



St Edmundsbury
BOROUGH COUNCIL

DEV/SE/17/047

Development Control Committee

7 December 2017

Planning Application DC/17/1047/OUT – Former Howard Community Primary School, St Olaves Road, Bury St Edmunds

Date Registered:	08.06.2017	Expiry Date:	07.09.2017 (EOT until 15.12.2017)
Case Officer:	Gary Hancox	Recommendation:	Approve Application
Parish:	Bury St Edmunds	Ward:	St. Olaves
Proposal:	Outline Planning Application (Means of Access to be considered) - Redevelopment of site to provide up to a maximum 79 no. residential units (Class C3) and a new community centre also incorporating a replacement Carousel Children's Centre (Class D1) with associated parking, open space, landscaping and infrastructure		
Site:	Former Howard Community Primary School, St Olaves Road, Bury St Edmunds		
Applicant:	Mr Colin Ross		

Synopsis:

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

Recommendation:

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

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Background:

The application is referred to the Development Control Committee as one of the applicants is St Edmundsbury Borough Council (SEBC) who are the owners of part of the site.

The application site includes the former Howard Community Primary School, and the Newbury Community Centre. The school was closed in August 2016 as part of the wider implementation of Suffolk County Council's School Organisation Review and the move to a more sustainable two-tier system of primary and secondary school education. The school is now surplus to education requirements with the children having been transferred to the larger Howard Middle School site. The site has now been earmarked by Suffolk County Council for residential development that would help forward-fund the implementation of other essential education projects in the County and improving the quality of infrastructure and meeting an increased demand for places.

The Newbury Community Association has had a longstanding objective to rebuild the adjoining Newbury Community Centre to overcome the widely acknowledged deficiencies of the existing building and provide a range of flexible meeting spaces better suited to meeting current demand and enabling a greater range of activities and services to be offered.

Both the County Council and SEBC feel that there is great merit in bringing forward both schemes in parallel and as part of a comprehensive development approach based on a combined site. The Newbury Community Association (NCA) support this approach and positive discussions have been held with the key stakeholders the wider local community in this respect.

Proposal:

1. The application is in outline (means of access to be considered) and proposes redevelopment of the site to provide up to a maximum 79 residential units and replacement community centre and 'Carousel Children's Centre' along with associated parking, open space, landscaping and infrastructure. It is agreed that 30% of the dwellings would be affordable. Matters of detail (appearance, landscaping, layout and scale) are reserved. The following key elements also form part of the scheme:
 - Adaptation of existing vehicular means of access to community centre to serve the housing area configured on the west part of the site
 - Adaptation of existing vehicular means of access serving the former school to provide an internal estate road with new exit/egress point formed on St. Olaves Road to the east
 - Pedestrian linkages to facilitate wider permeability and connectivity to the wider pedestrian network
 - Replacement tree planting to complement the retained/enhanced landscape regime and to provide a soft edge to St. Olaves Road.
2. The application has been amended increasing the maximum quantum of development from 70 dwellings to 79 dwellings. This followed an assessment of viability demonstrating that the scheme could afford 30%

on-site affordable housing taking into account the requirement to deliver a new community centre building along with other S106 planning obligation requirements.

Application Supporting Material:

3. The application is accompanied by the following plans and documents:

- Planning Statement
- Design and Access Statements
- Transport Statement
- Archaeological Desk-based Assessment
- Preliminary Ecological Assessment
- Elevated Survey & Tree Inspection Report
- Preliminary Land Contamination and Geotechnical Risk Assessment
- Arboricultural Impact Assessment
- Flood Risk Assessment & Surface Water Drainage Assessment
- Foul Water Drainage Statement
- Statement of Community Involvement
- Financial Viability Assessment

Site Details:

4. The application site extends to some 2.8 hectares and includes buildings relating to the Howard Community Primary School, Carousel Children's Centre and Newbury Community Centre. The site is situated in a predominantly residential area to the south of St. Olaves Road and east of the former school playing field on Beetons Way (Eagle Walk) and St Olaves Road, and south of the adjoining public park. A small shopping precinct is located to the north west of the site. The site is located outside the Bury St Edmunds Conservation Area and within the defined settlement boundary.

Planning History:

Reference	Proposal	Status	Decision Date
SE/13/0438/CR3	Regulation 3 Application - Installation of (i) 1.2m high bow top railing (following removal of existing fence); (ii) Infill panel to fit aperture between school wall & bin; (iii) Manually operated swing gates.	Recommend Approval to SCC	22.04.2013
DC/15/0841/CR3	Regulation 3 Planning Application (application on behalf of Suffolk County Council) - Installation of double temporary unit	Application Granted	03.06.2015
SE/08/0624	Regulation 3 Application - Erection of single storey flat roof extension to front	Application Granted	17.06.2008

	to create new entrance		
SE/07/1074	Regulation 3 Application - Change of use from caretakers bungalow to form children's centre and erection of single storey extensions to front and rear.	Recommend Approval to SCC	30.07.2007
E/92/1468/P	Regulation 4 Application - Stationing of temporary classroom unit	Recommend Approval to SCC	02.04.1992
E/77/1839/P	NURSERY UNIT	Application Granted	14.06.1977

5. Consultations:

Town Council - SUPPORTS this application on the grounds that it is a good development of the site and notes that local residents will benefit from it.

SCC Highways – No objection, subject to conditions.

Highways England – No objection.

SCC Flood and Water Team – No objection, subject to conditions.

Anglian Water – None received.

Environment Agency – No comments.

Environment Team – No objection, subject to conditions covering land contamination and air quality.

Public Health and Housing – No objection.

Planning Obligations Manager SCC – The following planning obligations are requested:

Education

6. SCC would anticipate the following minimum pupil yields from a development of 79 dwellings, namely:
 - a. Primary school age range, 5-11: 16 pupils. Cost per place is £12,181 (2017/18 costs).
 - b. Secondary school age range, 11-16: 11 pupils. Cost per place is £18,355 (2017/18 costs).
 - c. Secondary school age range, 16+: 2 pupils. Costs per place is £19,907 (2017/18 costs).
7. The local catchment schools are Howard County Primary School and King Edward CEVC Upper School. Both schools are forecast to have no surplus places available to accommodate any of the pupils arising from the proposed development. On this basis SCC requests **£436,615** (2017/18 costs).

Pre-school provision

8. From these development proposals SCC would anticipate up to 8 pre-school children arising at a cost of £6,091 per place. This development would be in the St Olaves Ward where there are the following early years providers: childminders x 5, Howard Primary and Little Acorns Childcare. From September 2017, it is predicted that there will be a deficit of 50 places. On this basis SCC requests 8 places @ £6,091 per place = **£48,728.**

Libraries

9. Each house is expected to generate the need for 2.8 library items per annum (Suffolk standard level of stock per 1000 population is 1,174, CIPFA Library Survey 2015). The average cost of library stock in Suffolk is £5.66 per item. This includes books and physical non-book items, like spoken word and music CDs, and DVDs, as well as daily newspapers and periodicals. This gives a cost per dwelling of 2.8 items x £5.66 = £16 per dwelling. This scheme would therefore support a contribution of 79 dwellings x £16 per dwelling = **£1,264.** This will be spent on providing additional items of lending stock plus reference, audio visual and homework support materials to mitigate the impacts of the proposed development on the local library service. As the contribution does not relate to infrastructure it is outside of the CIL Regulation 123(3) pooling restriction.
10. Parks Development Manager - The proposed development at this location will generate additional demand at the existing play area and provision should be included to provide additional items of play to accommodate this demand.
11. Strategy and Enabling Officer, Housing - No objection.
12. Ecology and Landscape Officer – None received.
13. Natural England – None received.
14. NHS England – No objection.
15. Police Architectural Liaison Officer – None received.
16. Ramblers Association – None received.
17. County Archaeologist – No objection, subject to a condition requiring the implementation of a programme of archaeological work in accordance with a written scheme of investigation.
18. Rights Of Way Support Officer SCC – No objection, however question whether FP2 running along the boundary of the site will retain its Public Footpath status. (The applicant has confirmed that this is the case.) Additional comments have been received requesting the upgrading of FP2.
19. Sport England – No objection, subject to a contribution of £40, 000 towards qualitative improvements to the existing playing fields in the

locality; this being compensation for the loss of the former school playing fields on this site.

20.Suffolk Wildlife Trust – No objection.

21.Suffolk Fire and Rescue Service – Offer general comments, and require the provision of fire hydrants on site.

Representations:

22.Two letters of support received from local residents, although issues raised regarding noise and light disturbance from the proposed community centre car park. Lockable gates on the car park entrance also requested.

23.**Policy:** The following policies of the Joint Development Management Policies Document and the St Edmundsbury Core Strategy December 2010 have been taken into account in the consideration of this application:

1. Joint Development Management Policies Document:

- Policy DM1 – Presumption in Favour of Sustainable Development
- Policy DM2 - Development Principles/Local Distinctiveness
- Policy DM6 - Flooding and Sustainable Drainage
- Policy DM7 - Sustainable Design and Construction
- Policy DM10 - Impact of Development on Sites of Biodiversity/Geodiversity Importance
- Policy DM11 - Protected Species
- Policy DM12 - Mitigation, Enhancement, Management and Monitoring of Biodiversity
- Policy DM13 – Landscape Features
- Policy DM14 - Protecting and Enhancing Natural Resources, Minimising Pollution and Safeguarding
- Policy DM20 – Archaeology
- Policy DM22 – Residential design
- Policy DM41 – Community facilities and Services
- Policy DM42 – Open Space, Sport and Recreation Facilities
- Policy DM45 - Transport Assessments and Travel Plans
- Policy DM46 – Parking Standards

2. St Edmundsbury Core Strategy December 2010:

- Policy CS1 - Spatial Strategy
- Policy CS2 – Sustainable Development
- Policy CS3 – Design and Local Distinctiveness
- Policy CS4 – Settlement Hierarchy
- Policy CS5 – Affordable Housing
- Policy CS7 – Sustainable Transport
- Policy CS14 – Community Infrastructure

3. Bury Vision 2031:

- Policy BV1 – Presumption in Favour of Sustainable Development
- Policy BV2 – Housing within Bury St Edmunds
- Policy BV24 – Safeguarding Educational Establishments
- Policy BV26 – Green Infrastructure

Other Planning Policy:

24.National Planning Policy Framework (2012) core principles and paragraphs 56 - 68

Officer Comment:

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

- Principle of Development
- Indicative design and layout (impact on the character and appearance of the area)
- highway safety
- ecology and biodiversity
- drainage

Principle of Development

26.Section 38(6) of the Planning and Compulsory Purchase Act 2004 (as amended) requires that development be considered in accordance with the development plan unless material considerations indicate otherwise. For the purposes of this application, the development plan is the St Edmundsbury Core Strategy, Rural Vision Document 2031, the Joint Development Management Policies Document 2015 and the Site Specific Allocations DPD. The starting point for decision taking is therefore that development not in accordance with the development plan should be refused unless material considerations indicate otherwise. The Courts have reaffirmed the primacy of the Development Plan in Development Control decisions.

27.The National Planning Policy Framework (NPPF) and National Planning Policy Guidance (NPPG) are material considerations in this case.

28.Policy BV2 of the Bury St. Edmunds Vision 2031 seeks to encourage additional housing provision within the defined settlement boundary, to which the development proposal accords. This approach is also supported by Policy CS4 of the St Edmundsbury Core Strategy. However, the proposal also needs to be assessed having regard to Policy DM41 of the Joint Development Management Policies Document and Policy BV24 of the Bury St. Edmunds Vision 2031, both of which require the loss of community facilities/services/education establishments to be justified and contain relevant exception criteria.

29.Policy DM41 encourages the provision and enhancement of community facilities where they contribute to the quality of community life and the maintenance of sustainable communities. However, proposals resulting in the loss of 'valued community facilities or services' will only be permitted where:

- a) it can be demonstrated that the current use is not economically viable, nor likely to become viable and,

- b) it can either be demonstrated that there is no local demand for the use and that the building/site is not needed for any alternative social, community or leisure use; or
- (c) alternative facilities and services are available or replacement provision is made, of at least equivalent standard, in a location that is accessible to the community it serves with good access by public transport or by cycling or walking.

- 30.In this case both the school and the Newbury Community Association's Community Centre can be classed as 'valued community facilities'. As already explained, the primary school has since relocated to the larger former Howard Middle School site where there is a better standard of accommodation overall and where also the school has the ability to grow according to the increasing demand from new housing in the area. As a result there is no great need to retain the existing school buildings in any social, community or leisure use, especially when taking into account that the redevelopment of the school buildings will help forward-fund the provision of enhanced education infrastructure elsewhere in the county, in accordance with the primary objective of the policy.
- 31.With regards to the existing community centre, the application proposes the replacement of this facility with a much improved facility, realising the Newbury Community Association's longstanding objective. This would also extend to the provision of a new replacement Carousel Children's Centre within the new community centre building.
- 32.The re-development of the site, with the education facility having already been re-located and an improved community centre facility forming part of the scheme, accords with the criteria of Policy DM41.
- 33.Vision 2031 Policy BV24 seeks to safeguard existing educational establishments unless, inter alia, unless "there is clear evidence through a quantified and documented assessment that now, and in the future, the site will no longer be needed for its current purpose and there is no community need for the site". For the reasons set out above, the exception test of this policy is considered to have been met.
- 34.Policy CS5 of the St Edmundsbury Core Strategy requires developments of the scale proposed to contribute towards the provision of affordable housing. In this case the requirement is 30%. The applicants have confirmed that this can be achieved and are willing to enter into a S106 legal agreement to secure this. An appropriate mix and tenure of dwellings will also be secured through this agreement.
- 35.The proposed development would result in the partial loss of the former school playing field (to the south of the footpath adjoining the Tollgate playing field), which forms part of a wider area of Council designated 'Recreational Open Space' also including the Tollgate playing field to the north. Due regard has to be made in this respect to the provisions of the NPPF (specifically Paragraph 74), and Joint Development Management Policy DM42. The comments of Sport England in respect of the loss of playing fields are also an important consideration.
- 36.Paragraph 74 of the NPPF exceptionally allows existing open space and playing fields to be built on if:

i) an assessment has been undertaken which clearly shows the land in question to be surplus to requirements, or ii) the loss resulting from the proposed development would be replaced by equivalent or better provision in terms of quantity, quality in a suitable location, or iii) the development is for alternative sports and recreational provision the need for which clearly outweighs the loss. Policy DM42 of the Development Management Policies Document mirrors this exception test.

37. Sport England has been consulted and they have assessed the proposals against their own policies. They have concluded that the application proposal meets the following exception tests:

E3 - The development only affects land incapable of forming part of a playing pitch and would lead to no loss of ability to use/size of playing pitch.

E4 - Playing field lost would be replaced, equivalent or better in terms of quantity, quality and accessibility.

E5 - The proposed development is for an indoor/outdoor sports facility of sufficient benefit to sport to outweigh the detriment caused by the loss of playing field.

38. Sport England accept that the site is redundant from an educational perspective, and consider that the proposals put forward represent a net benefit for sport in terms of quantitative and qualitative improvements to meet identified local needs. This support is subject to approval of the internal layout of the proposed community centre building, and a financial contribution of £40,000 towards qualitative improvements to existing community playing fields in the locality. The applicants have accepted the requirement for this financial contribution, which can be secured within a S106 legal agreement.

39. Subject to the above Sport England requirements, the proposal is considered to accord with the requirements and exception tests set out in the NPPF and Joint Development Management Policy DM42.

40. Finally, by reusing land that has been previously developed, the proposal accords with a core principle of the NPPF, which encourages the effective use of land.

41. For the reasons set out above, the proposal accords with Policies CS4 and CS5 of the St Edmundsbury Core Strategy, Joint Development Management Policies DM41 and DM42, Bury Vision 2031 Policies BV2 and BV24, and the relevant policies of the NPPF. The principle of the residential redevelopment of the site with the provision of a replacement community centre is acceptable.

Indicative design and layout

42. As the application is submitted in outline, with only access for consideration at this stage, matters of appearance, scale and landscaping have been submitted indicatively to demonstrate that the site is capable of successfully accommodating 79 dwellings and a new community centre. The submitted scheme also seeks to show how the circulation space,

footpaths and open space areas will link with existing development in the area and the Tollgate playing field to the north of the site.

- 43.The plans indicate a development with a mix of 1.5/2/2.5 houses and 3 storey flat blocks, along with a 2-storey community centre building. With the potential exception of the flat blocks, the scale of the development is in-keeping with the surrounding development in the area. Any 3-storey development is shown centrally located within the site, which is considered appropriate. The location and orientation of the of the community centre building demonstrates that it can be accommodated with the required level of parking, access, whilst maintaining a prominent position within the site viewable from St Olaves Road.
- 44.The plans also indicate that the site is well served by footpaths and is able to link in with the existing public footpath running along the north boundary of the site.
- 45.In terms of design, scale, appearance and overall sustainability. The proposed development is considered to perform well when assessed against Joint Development Management Policies DM13, DM22 and the NPPF. Subject to the submission of detailed plans in respect of elevation treatments, scale, landscaping, design and layout, the proposal would not harm the wider landscape character or the visual amenities of the area. The indicative scheme proposed demonstrates that a detailed scheme is capable of being designed in accordance with the requirements of relevant development plan policies and the NPPF.

Highway safety

- 46.Core Strategy Policies CS7 and CS8 seek to secure a sustainable transport system and reduce the need to travel through spatial planning and design, and where appropriate, secure strategic transport improvements. Following on from this Joint Development Management Policies DM2 and DM46 requires new development to accord with standards and maintain or enhance the safety of the highway network.
- 47.A Transport Statement (TS) has been submitted with the application that has assessed the likely impact on the highway network, taking into account existing levels of traffic and likely traffic journeys in and out of the development. It concludes that the traffic impact from the development can be satisfactorily accommodated within the highway network, and that the development would result in an overall reduction in vehicle trips to and from the site during the AM peak in comparison with the current baseline position. In the afternoon peak periods, the predicted level of additional traffic would be minimal and the proposed development would have a minimal impact on the local highway network.
- 48.The indicative proposed parking strategy for the development (including the community centre) accords with adopted parking standards. Submitted plans allow for a maximum 62 spaces allocated to the proposed community centre, and 149 spaces to the residential development (including 22 visitor parking spaces). Cycle parking provision also complies with the required standard.

49.In conclusion the proposed access arrangements to the site are acceptable, and the local highway authority raises no objection, subject to appropriate conditions. Furthermore, the indicative layout indicates that an appropriate level of parking can be achieved. The proposal is considered to accord with the requirements of St Edmundsbury Core Strategy Policies CS7 and CS8, and Joint Development Management Policies DM2, DM46, and paragraph 32 of the NPPF.

Ecology and biodiversity

50.Although the site is not located within an area of known ecological importance, the ecological potential of the site has been assessed in the Preliminary Ecological Assessment submitted with the application. The ecology assessment consists of an extended Phase 1 Habitat Survey of the area and has been informed by data obtained from the Suffolk Biodiversity Information Service. The report concludes that the site is considered to be of only a localised ecology interest and a number of recommendations are made helping to ensure that there is a degree of biodiversity enhancement. The following recommendations can be secured by condition:

- Undertaking an elevated survey of the buildings that are proposed to be demolished to determine whether there is any evidence of bat roosts.
- Retaining trees for bat roosts, unless a bat ecologist has carried out an inspection and recommended that felling can proceed without harm to bats.
- Ensuring that any tree/shrub clearance takes place outside the bird nesting season (March to August) or following an inspection by an ecologist.
- Any future landscaping scheme to include a mix of native tree and shrub planting to compensate for any areas/features lost.
- Any clearance of trees and shrubs should take place outside the bird nesting season (March – August).
- Replacing any displaced bird boxes.

51.Core Strategy Policy CS2 and Joint Development Management Policies DM10, DM11, DM12 and DM13 seek to conserve and enhance biodiversity through the assessment of the impact of the development and the provision of mitigation. The information submitted with the application has demonstrated that the impact on protected sites and species is unlikely to be significant. As a result the redevelopment of the site, in accordance with the recommendations set out in the ecological survey report is considered compliant with the policies listed above.

Drainage

52.The site is located in an area at low risk of river flooding (Flood Zone 1), however the Environment Agency's Indicative Surface Water Flood Map shows that a small portion of the southern part of the site adjacent St Olaves road is within an area at risk of surface water flooding. Locating built development away from these areas (as indicatively shown on the site layout plan), as well as the incorporation of raised floor levels where appropriate mitigates for this risk.

53.The applicants have submitted a Flood Risk Assessment that includes an outline surface water drainage strategy. This proposes the use of infiltration drainage techniques that have been designed to accommodate the critical 100-year plus climate change storm event in accordance with current technical guidance. Where appropriate other SuDS systems can be incorporated, the overall strategy has been developed based on greenfield run-off rates. The County Flood and Water Management officer has accepted the proposed drainage strategy, and an appropriate condition can be attached to any permission requiring the precise details of the SuDS and/or positive drainage system to be submitted and agreed.

54.In terms of foul water drainage, the proposed development will discharge via a gravity foul water drainage network into the existing public sewer network located within St Olaves Road located to the south of the site. Anglian Water has not objected to the development, and any required improvements to the existing foul drainage system in the area can be required to be agreed and implemented before the occupation of any dwelling by condition. Any developer will also have to enter into a legal agreement with Anglian Water prior to final connection.

55.In conclusion, for the above reasons it has been demonstrated that the application can be undertaken in a sustainable manner without increasing the flood risk to the proposed development, and in accordance with paragraph 9 of the Technical Guide to the NPPF and Joint Development Management Policy DM6.

Other matters

56.Archaeology - the impact of the proposed development is covered by a desk based archaeological assessment. The school and its adjacent playing field lies in an area of archaeological potential, and represents a relatively large open space in an area that was developed largely without archaeological recording, prior to the introduction of planning guidance relating to archaeological remains. Thus, given the potential, the lack of previous investigation and large size of the proposed development area, there is considerable potential for encountering archaeological remains at this location. The proposed works would cause significant ground disturbance that has potential to damage any archaeological deposits and below ground heritage assets that exist.

57.In accordance with para. 141 of the NPPF, the County Archaeologist requests that a programme of archaeological work be undertaken prior to the commencement of development. This can be secured by way of an appropriately worded condition. Development in accordance with this condition satisfies the requirements of Joint Development Management Policy DM20 and paragraphs 128 and 141 of the NPPF.

58.Neighbour amenity – The site is surrounded by residential development to the west and south, on the opposite side of St Olaves Road, and to the east, along Eagle Walk. The indicative layout only proposes a small amount of development where the boundaries directly adjoin existing development, and it has been demonstrated that adequate amenity space and separation distances are achievable. The comments of local residents are noted, however the issues raised can be dealt with through the submission of a construction deliveries plan (by condition) and through the

submission of details as reserved matters. Whilst the full impact on residential amenity will be assessed at the reserved matters stage, based on the indicative drawings submitted, it has been satisfactorily demonstrated that a development of 79 dwellings and a replacement community centre can be accommodated with limited direct impact on the amenity of neighbouring residents.

59. Public Rights of Way – The comments of the County Public Rights of Way officer and the request for footpath improvements are noted. However, it is considered that the impact from the proposed development, in terms of additional usage of the path, would not be significant. This takes into account the loss of the existing school, and the fact that not all new residents of the development will use the path on a regular basis. The requested upgrading of the path is not required to make the development acceptable, and therefore a financial contribution, or upgrading works, cannot be required in this case.

Conclusion:

60. The application proposal has been assessed against the relevant policies of the development plan and the NPPF. The development is in a sustainable location and whilst it does involve the loss of some open space and an existing community centre, the application has demonstrated that additional indoor sport facilities will be provided, along with a financial contribution towards enhanced playing fields elsewhere in the local area. The community centre itself will be replaced with a much improved facility within the site that has the support of the local community. The principle of the development accords with the development plan and the NPPF.

61. The proposed development has a number of positive attributes which lend support to the scheme. The indicative site layout shows that a satisfactory layout can be provided capable of achieving good design whilst respecting local character and appearance and the amenity of local residents. The development would also provide economic benefits in terms of the creation of short term jobs and local spending likely to be generated by the proposed residents. In addition it would bring about societal benefits in terms of contributing towards the objectively assessed housing need within the District.

62. Subject to appropriate conditions set out below, the impact on the local highway infrastructure has been demonstrated to be acceptable. The wider impact on local infrastructure in terms of schools and libraries is mitigated for with the provision of financial contributions secured through a S106 legal agreement. This is considered necessary to make the development acceptable.

63. In conclusion, the principle and detail of the development is considered to be acceptable and in compliance with relevant development plan policies and the National Planning Policy Framework.

Recommendation:

64. It is recommended that planning permission be **APPROVED** subject to the completion of a S106 legal agreement to secure financial contributions towards enhanced education and library provision, the replacement

community centre facility, improvements to existing playing fields in the area, and the provision of 30% affordable housing. The following conditions would also apply:

1. Application for the approval of the matters reserved by conditions of this permission shall be made to the Local Planning Authority before the expiration of three years from the date of this permission. The development hereby permitted shall be begun not later than whichever is the latest of the following dates:-
 - i. The expiration of three years from the date of this permission; or
 - ii. The expiration of two years from the final approval of the reserved matters; or,
 - iii. In the case of approval on different dates, the final approval of the last such matter to be approved.

Reason: To conform with the requirements of Section 92 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. Details of the appearance, landscaping, layout, and scale, (hereinafter called "the reserved matters") shall be submitted to and approved in writing by the local planning authority before any development begins and the development shall be carried out as approved.

Reason: Required to be imposed pursuant to Section 92 of the Town and Country Planning Act 1990 (as amended) and to enable to the Local Planning Authority to exercise proper control over these aspects of the development.

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

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

4. Prior to the commencement of development application details of a surface water drainage scheme will be submitted to, and agreed in writing by, the Local Planning Authority. The scheme shall be implemented and thereafter managed and maintained in accordance with the approved outline drainage strategy by Rossi Long Consulting (ref:- SK02 Rev P3 dated 03/08/17). Details of the scheme will include:

- Details of further infiltration testing on site in accordance with BRE 365 to verify the permeability of the site (trial pits to be located where soakaways are proposed and repeated runs for each trial hole). Borehole records should also be submitted in support of soakage testing.
- Dimensioned drawings of the main aspects of surface water drainage system (including an impermeable area plan).
- Modelling results (or similar method) to demonstrate that the infiltration device has been adequately sized to contain the critical 100yr+CC event for the catchment area they serve. Each device should

be designed using the nearest tested infiltration rate to which they are located. A suitable factor of safety should be applied to the infiltration rate during design.

- Infiltration devices shall only be used where they do not pose a threat to groundwater. There shall be at least 1.2m of unsaturated ground between base of the device and the groundwater table.
- Proposals for water quality control - Demonstration of adequate treatment for surface water shall be submitted. SuDS features should demonstrate betterment to water quality due to the site being in a Source Protection Zone.
- If individual soakaways are being used they will be at least 5m away from any foundation (or more depending on strata).
- Infiltration devices should aim to have a half drain time of less than 24hours.
- Modelling of any pipe network in the 1 in 30yr rainfall event to show no above ground flooding.
- Topographic plans shall be submitted depicting all safe exceedance flow paths in case of a blockage within the main SW system and/or flows in excess of a 1 in 100 year rainfall event. These flow paths will demonstrate that the risks to people and property are kept to a minimum.
- A management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by any public body or statutory undertaker, or any other arrangements to secure the operation of the sustainable drainage system throughout its lifetime.
- Arrangements to enable any Surface water drainage within any private properties to be accessible and maintained including information and advice on responsibilities to be supplied to future owners.

Reason: To prevent the development from causing increased flood risk off site over the lifetime of the development (by ensuring the inclusion of volume control); To ensure the development is adequately protected from flooding (and to maximise allowable aperture size on control devices); To ensure the development does not cause increased pollution of the downstream watercourse; To ensure clear arrangements are in place for ongoing operation and maintenance.

5. The development hereby permitted shall not be occupied until details of all Sustainable Urban Drainage System components and piped networks have been submitted, in an approved form, to and approved in writing by the Local Planning Authority for inclusion on the Lead Local Flood Authority's Flood Risk Asset Register.

Reason: To ensure all flood risk assets and their owners are recorded onto the LLFA's statutory flood risk asset register.

6. No development shall commence until details of a construction surface water management plan detailing how surface water and storm water will be managed on the site during construction is submitted to and agreed in writing by the local planning authority. The construction surface water management plan shall be implemented and thereafter managed and maintained in accordance with the approved plan.

Reason: Required pre-commencement to ensure the development does not cause increased pollution of the watercourse in line with the River Basin Management Plan during construction.

7. No development approved by this planning permission shall commence until the following components to deal with the risks associated with contamination of the site shall each be submitted to and approved, in writing, by the Local Planning Authority:

- i) A site investigation scheme (based on the approved Preliminary Risk Assessment (PRA) within the approved Desk Study), to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.

- ii) The results of a site investigation based on i) and a detailed risk assessment, including a revised Conceptual Site Model (CSM).

- iii) Based on the risk assessment in ii), an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken. The strategy shall include a plan providing details of how the remediation works shall be judged to be complete and arrangements for contingency actions. The plan shall also detail a long term monitoring and maintenance plan as necessary.

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

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

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

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

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

9. Before the development is commenced details shall be submitted to and approved in writing by the Local Planning Authority showing the means to prevent the discharge of surface water from the development onto the highway. The approved scheme shall be carried out in its entirety before the access is first used and shall be retained thereafter in its approved form.

Reason: Required pre-commencement to prevent hazards caused by flowing water or ice on the highway both during construction and post development.

10. No dwelling shall be occupied until the carriageways and footways serving that dwelling have been constructed to at least Binder course level or better in accordance with the approved details except with the written agreement of the Local Planning Authority.

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

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

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

12. Before the access is first used clear visibility at a height of 0.6 metres above the carriageway level shall be provided and thereafter permanently maintained in that area between the nearside edge of the metalled carriageway and a line 2.4m metres from the nearside edge of the metalled carriageway at the centre line of the access point (X dimension) and a distance of 43m metres in each direction along the edge of the metalled carriageway from the centre of the access (Y dimension). Notwithstanding the provisions of Part 2 Class A of the Town & Country Planning (General Permitted Development) Order 1995 (or any Order revoking and re-enacting that Order with or without modification) no obstruction over 0.6 metres high shall be erected, constructed, planted or permitted to grow within the areas of the visibility splays.

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

13. No development shall take place within the area indicated [the whole site] until the implementation of a programme of archaeological work has been

secured, in accordance with a Written Scheme of Investigation which has been submitted to and approved in writing by the Local Planning Authority. The scheme of investigation shall include an assessment of significance and research questions; and:

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

Reason: Required pre-commencement to safeguard archaeological assets within the approved development boundary from impacts relating to any groundworks associated with the development scheme and to ensure the proper and timely investigation, recording, reporting and presentation of archaeological assets affected by this development, in accordance with Policy HC9 of Replacement St Edmundsbury Borough Local Plan 2016, Policy CS2 of St Edmundsbury Core Strategy 2010 and the National Planning Policy Framework (2012).

14. No building shall be occupied until the site investigation and post investigation assessment has been completed, submitted to, and approved in writing by the Local Planning Authority, in accordance with the programme set out in the Written Scheme of Investigation approved under Condition 1 and the provision made for analysis, publication and dissemination of results and archive deposition.

Reason: To safeguard archaeological assets within the approved development boundary from impacts relating to any groundworks associated with the development scheme and to ensure the proper and timely investigation, recording, reporting and presentation of archaeological assets affected by this development, in accordance with Policy HC9 of Replacement St Edmundsbury Borough Local Plan 2016, Policy CS2 of St Edmundsbury Core Strategy 2010 and the National Planning Policy Framework (2012).

15. Each dwelling proposed with dedicated off street parking shall be provided with an electric vehicle charge point prior to its first occupation. Details of the electric vehicle charge equipment to be installed at the site shall have first been agreed in writing with the Local Planning Authority. All charge points shall be provided within at least 2.0 metres of the associated designated parking space.

Reason: To promote and facilitate the uptake of electric vehicles on the site in line with the National Planning Policy Framework (NPPF) paragraph 35 and Policy DM2 (k) of the Joint Development Management Policies Document.

Documents:

All background documents including application forms, drawings and other supporting documentation relating to this application can be viewed online
[DC/17/1047/OUT](#)