniques), but in particular (for residential schemes) requires that new residential proposals to demonstrate that appropriate water efficiency measures will be employed (standards for water use or standards for internal water fittings).
214. The documentation submitted in support of this planning application does not include a sustainable construction statement (or equivalent). Furthermore the requirements of the aforementioned policies CS4 and DM7

are not addressed by either the submitted Planning Statement or Design and Access Statement.

215. The planning application does not address water efficiency measures in detail as is required by Policy DM7 and does not presently propose a strategy for ensuring water use does not exceed 110 litres per person, per day (as is required by the policy). The proposals are therefore technically contrary to policy DM7 of the Joint Development Management Policies Document in this respect. However, the Building Regulations allow for more stringent standards to be applied to water use in new development (matching the 110 litres use per person requirement set out in Policy DM7) on the proviso there is a planning condition that also requires those more stringent measures to be achieved. It is no co-incidence that policy DM7 of the Joint Development Management Policies Document requires more stringent water use requirements to match those applied by the Building Regulations.
216. The evidence and justification for the application of tougher water use measures forms part of the evidence base of the Development Plan and, with respect to the requirements of Policy DM7, has recently been the subject of examination. Accordingly, it is appropriate to impose a planning condition requiring the more stringent Building Control (and Policy DM7) water use measures to be incorporated into the construction and fitting out of this development. Should such a condition be imposed (as is recommended) the proposals would comply with Policy DM7 (which is more up to date than Policy CS7) and allow the proposals to proceed through the outline planning stage.

Planning Obligations

217. The Framework repeats the tests of lawfulness for planning obligations which are derived from Regulation 122 of The Community Infrastructure Levy Regulations 2010. The tests are that planning obligations should:
- be necessary to make the development acceptable in planning terms.
 - be directly related to the development, and
 - be fairly and reasonably related in scale and kind to the development.
218. The Framework also states that pursuing sustainable development requires careful attention to viability and costs, such that sites should not be subject to a scale of obligations that their ability to be developed viably is threatened.
219. The Framework advises that in order to ensure viability, the costs of any requirements likely to be applied to development, such as requirements for affordable housing, standards, infrastructure contributions or other requirements should, when taking account of the normal cost of development and mitigation, provide competitive returns to a willing land owner and willing developer to enable the development to be deliverable.

220. Core Strategy Spatial Objective ENV7 seeks to achieve more sustainable communities by ensuring facilities, services and infrastructure are commensurate with development. Core Strategy Policy CS13 sets out requirements for securing infrastructure and developer contributions from new developments.
221. No claim to reduce the level of contributions on viability grounds has so far been claimed by the applicants and a viability assessment has not been submitted. The recommendation (at the end of this report) therefore assumes the development will appropriately mitigate its impact and provide a fully policy compliant package of measures.
222. The following developer contributions are required from these proposals.

Affordable Housing

223. The Framework states that local planning authorities should use their evidence base to ensure that their Local Plan meets the full objectively assessed needs for market and affordable housing. It also states that policies should be set for meeting the identified need for affordable housing, although such policies should be sufficiently flexible to take account of changing market conditions.
224. Core Strategy Spatial Objective H2 seeks to provide a sufficient and appropriate mix of housing that is affordable, accessible and designed to a high standard. Core Strategy policy CS9 requires 30% of the proposed dwellings (37.5 dwellings in this case) to be 'affordable'. The policy is supported by Supplementary Planning Guidance which sets out the procedures for considering and securing affordable housing provision (including mix, tenure, viability and S106).
225. As the planning application is in outline form, it is appropriate to secure the percentage of units for affordable housing as required by policy CS9 (30% of 'up to' 125 dwellings = 'up to' 37.5 affordable dwellings). It is also appropriate to secure an appropriate (and policy compliant) tenure mix at this time. It is important that an element of flexibility is added into the agreement to allow the mix to be reviewed should circumstances change between the granting of the outline permission and reserved matters approvals (which could be as much as 3 years apart).

Education

226. The Framework states the Government attaches great importance to ensuring that a sufficient choice of school places is available to meet the needs of existing and new communities. It advises that Local planning authorities should take a proactive, positive and collaborative approach to meeting this requirement, and to development that will widen choice in education.
227. Core Strategy Policy CS13 (b) considers educational requirements as a key infrastructure requirement. This is built upon, in a general sense, in Policy DM41 of the Joint Development Management Policies Document which

states (inter alia) the provision of community facilities and services will be permitted where they contribute to the quality of community life and sustainable communities. The policy confirms, where necessary to the acceptability of the development, the local planning authority will require developers of residential schemes to enhance existing community buildings, provide new facilities or provide land and financial contributions towards the costs of these developments, proportional to the impact of the proposed development in that area (through conditions and/or S106 Agreements).

228. The Local Education Authority (Suffolk County Council) has confirmed there is no capacity at the existing primary school to accommodate the additional pupils forecast to be resident at the proposed development and has requested the provision of land and financial contributions (construction costs) from this development. It has also confirmed a need for the development to provide a contribution to be used towards pre-school provision in the area to cater for the educational needs of pre-school children (aged 2-5) that are forecast to emerge from the development. The Authority has confirmed there is no requirement for a contribution to be secured for secondary school provision. The justification for these requests for financial contributions and the amounts are set out at paragraph 29 above.

Public Open Space

229. The Framework confirms that access to high quality open spaces and opportunities for sport and recreation can make an important contribution to the health and well-being of communities.
230. Core Strategy Spatial Objective CS2 seeks to promote an improvement in the health of people in the District by maintaining and providing quality open spaces, play and sports facilities and better access to the countryside. Policy CS13 (g) considers provision of open space, sport and recreation as a key infrastructure requirement.
231. Policy DM42 of the Joint Development Management Policies Document states proposals for the provision, enhancement and/or expansion of amenity, sport or recreation open space or facilities will be permitted subject to compliance with other policies in the Development Plan. It goes on to state where necessary to the acceptability of development, developers will be required to provide open space and other facilities or to provide land and financial contributions towards the cost and maintenance of existing or new facilities, as appropriate (via conditions and/or S106 Agreements).
232. These Development Plan policies are expanded upon via the adopted Supplementary Planning Document for public open space, sport and recreation. This document sets out the requirements for on-site and off-site provision and maintenance. The document imposes a formula based approach to calculating developer contributions from development proposals. Accordingly, planning application for outline consent, where numbers of dwellings and the mix (no's of bedrooms) is uncertain and

unsecured, it is only possible to secure the formula for calculating public open space via S106 contributions. Given the restrictions on pooling of contributions imposed by CIL Regulation 123 it is important that policy compliant levels of public open space are secured from the development. The precise quantities of land of the various relevant open space categories set out in the SPD could be secured at Reserved Matters stage/s by incorporating the SPD formulaic approach into the S106 Agreement.

233. In this case, and as discussed elsewhere in this report, a fully policy compliant level (quantity) of open space will need to be provided on site to serve this development. This is to safeguard against potentially adverse recreational impacts occurring or increasing at the nearby SSSI as an indirect consequence of the development proposals being realised. The precise location and configuration of the relevant quantity of public open space (and the location and equipping of the children's play space) on site is a matter to be resolved at detailed design stage where quantum can be precisely calculated and incorporated into detailed (and firm) designs and layouts.

Transportation

234. The County Council Highway Authority has requested developer contributions to be used towards various off-site measures. These would include, foot and cycleway provision/enhancement and crossings and bus stop provision/improvement. These would be funded by financial contributions secured from this development. Further measures and initiatives (including potential financial contributions) arising from the Travel Plan for the site may also need to be secured via the S106 Agreement where it would not be appropriate or lawful to secure them via conventional planning conditions.

Libraries

235. The Suffolk County Council has identified a need to provide library facilities for the occupiers of this development and has requested a capital contribution of £27,000.

Health

236. The NHS Property Services has confirmed there is insufficient capacity in the existing health infrastructure (i.e. GP surgeries) to cater for the additional demand for local services this development would generate. Accordingly, a health contribution of £39,500 has been requested to provide additional capacity at the local GP surgery.

Summary

237. With these provisions in place the effects of the proposal on local infrastructure, including affordable housing, open space, recreational facilities, education, health, transportation and libraries would be acceptable. The proposal would comply with the Framework and Core Strategy Policy CS13 by which the provision or payment is sought for

services, facilities and other improvements directly related to development.

Conclusions and Planning Balance:

238. Latest evidence confirms the Council is able to demonstrate an up-to-date 5 year supply of deliverable housing sites which means policies in the Core Strategy relating to the supply of housing are not automatically deemed out of date. The site is, however, within the defined settlement boundary and its suitability for a housing development is not contingent on the absence of a 5 year housing supply (although an absence would place greater emphasis on the granting of a planning permission for a residential scheme).
239. The application site is allocated by both extant and emerging development plan policies for restricted employment related uses. Extant Core Strategy and Development Management policies seek to retain such sites in employment use. The Framework confirms that planning policies should avoid long term protection of sites allocated for employment. This policy steer is reflected in particular by the criteria set out in policy DM30. Officers have concluded (in the light of independent evidence) the applicants have complied with the requirements of policy DM30 (and thus also the requirements of relevant parts of Core Strategy Policy CS6). Furthermore (and partly as a consequence of compliance with DM30) the proposals for a residential development of the allocated employment site are not considered premature or prejudicial to the emerging Local Plan (site allocations document in particular).
240. In light of the above, officers consider the proposals as submitted (and in the light of the evidence accompanying the submission) comply with the provisions of the Development Plan. In such circumstances, the Framework advises that planning permission should be approved without delay. As discussed in the officer comments section of this report, there are no other matters (including technical matters) that would stand in the way of the proposed development. The officer recommendation is therefore one of conditional approval.

Recommendation:

241. Full and outline planning permission be GRANTED subject to:
- 1) The completion of a S106 agreement to secure:
 - (a) Policy compliant affordable housing provision (30%).
 - (b) Land (£45,601) and construction (£509,299) contributions towards the construction of a new primary school.
 - (c) Pre-school contribution (up to £73,092).
 - (d) Libraries Contribution (up to £27,000).

(e) Public Open Space contributions: Formula to be included in the Agreement to secure, at reserved matters stage, policy compliant provision on site including delivery and future management of those areas.

(f) Local Highways contributions as specified by the Highway Authority.

(g) Travel Plan – matters not appropriate for inclusion as planning conditions, including payment of any financial contributions towards travel planning initiatives reasonably required.

(i) Commuted payment towards wardening of the Red Lodge Heath SSSI site (precise specification and sum to be agreed).

(j) Health Contribution (up to £39,500)

(k) Any further clauses considered necessary by the Head of Planning and Growth.

And

2) subject to conditions, including:

- Time limit (3 years for commencement)
- Materials (details to be submitted with the Reserved Matters)
- Water efficiency measures (compliance with the option for more stringent requirements set out by the Building Regulations)
- Bin and cycle storage strategy (to be submitted for approval with the Reserved Matters and subsequently implemented)
- Public open space (strategy for future management and maintenance of all open spaces, unless provided for by the S106 Agreement)
- Landscaping details (including precise details of new hard and soft landscaping and future management of landscaping outside of domestic gardens)
- Retention and protection during construction of existing trees and hedgerows to be retained.
- Ecology (enhancements at the site)
- Noise mitigation measures
- Construction management plan
- As recommended by the Local Highway Authority
- Means of enclosure (details to be submitted with relevant Reserved Matters submissions)
- Noise mitigation measures
- Fire Hydrants
- Waste minimisation and re-cycling strategy
- Details of the surface water drainage scheme.
- Archaeology.
- Submission of open space plans with subsequent Reserved Matters submissions.
- Details of pedestrian and cyclist links to be provided with Reserved Matters submissions.
- Travel Plan measures (matters not addressed in the S106

- Agreement)
- Any additional conditions considered necessary by the Head of Planning and Growth.

242. That, in the event of;

i) the Head of Planning and Growth recommending alternative (reduced) Heads of Terms on viability grounds from those set out above,

or,

iii) the applicant declining 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 Growth,

the planning application be returned to Committee for further consideration.

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=O48QO1PDG4800>

Working Papers (attached):

1. Merrifields assessment of marketing.