

159. **Planning Application DC/14/2096/FUL - Land North of Station Road, Lakenheath (Report No: DEV/FH/16/020)**

Hybrid planning application DC/14/2096/FUL - 1) Full application for the creation of new vehicular access onto Station Road, and entrance to a new primary school, 2) Outline application for up to 375 dwellings (including 112 affordable homes), and the provision of land for a new primary school, land for ecological mitigation and open space and associated infrastructure (as amended).

This application was referred to the Development Control Committee because it was a proposal for 'major' development. In addition, it also raised complex planning issues of national and international importance.

By way of background; the Committee were reminded that the application had been withdrawn from the agenda of the Development Control Committee meeting on 2 March 2016 to enable appropriate consideration of a direct threat of legal challenge received from solicitors acting on behalf of Lakenheath Parish Council.

The application was then returned to the Development Control Committee on 6 April 2016 following receipt of a request from Suffolk County Council for the Planning Authority to provide a steer on the merits of the planning application. However, a number of key matters had changed since the April Committee meeting and the Committee were now being asked to determine the planning application in light of the strength of evidence which currently existed.

The Principal Planning Officer – Major Projects opened his presentation by providing the following updates since publication of the agenda:

- Working Paper 4 – this had been mistakenly omitted from the printed agenda, with Working Paper 3 having been attached twice. Working Paper 4 had, therefore, been circulated under separate cover, prior to the meeting;
- Layout plan - the version attached to the agenda was now obsolete, a concept drawing of the new layout was included as part of the Officer's PowerPoint presentation;
- Paragraph 216 – the last sentence beginning "*The receipt from the Leader of Suffolk County Council...*" should be removed and disregarded;
- Paragraph 283 – it had been determined that aircraft movement did not lead to air quality concerns at the application site and this would, therefore, not be part of the Officer's presentation (contrary to what was written in this paragraph of the report);
- Secretary of State – the Planning Authority had received confirmation from the Secretary of State that he would consider whether or not to formally call-in the application following the decision made by the Planning Authority; and
- Four further representations had been received in respect of the application from:
 - I. Lakenheath Parish Council (solicitors acting on their behalf);
 - II. Defence Infrastructure Organisation (MoD);
 - III. Elveden Estates (agents acting on their behalf); and

IV. The Council's Public Health and Housing Team.

These representations had been emailed to the Committee by the Case Officer, prior to the meeting. Hard copies were also tabled to the meeting to all present.

The Officer then went through each of the representations and summarised the points made and his response to each.

Lastly, the Committee was advised that a further representation had been forwarded from the Parish Council to the Planning Authority purporting to be from Lakenheath Primary School. However, as the Officer had been unable to confirm the source with anyone from the school, this representation had not been circulated to Members and could not be considered.

The Officer made reference to the current status of the Council's Local Plan and the NPPF. He also outlined each of the other large scale residential planning applications in/around Lakenheath.

Considerable discussion took place with regard to the perceived noise impacts that RAF Lakenheath's operations would have on the development site; as highlighted by the late representations from the Parish Council, the MoD and Elveden Estates. Councillor Louis Busuttil asked the Council's Lawyer to advise on this matter. The Lawyer explained that she could not guarantee that the Council would not be subject to legal challenge, however, the Council's Public Health and Housing team believed that any noise could be mitigated.

Councillor Louise Marston, Ward Member for the application, spoke in support of the scheme and welcomed the movement of the school site within the new layout. She explained that the existing primary school, together with much of the village, was susceptible to noise from RAF Lakenheath aircraft movement. And she stressed that the existing school had no noise mitigation measures due to the age of the building.

Councillor Marston also asked if it would be possible for a pick up/drop off point to be included at the new primary school. The Planning Officer explained that the District Council would be a consultee on the reserved matters planning application for the school and this could be brought before the Committee.

Councillor Brian Harvey raised a question with regard to the extension of the 30mph limit out of the village that would take place as a result of the development. The Suffolk County Council Officer who was in attendance explained that the extension had been approved by the County Council and would be delivered on receipt of the relevant S106 funding.

The Planning Officer explained that on commencement of the development would be the earliest point at which the S106 funding could be collected by the County Council to deliver the extension of the 30mph zone. And this could be conditioned to reflect this should Members wish.

Councillor Louise Marston moved that the application be approved, inclusive of the condition with regard to the implementation of the 30mph extension, and this was duly seconded by Councillor Louis Busuttil.

With the vote being unanimous, it was resolved that

Planning permission be **GRANTED** subject to:

1. The completion of a S106 agreement to secure:
 - a. Policy compliant affordable housing (30%);
 - b. Land and construction contributions towards the construction of a new primary school (pro-rata to reflect the scale and impact of the housing element of the proposed development proposed);
 - c. Pre-school contribution (up to £231,458);
 - d. Libraries Contribution (up to £81,600);
 - e. Public Open Space contributions:
 - I. Formula to be included in the Agreement to secure, at reserved matters stage, policy compliant provision on site within the parts of the site shown for housing on the submitted Concept Plan, including future delivery and management of those areas,
 - II. Provision, laying out, timing of delivery and management / maintenance of the strategic open space and reptile mitigation areas (which are to be provided over and above SPD compliant levels);
 - f. Local Highways contribution (Crossing, Footpaths and lighting works, temporary and permanent foot & cycle link from end of existing footpath connections to the school site, funding of works to extend the 30mph zone past the frontage of the site etc.);
 - g. Travel Plan - payment of any financial contributions towards travel planning initiatives arising;
 - h. Strategic Highway Contribution towards junction improvements at the Lords Walk roundabout and B1112/Eriswell Road junction (precise contributions to be calculated and agreed following further costed and safety audited design work);
 - i. SPA Recreational Impact Contributions, including i) off site provision/contributions to provide a connection from the site to the footpath on the north side of the drainage channel to the north of the application site, ii) monitoring of potential impacts upon the SPA from development (sums to be determined), iii)

provision/payment towards public information boards and information packs for residents and subsequent monitoring and iv) facilitating the construction of a bridge across the drainage channel from within the application site;

- j. Health Contribution (up to £123,420); and
- 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)
- Sustainable construction and operation methods, including water efficiency measures (further details to be submitted with reserved matters and thereafter implemented)
- Bin and cycle storage strategy (to be submitted for approval with the Reserved Matters and subsequently implemented)
- Public open space (strategy for future management and maintenance of all open spaces, unless provided for by the S106 Agreement)
- Landscaping details (including precise details of new hard and soft landscaping)
- Retention and protection during construction of existing trees and hedgerows
- Ecology (enhancements at the site, reptile mitigation plan and any further survey work required)
- Construction management plan
- As reasonably recommended by the Local Highway Authority in due course
- Contamination & remediation (further investigations and any remediation necessary and ground water protection measures)
- Means of enclosure (details to be submitted with relevant Reserved Matters submissions)
- Implementation of noise mitigation measures
- Fire Hydrants
- Waste minimisation and re-cycling strategy
- Details of the foul and surface water drainage scheme (full details to be submitted with the Reserved Matters).
- Archaeology.
- Reserved Matters submissions to accord with the approved Concept Plan.
- Landscape and ecology management plan
- Submission of open space plans with subsequent Reserved Matters submissions.

WORKING PAPER 2

- Details of pedestrian and cyclist links to be provided with Reserved Matters submissions.
- Further/updated arboricultural assessments to be provided with Reserved Matters submission.
- As recommended by the Ecology, Tree and Landscape Officer (paragraph 45 of the report)
- Travel Plan measures (matters not addressed in the S106 Agreement)
- The extension of the 30mph zone past the frontage of the site to take place upon commencement of the development
- Any additional conditions considered necessary by the Head of Planning and Growth.

In the event of;

1. It not being possible to secure a deliverable scheme of highway works to the B1112/Eriswell Road junction that fully mitigates the impact of traffic that is forecast to arise from the development, as discussed in the report,

or,

2. The Head of Planning and Growth recommending alternative (reduced) Heads of Terms on viability grounds from those set out at paragraph 319 above,

or,

3. The applicant declining to enter into a planning obligation to secure the Heads of Terms set out at paragraph 319 above for reasons considered unreasonable by the Head of Planning and Growth,

The planning application be returned to Committee for further consideration.

Speakers: Councillor Hermione Brown (Lakenheath Parish Council)
spoke against the application
Mr Simon Butler-Finbow (agent) spoke in support of the application.