



Forest Heath
District Council

DEV/FH/18/019

Development Control Committee 5 September 2018

Planning Application DC/13/0660/FUL – Land off Briscoe Way, Lakenheath

Date 14 November **Expiry Date:** 13th February 2016
Registered: 2013

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

Parish: Lakenheath **Ward:** Lakenheath

Proposal: Erection of 67 dwellings (including 20 affordable dwellings) together with public open space, as amended

Site: Land off Briscoe Way, Lakenheath

Applicant: Bennett plc

Synopsis:

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

Recommendation:

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

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Background:

This application is referred to Development Control Committee as it is a proposal for 'major' development and the recommendation conflicts with the current views of the Parish Council. Furthermore the recommendation to GRANT planning permission is contrary to the provisions of the extant Development Plan. The proposal also raises complex planning issues.

This application has been considered previously by the Development Control Committee on two occasions culminating in a resolution to GRANT planning permission at the meeting on 7 June 2017. The item was withdrawn from the agenda of the August 2018 meeting of this Committee in order to enable the report to be updated following publication of the revised National Planning Policy Framework.

The planning application is returned to Committee to enable it to consider material changes in circumstances which have occurred since it reached its decision to grant planning permission in 2017. In particular, a ruling earlier this year of the Court of Justice of the European Union which has changed the way in which decision makers must interpret and apply the specific provisions of the 'Habitats Regulations' (reference Case C323/17 - People over Wind, Peter Sweetman v Coillte Teoranta). The Court ruling also has knock-on implications for the way in which national planning policies are applied to this case and, ultimately, the way in which the Development Control Committee must approach and balance the issues raised by the proposals. This is discussed further in the report.

This is a comprehensive and stand-alone Committee report prepared in the light of the decision of the European Court of Justice. No regard should be given to previous reports provided to the Development Control Committee with respect to this planning application. Furthermore, the Committee must consider the planning application again and reach a fresh resolution. No weight is to be given to the Committee's resolution to grant planning permission for the planning application proposals reached at its meeting on 7 June 2017.

The application is recommended for **CONDITIONAL APPROVAL following completion of a **S106 Agreement**.**

Proposal:

1. Detailed (full) planning permission is sought for the erection of 67 dwellings. The development would be served by a single vehicular access to Briscoe Way via the southern boundary of the site. There is a further access from Burrow Drive, also through the south boundary, although this would be restricted by design to pedestrian/cycle/emergency vehicle use.
2. Details of the numbers, mix and heights of the dwellings, bungalows and flats are provided in the table below.

Name	Type	No. on site	No. of beds	Approx. height
Fincham	Bungalow	5	2	5 metres
Henley	2- storeys	8	4	8.3m

Walsingham	Bungalow	4	3	5.3m
Oulton	2 - storeys	2	4	8.6m
Sandringham	Bungalow	4	3	5.7m
Ellingham	2 - storeys	9	3	8.3m
Boston	Bungalow	3	3	5.75m
Lincoln	2 - storeys	1	4	9.0m
Haughley	2 - storeys	1	4	9.0m
Ixworth	2 - storeys	2	4	8.6m
Harpley	Bungalow	4	3	5.5m
Glemsford	Chalet bung	4	3	6.85m
Affordable	Flat	12	1	8.6m
Affordable	Flat	6	2	9.4m
Affordable	2-storeys	2	2	9.0m

3. A small palette of external building materials has been selected. These are as follows;
 - Bricks – i) TBS Olde English Red Multi's, ii) Camtech Barley Red handmade, iii) Camtech Anglian Cream Stock
 - Roof tiles – (all interlocking concrete double pantiles) i) Redland Grovebury Breckland Brown, ii) Redland Grovebury Breckland Black, iii) Redland Grovebury Farmhouse Red
4. Amendments were made to the application during the course of its consideration involving some changes to the internal roads, the affordable housing components and design of some of the house types in response to comments received from the Local Highway Authority. The significant amendments were the subject of further public and stakeholder consultation. Other more minor amendments (e.g. to overcome concerns expressed by the highway authority) were not the subject of full re-consultation given their minor nature. In June 2016, Suffolk County Council provided the District Council with a copy of the 'Lakenheath Cumulative Traffic Study' it had independently commissioned via its transport consultants. The study is not an 'application document' in the sense that it was not prepared and supplied by the applicants. The Study assists the District Council in its consideration of potential cumulative highway impacts arising from a number of potential development scenarios investigated. The document has also been the subject of separate public consultation. All comments received in response to consultations (including those received outside consultation periods) are reported below.

Application Supporting Material:

5. The planning application is accompanied by the following drawings and reports:
 - Drawings (Location Plan, Block Plan, Roof Plan, Tree Survey, Dwelling & Garage Elevations & Floorplans and Streetscene Drawings)
 - Planning Statement
 - Design and Access Statement
 - Transport Statement

- Archaeological Evaluation Report
- Flood Risk Assessment
- Phase I Contamination Report
- Phase I Habitat Survey
- Statement of Community Involvement
- Tree Survey, Arboricultural Impact Assessment, Preliminary Arboricultural Method Statement and Tree Protection Plan
- Noise Report (and subsequent rebuttal document to Parish Council's objections regarding the Noise Report)

6. These documents are available to view on the Council's website.

Site Details:

7. The site is situated at the north end of the village and is accessed from the B1112 via Briscoe Way which itself serves a relatively modern housing estate of bungalows, chalet bungalows and two-storey houses. The site has no road frontage other than at its existing access points to Briscoe Way and Burrow Drive.
8. It extends to 2.43 hectares and is presently in agricultural use (Grade 3). The north and west site boundaries are unmarked given that the site is part of an existing field in agricultural use. The larger field is shielded by existing mature planting which visually encloses it from open countryside beyond. The east and south boundaries abut the gardens of properties in Drift Road, Briscoe Way and Burrow Drive and are marked by domestic scale planting and fencing. The land is relatively flat with no significant deviations in ground levels.
9. The site is situated outside the settlement boundary for Lakenheath, which terminates along the south application site boundary. The site is thus deemed to be in the countryside for the purposes of extant planning policies.
10. There are no landscape or heritage asset designations at the site, although the Lakenheath Conservation Area is situated approximately 275 metres to the south (terminating at the frontage of Lakenheath Hall to the south of the Briscoe Way junction onto the B1112). The Environment Agency flood risk maps indicate that the site is situated within Flood Zone 1 (with little or no risk of flooding).

Relevant Planning History:

11. There is no relevant planning history for this site.
12. There are five other proposals for large scale residential development around the village and at Eriswell. These proposals are considered relevant to the further consideration of this planning application particularly insofar as the combined (or cumulative) impacts require consideration. The proposals are set out in the table below:

Project Ref	Application Reference	Address	No. of dwellings	Current Status (n.b. all remain undetermined)

A	DC/14/2096/HYB	Land at Station Road, Lakenheath	Up to 375 + school	To be re-considered by the Development Control Committee.
B	F/2013/0345/OUT	Land at Rabbit Hill Covert, Lakenheath	Up to 81	To be re-considered by the Development Control Committee.
C	F/2013/0394/OUT	Land west of Eriswell Road, Lakenheath	Up to 140	To be re-considered by the Development Control Committee.
D	DC/13/0660/FUL	Land at Briscoe Way, Lakenheath	67	The subject of this report.
E	DC/18/0944/FUL	Land off Earls Field, Lords Walk (adjacent RAF Lakenheath)	52	Planning application deemed refused following failure of the applicants to follow required EIA processes.
F	DC/16/1360/OUT	Land west of the B1112 (opposite Lords Walk), Little Eriswell	Up to 550 + school + retail unit etc.	Applicant has asked for consideration of the planning application to be held in abeyance until the Local Plan Inspectors' report/s into the Single Issue Review and Site Allocations Local Plan documents are issued. The planning application will be reported to Development Control Committee in due course, unless it is withdrawn in advance.

Consultations:

13. **Natural England (December 2013) – no objections** and comment as follows

- This application is in close proximity to the Lakenheath Poors Fen and Pashford Poors Fen, Lakenheath Sites of Special Scientific Interest (SSSIs). Natural England is satisfied that the proposed development being carried out in strict accordance with the details of the application, as submitted, will not damage or destroy the interest features for which these sites have been notified. We therefore advise your authority that these SSSIs do not represent a constraint in determining this application.
- This application may provide opportunities to incorporate features into the design which are beneficial to wildlife, such as the incorporation of roosting opportunities for bats or the installation of bird nest boxes. The authority should consider securing measures to enhance the biodiversity of the site

from the applicant, if it is minded to grant permission for this application. This is in accordance with Paragraph 118 of the National Planning Policy Framework.

- This application may provide opportunities to enhance the character and local distinctiveness of the surrounding natural and built environment; use natural resources more sustainably; and bring benefits for the local community, for example through green space provision and access to and contact with nature.
14. **Natural England** – in September 2014 offered no objections to the planning application and confirmed there are no concerns with respect to the Breckland SPA / Breckland SAC. They also confirmed there were no concerns for an 'in combination' effect of recreational disturbance from the three Lakenheath applications taken together given the relative small scale of the proposals [at the time, applications B, C and D from the above table were before the Council].
15. Further comments were received in June 2015 after **Natural England** had further considered potential 'in-combination' impacts of the various live planning applications being considered by the Council at the time (which had increased from the three in September 2014). Natural England raised concerns and **objections** to all the planning applications given that the Habitats Regulations Assessment prepared in support of the adopted Core Strategy had only scoped potential impacts of 670 dwellings, but the combined total of the planning applications (at the time) proposed more than 670 dwellings. Natural England advised that further consideration was required with respect to potential 'in-combination' effects along with a strategy for providing additional greenspace around the village, whilst protecting the SPA and Maidscomb Hill SSSI from further damage caused by further (increased) recreational pressure arising from the proposed developments. Following receipt of an 'in-combination' assessment of the impact of development upon the SPA (submitted with planning application DC/14/02096/HYB) Natural England confirmed (in December 2015) that they **no longer objected** to the planning applications.
16. **Defence Infrastructure Organisation** on behalf of the **Ministry of Defence** – submitted representations in September 2016 and **objected** to the application. Their comments are summarised as follows:
- In view of the nature of operational activity undertaken at RAF Lakenheath, and its proximity to the application site, the MoD has significant concerns regarding the proposed development and its appropriateness for the application site. These concerns include: the potential noise levels that the future occupants of the proposed dwellings will be exposed to, and the potential impact of the proposed development on RAF Lakenheath; vibration, public safety, and highway concerns.
 - The application site is located 0.24 kilometres to the west of the approach path to RAF Lakenheath from a recovery point, known to RAF Lakenheath as Point Charlie. It is expected that the application site will be subjected to noise associated with instrument recovery profiles, potentially in addition to instrument departure profiles.
 - A number of criticisms are raised against the noise assessment submitted with the planning application. The DIO asserts the submitted Noise

Assessment report to be insufficient and fails to fully address the issue of noise in connection with the operational aircraft flying activity associated with RAF Lakenheath. It is suggested that planning permission should be refused as a consequence, but are prepared to leave this consideration to the Local Planning Authority.

- With respect to potential effects of vibration to the development proposals from aircraft activities associated with RAF Lakenheath, the DIO suggests that, if planning permission is granted, a condition should be imposed requiring vibration survey and assessment in accordance with the relevant British Standard.
- The DIO also asserts the occupants of the proposed dwellings (if approved) would be at greater risk of 'incursion' in the event of an aircraft emergency in comparison to the existing agricultural land use.
- It is the contention of the Ministry of Defence that any proposals that would adversely impact upon the access to RAF Lakenheath should be refused planning permission, unless appropriate mitigation is provided by the developers.

17. In February 2018, the **Defence Infrastructure Organisation** wrote to confirm that its position on the planning application had changed and this is now as set out in the Statement of Common Ground dated August 2017 for the Forest Heath Single Issue Review of Policy CS7 and the Site Allocations Plan. A copy of the Statement of Common Ground is attached to this report as Working Paper 2. The DIO requests that an advisory note is attached to the planning permission to inform the developer and future occupiers that they will from time to time see and hear military aircraft operating from RAF Lakenheath and RAF Mildenhall when constructing and occupying their properties. The DIO also requests that planning conditions relevant to aircraft noise agreed and set out in the Statement of Common Ground are included on any planning permission granted.

18. **Environment Agency (December 2013) – no objections** and provide the following comments (summarised):

- The site is located within Flood Zone 1 (low risk) on our flood maps, and within a Principal Aquifer.
- We have reviewed the information submitted and have no objection to the proposed development, subject to the imposition of a condition to require precise details of a surface water drainage scheme (for approval and implementation).

19. **Anglian Water Services Ltd (December 2013) – no objections** and comment as follows;

- There are assets (drainage infrastructure) owned by Anglian Water or those subject to an adoption agreement within or close to the development boundary that may affect the layout of the site or may need to be re-located at the developers' expense.
- The foul drainage from this development is in the catchment of Lakenheath STW that will have available capacity for these flows.

- The sewerage system at present has available capacity for flows generated by this development.
 - The preferred method of surface water disposal would be to a sustainable drainage system (SUDS) with connection to sewer seen as the last option. The surface water strategy/flood risk assessment submitted with the planning application relevant to Anglian Water is acceptable. We will request that the agreed strategy is reflected in the planning approval.
 - A planning condition is recommended to ensure the surface water system is installed at the site.
20. **NHS Property Services (November 2013) – no objection** *[and do not request a S106 contribution towards health provision]*.
 21. In May 2016, the **NHS Trust** confirmed they held **no objections** to this planning application and, on grounds of the combination of the relatively small size of the application proposals and the effect of the 'pooling restrictions' set out in the CIL Regulations, did not wish to request developer contributions from these proposals for health infrastructure provision.
 22. **Lakenheath Internal Drainage Board (November 2013) – no objections** and comment that the site is outside the Lakenheath Internal Drainage Board District and not in an area that drains into it.
 23. **Suffolk County Council (Highways Development Management) – comments** (initial comments December 2013) that following informal discussions with the developer the submission of some drawings illustrating amendments to the layout are expected. These are awaited before formal comment is made.
 24. **Suffolk County Council (Highways Development Management)** (following submission of amended drawings, January 2014) **no objections**, subject to the imposition of conditions to secure precise details of estate roads, turning spaces and cycle storage are submitted and thereafter provided.
 25. **Suffolk County Council (Highways Development Management)** – In July 2016, after applying the newly adopted Parking Standards, wrote to confirm garaged car parking spaces were too small and confirmed this meant that there was no longer sufficient (appropriate) car parking space available. The Highway Authority requested amendments to overcome their concerns and pointed out their 'approval' was also reliant upon the findings of the on-going independent cumulative traffic assessment work.
 26. In January 2018 and following receipt of amended drawings addressing their concerns, the **Suffolk County Council (Highways Development Management)** wrote to confirm their objections had been addressed, subject to some minor changes to the parking arrangements for plot 64 and confirmed that once that had been addressed, it would be appropriate for the application to be approved with conditions covering; full details of the proposed access including visibility and the timing of its provision; timing of surfacing of the access and roads/footpaths; details of highway drainage, the estate roads and footpaths, parking and manoeuvring areas, a deliveries management plan, travel plan arrangements, bin stores to be provided and highway drainage, and; no occupations until improvements to the Sparkes

Farm/B1112 junction have been implemented in accordance with details to be submitted in advance. A request was also made for S106 contributions to be used towards the provision of new off-site sustainable transport routes to local amenities at £316.07 per dwelling (£21,176.24). The overall cost of the project is £209,550 which is to be shared on a proportionate basis between the four current planning applications for large scale development at Lakenheath.

27. **Suffolk County Council (Archaeological Service) (April 2014) – no objections** and comments; the site was subject to a full archaeological trial trenched field evaluation in October 2013, in accordance with a brief issued by the Suffolk County Council Archaeology Service Conservation Team. The evaluation identified no deposits of archaeological interest. We therefore have no objections to the proposed development and do not believe any archaeological mitigation is required.
28. **Suffolk County Council (Flood and Water Management)** in July 2016 submitted **holding objections** on the grounds that the submitted drainage strategy did not provide sufficient detail at this full application stage and made specific comments for the applicant to address in any amended/updated strategy.
29. In April 2017, following submission of amended surface water drainage details, **Suffolk County Council (Flood and Water Management)** wrote to remove their previous holding objections and recommended 3 conditions relating to surface water drainage matters be imposed upon any planning permission subsequently granted.
30. **Suffolk County Council (Development Contributions Manager)** – initial comments (Jan 2014) - **do not object**, and comments as follows;
 - Forest Heath is currently undertaking a Single Issue Review looking at housing numbers and distribution across the district. In this connection we will greatly welcome the early conclusion of this review to enable a proper plan-led approach to development with the necessary supporting infrastructure provision.
 - As a general point we consider that it would be very helpful and timely to set up a meeting between various stakeholders including the District Council, County Council, Parish Council and local community representatives to consider the implications of housing growth in Lakenheath of which this application is a departure from the Development Plan.
 - In particular careful consideration will need to be given to infrastructure capacity/constraints in terms of ensuring the delivery of sustainable development as articulated in the NPPF.
 - **Education (Primary)**. We need to clearly understand the outcome of the Single Issue Review in terms of housing numbers allocated to Lakenheath for future growth. This is critical in terms of shaping our future primary school strategy for Lakenheath. With further planned housing growth in Lakenheath over the plan period to 2031 the only sensible outcome will be to provide a second new 315 place primary school (free site of 2 hectares and build costs funded by developers).

- The existing primary school at Lakenheath has recently been expanded to 315 places to take account of the move from 3 to 2 tiers as well as dealing with latent population growth. Whilst the preference would be to expand the existing primary school to provide additional classrooms with facilities the site constraints mean that this is not a realistic or feasible option. With latent population growth and further housing growth planned at Lakenheath the emerging education strategy is to deliver a new 315 place primary school.
- The cost of providing a new primary school is £17,778 for each school place. It is forecast that this development would generate 14 primary school places. The contribution to be secured from this development is therefore £248,892 (14 places x £17,778 per place).
- With regard to site acquisition costs we can assume £10,000 per acre (£24,710 per hectare) which gives a total cost of £49,420 for a 2 hectare site and equates to £157 per pupil place. This gives a land contribution of 14 places x £157 per place = £2,198.
- In view of the above issues we consider that it is critical to fully consult with the Head teacher, School Governors and the local community before any decisions are made on this application.
- **Education (Secondary).** 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 provision).** It is the responsibility of SCC to ensure that there is sufficient local provision under the Childcare Act 2006. Section 7 of the Childcare Act sets out a duty to secure free early years provision for pre-school children of a prescribed age. From these development proposals up to 7 pre-school pupils are anticipated at a cost of £6,091 per place. In Lakenheath census data shows there is an existing shortfall of places in the area. A capital contribution of £42,637 is requested.
- **Play space provision.** Consideration will need to be given to adequate play space provision.
- **Libraries.** A capital contribution of £14,472 to be used towards libraries is requested. The contribution would be available to spend in at the local catchment library in Mildenhall.
- **Waste.** A waste minimisation and recycling strategy needs to be agreed and implemented by planning conditions
- **Supported Housing.** Supported Housing provision, including Extra Care/Very Sheltered Housing providing accommodation for those in need of care, including the elderly and people with learning disabilities, may need to be considered as part of the overall affordable housing requirement. We would also encourage all homes to be built to 'Lifetime Homes' standards.
- **Sustainable Drainage Systems.** Developers are urged to utilise sustainable drainage systems (SuDS) wherever possible, with the aim of reducing flood risk to surrounding areas, improving water quality entering

rivers and also providing biodiversity and amenity benefits. Under certain circumstances the County Council may consider adopting SuDS ahead of October 2013 and if this is the case would expect the cost of ongoing maintenance to be part of the Section 106 negotiation.

- **Fire Service.** Any fire hydrant issues will need to be covered by appropriate planning conditions. We would strongly recommend the installation of automatic fire sprinklers.
- **High-speed broadband.** SCC would recommend that all development is equipped with high speed broadband (fibre optic).

31. **Suffolk County Council (Development Contributions Manager)** (received 14th May 2014) submit a **holding objection** and comment as follows:

- I provided a comprehensive response by way of letter dated 23 January 2014 which I am grateful is included in the Development Control Committee report being considered on 14 May 2014. However this letter provides further clarification of the County Council's position
- This letter raises further issues for Forest Heath to consider in terms of important matters relating to primary school provision for Lakenheath and should be reported to the Development Control Committee. The position at Lakenheath in terms of education is different from other settlements across the district in that, at this point in time, whilst there is a clear strategy, i.e. there is an agreed need for a new primary school, no site has been secured yet and temporary classroom provision is difficult due to the site constraints of the existing primary school. Furthermore, the County Council is aware of previous draft development plan documents indicating the level of further growth for Lakenheath.
- The Forest Heath Core Strategy Development Plan Document was adopted in May 2010 and includes Policy CS13 Infrastructure and Developer Contributions. However we are very concerned that, ahead of the conclusion of the Single Issue Review and Site Allocations, which will address housing numbers and distribution across the district, there may well be no plan-led approach which could result in development not having the necessary supporting infrastructure provision.
- In particular it is widely accepted that Lakenheath needs a new primary school to support growth but at this point in time a suitable site for a new primary school has not been identified or secured. A minimum site size of 2 hectares will need to be identified, reserved and secured within Lakenheath to serve the community's needs. However, it would only be reasonable to develop such a school if there were greater certainty of additional houses anticipated in Lakenheath in the plan period. The ideal process would be for the County Council to work closely with the District Council through the Site Allocations process to identify a suitable site for a new primary school provided that the overall housing growth justified that.
- Whilst we are encouraged that this development has agreed to make proportionate contributions towards land and build costs for the new primary school, the real problem that the County Council faces is that without a school site being identified and secured, some of the children

arising from this development or in Lakenheath generally may not be able to secure a place at their existing local primary school. In this scenario the County Council may be forced into a position of sending local primary age children by bus or taxi to other schools in the area. The assumed current annual cost for taking one child to and from school is about £850. As you are aware the existing primary school at Lakenheath has recently been expanded to 315 places to take account of the move from 3 to 2 tiers as well as dealing with latent population growth. Whilst the preference would be to expand the existing primary school to provide additional classrooms with facilities the site constraints mean that this is not a realistic or feasible option.

- In the circumstances, we consider that the Development Control Committee needs to be taking into account the very real sustainability issues that may arise of some local children not being able to secure a place in the short term at the existing primary school if further housing growth at Lakenheath is approved before a new primary school site is secured. The County Council would not object to this proposal if it were to be part of a planned series of developments at Lakenheath (including the allocation of a new school site), provided that adequate funding was secured to provide an appropriate contribution to school buildings and site and the necessary additional travel costs pending construction of a school. However there is no certainty about the scale or location of growth at the moment. Furthermore there is new information that there are a number of other planning applications which have been submitted in Lakenheath in the recent past and there is a need to be able to consider these matters as a whole.
- Accordingly the County Council submits a **holding objection** in respect of this proposal pending further consideration of how the education matters could be resolved in the absence of a site allocations document. The Council is keen to have early discussions with the District Council to examine this matter.

32. **Suffolk County Council (Development Contributions Manager) – further representations received 8th August 2014) removing their holding objection** to the planning application. The following comments were received;

- Continued uncertainty about the scale and location of growth in Lakenheath in the absence of a site allocation document and the relatively recent removal from consideration of the possible site on the Elveden Estates land for 750 dwellings which included a primary school site has presented considerable difficulty for the county council in determining how the appropriate education strategy for Lakenheath can now be delivered i.e. where can an alternative school site be located to best serve the local community. This has been compounded by the recent decision by the US authorities to relinquish housing at Lord's Walk in Eriswell and release these houses back into civilian use, thereby potentially adding greater numbers of school children to the existing upward trends. The existing primary school site in the village is almost at capacity and it is clear that the constrained nature of the site does not allow this to be used as a long term solution for additional accommodation requirements.
- There are two areas of uncertainty – the permanent location of any new school site and meeting short term needs pending the construction and

opening of a new school. On the permanent location of a new school, which is likely to be 1.5 forms of entry (315 places) but could be up to 2 forms of entry (420 pupils) and requiring a minimum of 2 hectares of land, the county council has commissioned its consultants, Concertus, to identify options for possible sites. Concertus has so far identified a number of possibilities, but these have yet to be carefully tested. A number of uncertainties remain:

- The size and configuration of the sites in relation to the school requirements;
 - Whether the sites are likely to be available in the next couple of years;
 - Their relationship to access and services;
 - Environmental, flooding, aircraft noise and other constraints on the site;
 - Their location within the village in relation to the spread of development identified in any site allocation document proposed by the district council and, if it is to accommodate children from Lord's Walk, its distance from that site.
 - Whether the sites offered come as part of a wider planning proposal and what the view of the district council is of the likely acceptability of such a scheme.
 - Furthermore, there is the uncertainty about the willingness of the landowners to release their sites and the question of whether compulsory purchase procedures will be needed.
 - An assessment of highway impacts on the village, both in terms of the new school site location but also from cumulative impacts from village-wide development.
- All of this means that it is not possible at this point for the county council to be clear about which site, if any, might be suitable for development and exactly when it would be deliverable. Furthermore, the pace at which this work has had to be done militates against effective engagement with the local community.
 - In the short term, the capacity of the existing primary school will be exceeded in the next year or so and temporary arrangements will need to be put in place to accommodate additional children. This will be driven in part, if not wholly, by any housing schemes granted permission in the village. It is not clear that a plan can be developed that will allow for temporary accommodation on the existing constrained site, pending completion of the new school. If not, then school children will need to be transported to schools in surrounding villages or towns, which in themselves may well require temporary extensions. Clearly, for an uncertain period of time, this could result in an unsustainable pattern of school provision.
 - It is recognised that the district council faces an issue about identifying adequate housing land. The county council considers that it is a matter for the district council to balance the needs for the release of new housing sites with the risks associated with the emergence of a possibly

unsustainable pattern of school provision. In this context, it removes the holding objection previously registered and leaves it to the district council to draw the planning balance considering these and all other relevant matters.

- If the district council considers that it should approve the planning application, this should be on the basis that sufficient funding is made available for a proportionate share of the costs of the school site (possibly at residential value), the school building costs and the costs of the temporary classrooms at an existing primary school and/or the costs of school transport pending the construction of a permanent school. This would be in addition to the costs of other infrastructure as identified in our earlier correspondence.
- On this basis we would request the following updated contributions in respect of education mitigation from this particular scheme of 67 dwellings, namely:

1. Based on the methodology set out in the adopted Developers Guide we estimate that a minimum of 14 primary age children will arise from a scheme of 67 dwellings.

2. The pro-rata contribution towards the full build cost of a new school is £248,892 (2014/15 costs).

3. The pro-rata contribution towards the acquisition costs of a new 2 hectare site assuming a maximum residential value of £864,850 per hectare (£350,000 per acre) is £76,874. If the site is purchased on the basis of a lower value then the County Council will credit the difference back to the developer.

4. Temporary classroom costs if required. The cost to purchase a single temporary classroom with toilet and accessible toilet is currently estimated to be £106,000, the cost of which would need to be secured from this development on a pro-rata basis.

5. The annual transport cost per pupil if required is assumed to be £750 (2014/15 costs).

33. **Suffolk County Council (Development Contributions Manager)** in January 2017 took opportunity to review and update their requests for developer contributions given the passage of time since they last reviewed and commented upon the proposals. The following contributions (to be secured via S106 Agreement) were requested:

- Primary Education - £230,006 towards build costs and £18,116 towards land costs.
- Secondary Education – capacity available, no contribution.
- Pre-school provision - £75,831.
- Libraries - £14,472.

34. In December 2017 the **Development Contributions Manager** further updated the contributions requested for primary and pre-school provision to

reflect the need to insulate the building against aircraft noise. This increased the primary school contribution from this proposal to £262,388. Whilst the cost per place of providing a pre-school setting also increased because of the need for noise attenuation, the County Council acknowledged that each place would have capacity for two children (i.e. one during the morning and one during the afternoon). This effectively halved the developer contribution required. The pre-school contribution to be secured from the development was adjusted to £64,526 with a further contribution towards land acquisition for the pre-school setting (£4,344).

35. **Suffolk County Council – (Suffolk Fire and Rescue Service) (February 2014) – no objections** to the proposals and advise that access for fire appliances needs to meet with Building Regulations requirements, advocates the use of sprinkler systems within new buildings and recommends imposition of a condition requiring details of provision of fire hydrants for the development to be submitted for approval and thereafter provided.
36. **FHDC – (Strategic Housing) (January 2014) - supports** and comments as follows;
- The Strategic Housing team supports this development in Lakenheath subject to an agreed affordable housing mix. There is strong evidence from the Housing Register to conclude there is housing need in Lakenheath. There are currently 200 applicants indicating a preference to live in Lakenheath, of which 169 have a 1 and 2 bed need.
 - We request the following mix (corrected March 2014);
 - 12 x 1 bed (2 person) flats rented
 - 4 x 2 bed (4 person) flats rented
 - 4 x 2 bed (4 person) houses 2 rented and 2 shared ownership.
 - We would also encourage working with a Registered Provider of Affordable Housing at an early stage and ensure the affordable homes, meet the Homes and Communities Agency (HCA) design and quality standards.
37. The developer has sought to negotiate the affordable housing mix with the Strategic Housing Team following receipt of these comments and has submitted revised drawings to demonstrate an affordable housing mix closer to that which has been requested by the team. The Strategic Housing Team has been re-consulted and their comments are set out in the next paragraph.
38. **FHDC – (Strategic Housing) (April 2014) - supports** the proposals and comments as follows;
- The Strategic Housing team support this development in Lakenheath and the commitment to provide 30% affordable housing in accordance with Policy CS9. This equates to 20 affordable dwellings being provided on site with a 0.1 financial contribution. There is evidence from the Housing Register and the SHMA to conclude that there is a need for a variety of tenure and mix in Lakenheath. The Strategic Housing Team accept the indicative mix of 12 x 1 bed (2 persons) flats, 6 x 2 bed (4 person flats, preference ground floor as agreed) for rented and 2 x 2 bed (4 person) houses for shared ownership only.

- The affordable housing must meet as a minimum, the Homes & Communities Agency (HCA) design standards and the Strategic Housing Team encourages working with a Registered Provider of affordable housing at an early stage.
39. **FHDC – (Environmental Services)** (initial comments prior to receipt of noise report – February 2014) **no objections** to the proposals subject to the imposition of conditions to secure a detailed scheme of contamination investigation (including submission of a report and subsequent remediation if necessary) and construction method statement (hours of work (including operation of generators), handling of waste materials arising and dust management).
40. **FHDC – (Environmental Services)** (following receipt of the noise report – March 2014) **no objections** and comment that the proposed properties on the development will be protected internally from environmental noise and the times of construction are reasonable.
41. In April 2017, the Council's **Public Health and Housing** officers confirmed they continued to retain **no objections** to the application proposals and provided the following comments:
- Public Health and Housing have carefully considered the Noise Impact Assessments (NIA) that have accompanied the applications and feel they are fit for purpose. Whilst the MOD have highlighted some concerns in some of the reports, in that there is no night time noise assessment's (there are no routine night flights) and that the distances to the air bases are slightly out, these have not fundamentally changed our responses to each of the applications.
 - In light of the concerns shown and in consideration of the protection of the future residents we will be taking the same approach to all applications recommending acoustic insulation levels be included as a condition (to applications that are under the noise contours), along with the applicant presenting a post completion acoustic test to demonstrate that the building has been constructed to a level required in the condition.
 - The flights are mainly during daylight hours with some starting at 06:00hrs, however there are reduced number of sorties in the winter and in inclement weather, with none during night time hours or at weekends (except in exceptional circumstances). The MOD have recommended that each application carries out a vibration test, however we have to my knowledge, not received a single complaint of vibration from any resident and would feel that this could be deemed as onerous.
42. **FHDC – (Leisure, Culture and Communities) (December 2013) – no objections** to the proposals and comments as follows;
- Central position of the open space is acceptable.
 - The space should contain natural playable features.
 - Should be surrounded by a knee rail.
 - Detail of soft landscaping and tree planting required.

- Red line plan confirming all adoptable areas.
- Confirmation that green spaces adjacent to parking spaces to be conveyed to residential units.
- Who will have responsibility for the communal amenity space?
- Any formal play provision should be off site and provided at the existing play area on Briscoe Way.

43. **FHDC – (Ecology, Tree and Landscape Officer) (August 2014) - no objections** and comments as follows;

Landscape

- The proposal does not include a landscape and visual assessment. The site is located on agricultural land with few existing features except the trees located on the eastern boundary. Land to north and west is open, enclosed by the alignment of the Cut Off Channel which is separated from the site by agricultural land. To the south and east is residential development.
- The proposals, in general, include for the retention of the existing trees except a stand of regenerated poplar trees. Some small sections of hedge will need to be removed to allow for access. A tree protection plan has been submitted and this will need to be implemented.
- The development of the site will result in the loss of agricultural land, and the introduction of additional built form which is considered to be an impact on landscape character.
- The DAS includes notes on a landscape strategy for the site. The strategy will need to be developed further if the application is approved
- *[Suggested condition] Detailed soft and hard landscaping to be submitted and implemented*

SUDs

- The provision of sustainable urban drainage is not shown on the layout. The applicant must show that there is no double counting of open space and SUDs and that whilst it is desirable for the SUDs provision to adjoin the open space it does not form part of the open space provision.

Ecology

- Natural England has not objected to the proposals and that there would be no impact on statutory sites including SSSI's (Pashford Pools Fen, Lakenheath (SSSI), Lakenheath Pools Fen SSSI)
- An ecological assessment accompanies the application which has assessed the risk to habitats and species. Precautionary mitigation and environmental enhancements are recommended and their provision/

implementation should be secured by condition. The ecological enhancements should be shown on the landscape plan for the site.

44. In April 2017, the **Forest Heath District Council's Ecology and Landscape Officer** updated her comments about the planning application and 'screened' the proposals under the provisions of the Habitats Regulations. The following comments were received (summarised):

- The development of the site will result in the loss of agricultural land, and the introduction of additional built form which is considered to be an impact on landscape character particularly given the lack of space to provide visual screening on the boundary with the countryside. The Design & Access Statement includes notes on a landscape strategy for the site. The strategy will need to be developed further (via planning conditions) if the application is approved.
- The provision of sustainable urban drainage is shown to be within the public open space. This would significantly limit the ability of this space to function as an area for any type of formal or informal play. However there is a formal play space located to the south off Briscoe Way.
- An ecological assessment accompanies the application which has assessed the risk to habitats and species. Precautionary mitigation and environmental enhancements are recommended and their provision/implementation should be secured by condition. The ecological enhancements should be shown on the subsequent landscaping plan for the site.
- Comments included a very detailed 'screening' of the proposals against the requirements of the Habitats Regulations. The screening concluded that the proposals alone would not result in likely significant effects on Breckland SPA. In-combination likely significant effects on Breckland SPA can be avoided if the applicant makes a proportionate contribution to influence recreation in the area and to avoid a damaging increase in visitors to Breckland SPA through either a condition or a section 106 contribution.

45. In July 2018, the Forest Heath District Council's **Ecology and Landscape Officer** prepared an 'Appropriate Assessment' of the planning application in accordance with the specific requirements of Regulation 63 of The Conservation of Habitats and Species Regulations 2017. A full copy is attached to the Committee Papers at Working Paper 1.

Representations:

46. **Lakenheath Parish Council (initial comments, December 2013) – no objections** but would like it noted the site is outside the settlement boundary. Should planning permission be granted the Parish Council request conditions covering the following matters should be applied;

- water permeable paving on driveways and hardstanding areas;

- solar panels on all initial construction;
- grey water storage units;
- affordable homes allocated to Lakenheath/local residents;
- It is known and noted that waste water treatment for this area must be updated before the commencement of any construction;
- There is some concern that the "Access & Design Statement" suggests aircraft noise is not an issue. It is known that much of the village suffers from aircraft noise to a greater, or lesser, extent.

47. **Lakenheath Parish Council - additional comments (February 2014)** following their collective consideration of current planning applications for major housing development in the village;

- "...the PC would like independent professional advice/guidance on the way forward paid for by the proposed developers."

48. **Lakenheath Parish Council** – further comments received 14th May 2014 – **object** to the planning application and comment as follows (n.b. the letter was prepared on behalf of the Parish Council by a law firm):

- The Parish Council resolved at its meeting on 12 May 2014 to commence legal proceedings if the application is approved. They would prefer to meet with you to discuss their concerns but so far, despite Suffolk County Council strongly recommending a meeting of stakeholders prior to approval of the application, this has not happened with the consequence that instructions have been issued to prepare a case for judicial review.
- The Parish Council are concerned with the way the Council has handled the application, which if granted, would form grounds for judicial review (other possible grounds for review are reserved).
- The part of the Core Strategy CS7 not quashed by the High Court proposes substantial housing growth for Lakenheath, some 850 houses in total with the Council now mooting an upwards total of 1200.
- The options for allocation of this housing is yet to be assessed for environmental impacts and social needs as this is planned as part of the Single Issue Review. The reference in the officers report to the Single Issue Review being in its infancy is not credible and misleading on a material issue concerning the legal duty imposed on the Council by Section 38(6) of the Planning and Compulsory Purchase Act to have regard to the development plan.
- We also consider the officer report misrepresents the view of Suffolk County Council in relation to the importance of the Council completing the Single Issue Review before determining this application. What SCC said is plainly an objection and the fact that the officer then goes on to quote substantial parts of the letter gives a misleading impression to the Committee about the strength of concern the SCC has with this development, before the Single Issue Review has been concluded and stakeholders engaged to address infrastructure needs.

- Plainly the language “we would greatly welcome the early conclusion of this review to enable a proper plan-led approach to development with the necessary supporting infrastructure provision” is intended to mean that this application should not be decided until the review has been completed.
- The further comments from SCC “As a general point we consider that it would be very helpful and timely to set up a meeting between the various stakeholders including the District Council, County Council, Parish Council and local community representatives to consider the implication for housing growth in Lakenheath of which this application is a departure from the development plan” have plainly not been addressed, because no such meeting has taken place.
- In relation to infrastructure of primary education, the officer’s report admits that the Primary School is at capacity. SCC’s letter says it is critical for the Council to fully consult the Head Teacher, School Governors and local community, before any decisions are made on the application. The fact that the officer records these remarks in the Committee Report, but fails to then explain why the Council has not acted on this critical recommendation, is a manifest failure to deal with the statutory consultee comments which would constitute material considerations under S70(2) of the Town and Country Planning Act.
- The pragmatic effect of permitting a developer-led piecemeal development prior to conclusion of the Single Issue Review will undermine the holistic approach to the longer planning needs of the village. In particular we understand that Elveden Estates are proposing a circa 900 development on the estate land plus the necessary primary school infrastructure. The Parish Council consider this application along with the other piece-meal applications pending before the Council (one of which we understand is on land owned by the Council leader) will jeopardise that development proposal’s viability and could put at risk delivery of the necessary infrastructure including a new primary school.
- The Parish Council consider the comments lodged by Bennetts planning advisors, Gerald Eve, are highly indicative of a developer manipulation of the District Council’s strategic planning powers at the expense of the community, in the context where the Single Issue Review which is underway and not in its infancy.
- You will no doubt appreciate that the Local Plan process is precisely the strategic mechanism for competing land allocations to be assessed against agreed strategic criteria. They consider that determination of this application before the Single Issue Review is complete is an attempt to circumvent the domestic and EU-law protections of assessing competing land options through the Sustainability Appraisal and Strategic Environmental Assessments that a plan-led approach provide.
- Five-hundred dwellings are now coming on to the open market in the neighbouring area of Eriswell adjacent to RAF Lakenheath. This is referred to in the officer report as an objectors comment but the report does not include this large development in the assessment of the housing supply issue. Plainly this distorts the present housing supply assessment given the statutory duty to cooperate imposed on Councils by the Localism Act, as an amendment to the Planning and Compulsory Purchase Act 2004.

- We are surprised that the apparent EIA screening of the application done by the Council reached the view that the application is not EIA development. In our experience a development of the scale which is five times the 0.5 hectare threshold and causes substantial loss of greenfield land is likely to give rise to significant environmental effects and should have been treated as EIA development. This is of particular concern given the socio-economic impacts on the infrastructure referred to by SCC. Plainly the extant applications at Elveden plus the proposed development at Rabbit Hill Covert give rise to significant effects which should have been considered in any EIA screening.
- To conclude, the main concern is the lack of overall strategic planning for this sensitive rural area with identified serious infrastructure deficiencies needed to accommodate housing growth proposed by Core Strategy Policy CS7. The key element is the need for co-ordinated village infrastructure i.e. schools, health, elderly persons provision, and transport infrastructure as well as all the vital infrastructure that would be absolutely necessary to permit a viable sustainable development for the community of Lakenheath.

49. **Lakenheath Parish Council** – in August 2014, the Parish Council submitted “**strong objections**” to the proposals and prepared a single letter of objection with respect to four planning applications including the subject application. The letter included a summary of the objections, which was as follows;

- The EIA screenings are inadequate and do not take account of cumulative impact.
- Paragraph 14 of the NPPF does not automatically engage; in accordance with the William Davis case the Council must first determine whether these proposals are sustainable before turning their attention to the provisions of paragraph 14 of the NPPF.
- Development Plan policies should be attributed significant weight in accordance with Section 38(6); settlement boundary policies should not be regarded as being concerned with the supply of housing and should not therefore diminish in their weighting.
- In the planning balance, the weight to be attributed to the delivery of housing should be reduced given that little or no housing will come forward from any of these proposals in the next five years; set against this, there is significant and wide ranging harm to arise from all of the proposals, not least in relation to infrastructure and schooling impacts.
- Objections are set out in relation to layout issues for the Briscoe Way site and, to some extent, on the other applications.
- Land east of Eriswell Road is premature; in any event this proposal will impact upon the SSSI and has significant deliverability issues.
- As with all of the proposals, the Rabbit Hill Covert site is the subject of significant noise exposure and it will not be possible to create satisfactory residential amenity for future occupiers of the site.

50. **Lakenheath Parish Council** – (late January 2016) submitted further representations via their lawyers. The following matters were raised:

- The cumulative traffic impact assessment undertaken is flawed and should not be relied upon insofar as it does not consider all applications submitted and should be updated.
- Up-to-date EIA screening opinions should be carried out before any of the planning applications are determined. In the opinion of the Parish Council all the planning applications require Environmental Statements, particularly with regard to cumulative impacts (a joint Environmental Statement).
- The Parish Council refer to objections received from Natural England received in June 2015 (paragraph 15 above) as reasons to refuse planning permission and thus concludes the LPA is compelled in law to carry out an Appropriate Assessment of the scheme prior to consenting to the scheme [members will note that Natural England's June 2015 objections were subsequently withdrawn following receipt of further information].
- The Parish Council raises concerns regarding noise, vibration and risks of accidents from civil aviation activities in the vicinity of the planning application and is particularly concerned in this respect with regard to the location of the primary school.

51. **Lakenheath Parish Council** (July 2016) with respect to the Lakenheath cumulative traffic study commented they have grave concerns regarding the impact on the B1112/A1065 priority cross-roads which is reported in table 1.2 of the Aecom- Lakenheath Cumulative Traffic Study, as still "Not considered to be a severe impact" and "Approaching capacity, mitigation advised".
52. In late July 2016 the **Lakenheath Parish Council** wrote to confirm they had changed their position with respect to these application proposals and wished to **support** a development on this site although it is outside the current village boundary. The Parish Council remained concerned however about the level of parking space provided, a cramped and over-developed layout, cumulative impact upon highways, health provision and public transport (with other developments proposed in the village). The Parish Council also requested consideration be given to the provision of a second vehicular access from Burrow Drive. A number of conditions were requested in the event that planning permission is subsequently granted, including permeable driveways, provision of solar panels, grey water storage units and the affordable homes being allocated to Lakenheath/local residents.
53. In April 2017, the **Lakenheath Parish Council** confirmed their continuing **support** for a development on this site, but remain concerned about parking, the 'cramped' layout and cumulative impacts. The Parish Council also repeats its earlier request for a second access from Burrow Drive. The Parish Council repeats its request for conditions to be imposed and add a further condition regarding internal noise levels.
54. In June 2017, **Lakenheath Parish Council** made further representations about the planning application. This time the representations made **objections** to the planning application. The representations were received very shortly before the Development Control Committee considered the planning application at its meeting in June 2017. The representations included criticisms of certain paragraphs/sections of the officer report to that

Committee. Given that this fresh report fully replaces the report to the July 2017 Committee meeting, those particular points are not included here (to avoid confusing or misleading the Committee). The Parish Council concludes its representations by confirming its objections to the planning application on the grounds of noise impact and the failure of the applicant to adequately demonstrate the development is acceptable in noise terms (and references a planning appeal to support its concluding points). It gives its view that a positive decision on the planning application will be vulnerable to judicial review

55. In February 2018, the **Lakenheath Parish Council** provided further comments about the four planning applications (F/2013/0345/OUT, F/2013/0394/OUT, DC/14/2096/HYB and the subject application proposals) via their Solicitor. The Parish Council commissioned Clarke Saunders Acoustics to review the noise information submitted against the four planning applications.
56. The Solicitors letter confirms the Parish Council remain deeply concerned that the full noise impacts for USAF operations at RAF Lakenheath have not previously been fully assessed or understood by the Committee. They assert that the Committee had previously resolved to grant planning permission on the basis that 'there is already housing in the village' and point out that 'attitude and justification' is at odds with government guidance aimed at achieving sustainable development.
57. The Solicitors letter concludes by insisting that the applicants be requested to provide further noise information and then reported back to Committee. They end by confirming (and without confirming the legal position) that basis relied on by the Council will give rise to Judicial Review grounds.
58. The review of noise information submitted with the four planning applications carried out on behalf of the Parish Council makes the following points about the noise assessment submitted with the planning application (reproduced in full):
 - The proposed residential developments have been assessed to using suitable guidance, namely the National Planning Policy Framework (NPPF), BS 8233:1999: Sound insulation and noise reduction for buildings – Code of practice, and World Health Organisation (WHO) 1999: Guidelines for Community Noise.
 - We agree with the principle of using this assessment methodology with reference to available standards and guidance at the date of assessment. If the site were to be reassessed today, we would consider that a suitable current methodology would be following ProPG: Planning & Noise – New Residential Development (Published May 2017).
 - A previous consultation with Forest Heath District Council was understood to have been made by AJA for another development site nearby, which has been taken as applicable to both sites. FHDC said they would seek to ensure that noise levels inside any new dwellings comply with the WHO Guidelines and BS8233 criteria.
 - It is not clear if the other development referred to is also subject to significant aircraft noise from RAF Lakenheath. The outcome of the

previous consultation referred to may not, therefore, have been applicable to the current development site(s).

- Noise levels were measured at the Briscoe Way development site on 26th February 2014 between 08:00 – 14:30 (6.5 hours). The noise levels measured during this period included 19 aircraft departing to the south-west, and 20 aircraft returning from the north-west. Confirmation was made from RAF Lakenheath Commanders Office at the date of the survey that typically there could be up to 40-45 flights departing per day (80-90 aircraft movements including landings).
- From these measurements AJA have estimated the LAeq, 16hr noise levels by 'scaling up' the noise measurements made of 39 aircraft movements in the six and half hour period, to 90 aircraft movements in a 16-hour period. The resultant estimated LAeq, 16hr has been determined by AJA to be 62 dB.
- The AJA survey method would be an entirely suitable means of accurately establishing the noise climate on the site from aircraft movements as the dominant noise source, if all aircraft movements from RAF Lakenheath comprised events identical to those measured during the single manual survey exercise on 26/2/14.
- With the more likely scenario being a greater degree of variability in terms of aircraft movement tracks, altitudes and weather conditions, the short-term measurements need to be considered as more of a 'snapshot' albeit one which has been extrapolated to show the potential effect on the typical daily average level. The potential for future increases in aircraft activity and resultant noise is not considered at all. This would also include the introduction of 24/7 operation and the resultant potential for sleep disturbance.
- It would be reasonable to conclude that a significant number of children whose sleep might be disturbed in the new dwellings would then be attending the new school during the daytime, when their concentration would be affected by both distraction and lack of sleep.
- Other changes associated with military aircraft operations which can increase noise exposure on the ground include rapid deployment and build up training and visiting aircraft from other squadrons and indeed other air forces, during collaborative tactical training activities. Specifically, in relation to the noise footprint of aircraft arriving and landing at the airfield, visiting pilots tend to be less precise in following the standard approach at the collection point followed by a prescribed turn to align with the runway. Late course adjustments by military jets at low altitude can be very noisy.
- The AJA survey exercise provides a helpful general indication of noise levels to which the site is exposed, but our view is that AJA was not instructed to conduct a comprehensive noise impact assessment for the site, and indeed the bullet points in their introductory section "1.1 Background" confirm that the daily noise exposure is an estimate and that they have only advised on sound insulation measures in "general terms". The submission is not, therefore, sufficiently detailed to be relied upon as the sole supporting document for the development in terms of noise impact and its mitigation.

- The DIO [DIO Station] indicated that the 'Land north of Station Road' site is directly beneath the approach flight path to RAF Lakenheath from a recovery point, known to RAF Lakenheath as 'Point Charlie', as such aircraft overfly this area. This appears to be contrary to details in the Briscoe Way report which suggest that aircraft pass relatively close to, but not directly over the Briscoe Way site. It is possible, therefore, that the noise data from 2014 does not include representative measurements or data of aircraft using this recovery point and flightpath, which is evident in the AJA survey of 20 – 27th March 2017 for the 'Land north of Station Road' site.
- The proposed acoustic glazing specifications detailed by AJA are Rw 30 dB window (4mm glass / 12mm airspace / 4mm glass). This configuration provides relatively low sound reduction at low frequencies, which are significant in military jet noise. It is not clear whether this frequency characteristic has been taken into account in the calculations which could mean that this specification would provide inadequate aircraft noise attenuation.
- In terms of external noise, BS8233:1999 states: 'In gardens and balconies etc. it is desirable that the steady noise level does not exceed 50 LAeq,T dB and 55 LAeq,T dB should be regarded as the upper limit.'
- The AJA assessment has not put the significant exceedances over the targeted higher threshold noise level in context. (LAeq, 16hr 62dB vs 55dB). Based on the measured noise levels, guidance⁴ indicates that the proportion of the population that would be highly annoyed by these levels of external noise would be 20%, twice the number on which the 10% highly annoyed threshold was based. Outdoor mitigation options are extremely limited, if not non-existent for noise sources overhead.

59. **Twenty letters/e-mails** have been received from local residents or other interested parties **objecting** to the planning application. This issues and objections raised against the proposals are summarised as follows;

- Lakenheath is not suitable for large housing developments given there are no jobs, public transport is poor, sewerage infrastructure cannot cope and there are very few amenities (school, doctors' and dentists' already over capacity); this development offers nothing to the village.
- The Council should reject or defer decisions until a more holistic policy is formulated following public consultation (prematurity).
- The local community plan for Lakenheath should be allowed to be completed and fed into the district council's consultation process, before any major decisions are made.
- The proposal is a departure from the Development Plan as it is outside the settlement boundary.
- The amount of development currently proposed in the village is disproportionate for the village and places an unsustainable impact on the wider infrastructure (water, energy, health and education).
- The true availability of existing housing needs to be assessed (including number of rentals to USAF personnel and families).

- Traffic congestion will be made worse.
- Some of the dwellings are too close to existing dwellings.
- Site may not be suitable owing to flood risk.
- Access is not suitable for construction vehicles.
- Noise, pollution, mud, dust and street parking problems will be caused during construction.
- Inadequate parking in the High Street which is impassable at times. This will get worse when Tesco is built. Development to the north of the village would increase traffic through the High Street. Emergency response vehicles would be affected.
- Impact of development upon infrastructure should be independently assessed.
- The site office should be located away from dwellings.
- Local residents will be disrupted by roadwork (pipe & cable connections)
- Developer needs to give assurances they will be a 'good neighbour', including that construction vehicles will be parked on-site and not on the existing estate roads (where access to existing dwellings could be obstructed).
- Five-hundred dwellings at Lords Walk are about to be released for general occupation, these should be counted against the target for Lakenheath.
- Development would be preferable at the opposite end of the village.
- Brownfield sites in the village should be developed before greenfield sites are released for development.
- Dwellings should be more energy efficient (solar panels etc.).
- There is very little local employment (which will be reduced further when RAF Mildenhall closes).
- There should be two points of access into the development.
- Contractors' vehicles should park on the site, not on the existing estate roads.
- Maintenance of the existing hedgerow [along the south boundary] could be an issue.
- There could be safety issues with contractor vehicles passing the existing children's' play area in Briscoe Way.

60. **One letter** has been received from a local resident confirming they **do not object** to the proposals but wish the following issues to be considered;

- Loss of *[private]* views.
- Overlooking of existing dwelling (garden).

61. In June 2017 comments were received on behalf of Elveden Farms criticising the evidence set out in the cumulative traffic study commissioned by Suffolk County Council, claiming it is fundamentally flawed (and setting out the reasons they consider why) and should not therefore be relied upon in taking any decisions on granting new development in the area.

Policies:

Development Plan

62. The Development Plan is comprised of the adopted policies of the Core Strategy Development Plan Document (adopted May 2010) the policies of the Joint Development Management Development Plan Document (2015) and the saved policies of the Forest Heath Local Plan (adopted 1995). The following Development Plan policies are applicable to the proposal:

Core Strategy

63. 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 5 – Lakenheath

Spatial Objectives

- 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 C1 – Retention and enhancement of key community facilities.
- Spatial Objective C2 – Provision and maintenance of open space, play & sports facilities and access to the countryside.
- Spatial Objective C4 – Historic built environment.
- 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 behaviour.
- 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 Court Order).
- Policy CS9 – Affordable Housing Provision.
- Policy CS10 – Sustainable Rural Communities.
- Policy CS13 – Infrastructure and Developer Contributions.

Joint Development Management Policies Document

64. The Joint Development Management Policies Document was adopted by the Council (February 2015). Relevant policies are listed below:

- 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.
- DM17 – Conservation Areas
- DM20 – Archaeology
- DM22 – Residential Design.
- DM27 – Housing in the Countryside.
- DM42 – Open Space, Sport and Recreation Facilities
- DM44 – Rights of Way
- DM45 – Transport Assessments and Travel Plans
- DM46 – Parking Standards

Local Plan

65. A list of extant saved policies from the Forest Heath Local Plan (1995) is set out at Appendix A of the adopted Core Strategy (2010) and in the Joint Development Management Policies Document (1995). The following saved policies are relevant to these proposals:

- Policy 14.1 – Securing Infrastructure and Community Facilities from Major New Developments.
- Inset Map 12 (Lakenheath Development Boundary)

Other Planning Policy

Supplementary Planning Documents

66. 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)
- Suffolk Advisory Parking Standards (Second Edition 2015)

Emerging Development Plan Policy

67. The application site is formally allocated for a housing development within the emerging Site Allocations Development Plan Document. This document, and the related Single Issue Review document are currently the subject of examination by the Planning Inspectorate. The degree of weight that could be attributed to the emerging plans in the consideration of this planning application is discussed later in the next section of this report.

National Policy and Guidance

68. The Government has recently (July 2018) updated national planning policies and has published a revised National Planning Policy Framework (hereafter referred to as the Framework or the NPPF). The policies set out in the Framework are material to the consideration of this planning application and are discussed below in the officer comment section of this report.

How does the NPPF define sustainable development?

69. The Framework defines the objective of sustainable development as *meeting the needs of the present without compromising the ability of future generations to meet their own needs*. It goes on to explain there are three overarching objectives which need to be pursued in mutually supportive ways:

- i) economic (to help build a strong, responsive and competitive economy),
- ii) social (to support strong, vibrant and healthy communities) and,
- iii) environmental (contributing to protecting and enhancing our natural, built and historic environment)

70. The Framework explains (paragraph 9) that these objectives should be delivered through plan making and applying NPPF policies. It goes on to advise that planning decisions should play an active role in guiding development to sustainable solutions, but in doing so should take local circumstances into account, to reflect the character, needs and opportunities of each area.
71. The National Planning Practice Guidance (NPPG) is an on-line Government controlled resource which assists with interpretation about various planning issues and advises on best practice and planning process.

Officer Comment:

72. This section of the report begins with a summary of the main legal and legislative requirements before entering into discussion about whether the development proposed by this planning application can be considered acceptable in principle in the light of the provisions of the Development Plan. It then goes on to analyse other relevant material planning considerations (including site specific considerations) before reaching conclusions on the suitability of the proposals.

Legal Context

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

73. Given the scale of development proposed, the planning application has been screened under the provisions of the Town and Country Planning (Environmental Impact Assessment) Regulations 2011. The Council's formal Screening Opinion concluded that the proposal is not 'EIA development' and an Environmental Statement was not required to accompany the planning application.
74. The EIA Screening undertaken by the Council became out of date following the subsequent submission of a number of further planning applications for large scale development at Lakenheath. The potential cumulative impacts of development needed to be considered. There are no provisions in the EIA Regulations which enable the Local Planning Authority to re-screen development proposals without receiving a request to do so. The Council therefore requested the Secretary of State adopt an over-arching Screening Direction. The Secretary of State carried out a Screening Direction and considered the implications of all projects in combination. He confirmed the application proposals were not 'EIA Development' meaning an Environmental Statement was not required to accompany the planning application.

The Conservation of Habitats and Species Regulations 2017

75. Given the location of the various designated nature sites in the vicinity of the application site (including the Breckland Special Protection Area and Special Area of Conservation) consideration has been given to the application of these Regulations.
76. The application site is in the vicinity of designated (European) sites of nature conservation but is not within a designation or land forming a formal buffer to a designation. Regulation 63 states the decision making authority before deciding to...give permission...for a plan or project which is likely to have a

significant effect on a European site and is not directly connected with or necessary to the management of that site, must make an 'appropriate assessment' of the implications of the plan or project for that site in view of that site's conservation objectives.

77. Officers first screened the project under these Regulations in 2014 and concluded that the requirements of Regulation 63 were not relevant to the proposal and thus appropriate assessment of the project (under Regulation 63) was not required in the event that planning permission was to be granted. In accordance with UK law, the assessor had regard to proposals to mitigate the impact of the development upon European designated sites in drawing conclusions.
78. In April this year the Court of Justice of the European Union handed down a judgement which changes the way in which planning applications (and other projects) that trigger the provisions of Regulation 63 are to be considered ('People over Wind, Peter Sweetman v Coillte Teoranta' Case reference C-323/17). The judgement ruled that in order to determine whether it is necessary to carry out an appropriate assessment of the implications of a plan or application, it is not appropriate, at the screening stage, to take account of the measures intended to avoid or reduce the harmful effects of that plan or project. This outcome differs from the previously relied upon domestic case law which had established that when undertaking a Habitats Regulations Assessment (HRA), mitigation measures should be taken into account during the screening stage.
79. As a direct consequence of this ruling the Council has considered the proposals against the provisions of Regulation 63 afresh and have concluded that an appropriate assessment is required. A copy of the Council's 'Habitat Regulations Assessment' (which forms the appropriate assessment) is attached to this report as Working Paper 1. The assessment concludes the proposal alone, and in combination with other projects, would not result in likely significant effects on the Breckland Special Protection Area or the Breckland Special Area of Conservation.

Natural Environment and Rural Communities Act 2006

80. 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 in preceding paragraphs above and later in this report.

Planning and Compulsory Purchase Act 2004 (as amended)

81. 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 adopted Core Strategy, the Joint Development Management Policies and the saved policies of the Local Plan and (as amended by the judgement handed down by the High Court). National planning policies set out in the Framework are a key material consideration.

Planning (Listed Buildings and Conservation Areas) Act 1990

82. 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.

83. 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.

84. 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 a Conservation Area and the built form would not affect views into or out of the nearby Lakenheath Conservation Area. There is likely to be an increase in traffic using the main road through the Conservation Area following occupation of the proposed dwellings, but this is not considered to lead to significant impacts arising on the character or appearance of the Lakenheath Conservation Area (individually and cumulatively).

Crime and Disorder Act 1998

85. 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.

Equality Act 2010

86. Officers have considered the provisions of the Act, including the potential impact of the development on people with 'protected characteristics' in the assessment of the planning application but the proposals do not raise any significant issues in this regard. The Building Regulations would ensure the dwellings are provided with nationally prescribed minimum accessibility standards as part of the construction.

Community Infrastructure Levy Regulations 2010

87. These set out general 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. The Regulations in Part 11 will influence the final content of a potential S106 Agreement (in the event that planning permission is granted).
88. 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.

89. 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'.
90. 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.

91. The Committee will be aware of the obligation set out in section 38(6) of the Planning & Compulsory Purchase Act 2004 for decision makers to determine planning applications in accordance with the Development Plan unless material considerations indicate otherwise. The Framework does not displace this statutory duty and in fact seeks to re-inforce it. However, the policies in the Framework are themselves material considerations which need to be brought into account when determining planning applications. NPPF policies may support a decision in line with the Development Plan or they may provide reasons which 'indicate otherwise'.
92. Paragraph 59 of the Framework states to support the Government's objective of significantly boosting the supply of homes, it is important that a sufficient amount and variety of land can come forward where it is needed, that the needs of groups with specific housing requirements are addressed and that land with permission is developed without unnecessary delay.
93. In addition, the Framework requires authorities to identify and update annually a supply of specific deliverable sites sufficient to provide a minimum of five-years' worth of housing against their housing requirements with an additional buffer of 5% to ensure choice and competition in the market for land (or a 10% buffer if demonstrated via an annual position statement, or a 20% buffer where there has been significant under-delivery of housing over the previous three years).
94. The presumption in favour of sustainable development is "at the heart of the Framework" and this set out at paragraph 11. This states that plans and decisions should apply a presumption in favour of sustainable development. For decision-taking this means:
- approving development proposals that accord with an up-to-date development plan without delay; or
 - where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:
 - i. the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing

the development proposed (including policies relating to habitats sites and or designated SSSIs, designated heritage assets and areas at risk of flooding); or

- ii. 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.
95. Paragraph 12 of the Framework qualifies that the presumption in favour of sustainable development does not change the statutory status of the development plan as the starting point for decision making. It advises that where a planning application conflicts with an up-to-date development plan (including any neighbourhood plans that form part of the development plan), permission should not usually be granted. Local planning authorities may take decisions that depart from an up-to-date development plan, but only if material considerations in a particular case indicate that the plan should not be followed. Paragraph 75 introduces the Housing Delivery Test, but (at paragraph 215) postpones its implementation until the first publication of national results (expected in November 2018).
 96. Paragraph 177 of the NPPF states: "The presumption in favour of sustainable development does not apply where development requiring appropriate assessment because of its potential impact on a habitats site is being planned or determined. As explained at paragraphs 75-79 above, an Appropriate Assessment of the application proposals has been carried out and, accordingly, paragraph 11 of the NPPF, including the 'presumption in favour of sustainable development', is not relevant to the application proposals. Given the conclusions of the Appropriate Assessment (Working Paper 1, attached) the carrying out of the process itself does prevent planning permission from being granted for the proposals or add any weight against a potential granting of planning permission.
 97. 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. This housing need requirement was calculated prior to the NPPF and the method adopted does not align with the requirements of the NPPF. Accordingly the provisions of Core Strategy Policy CS7 are afforded little, if any, weight in considering whether the Council is able to demonstrate a 5-year supply of housing sites.
 98. Core Strategy Policy CS7 is presently being updated to reflect the requirements of the NPPF. The emerging 'Single Issue Review of Core Strategy Policy CS7 Overall Housing Provision and Distribution' Development Plan Document having reached examination following submission to the Planning Inspectorate last year. The emerging Policy CS7 plans for housing need from 2011 to 2031 and draws on the evidence base set out in the current Strategic Housing Market Assessment and makes provision for 6800 new houses over the 20 year period equating to 340 dwellings per annum.
 99. The Council's five year housing Supply statement (2017) adopts the higher housing requirement in the emerging Policy CS7, and adds historic under delivery of housing (2011-2017). The evidence set out in the document confirms the Council is presently able to demonstrate a five year supply of housing. Important contributions to the five year supply are included from the application scheme and the other three planning applications for large scale development at Lakenheath (items A, B and C from the table set out

beneath paragraph 12 above). The housing trajectory predicts that the application proposals would deliver all 67 of the dwellings within the 5 year period and is thus considered an important site in terms of maintaining a 5 year housing supply in the District. Furthermore, the other three developments proposed at Lakenheath (planning applications A, B and C from the table) are forecast to deliver 266 further dwellings towards the housing supply over the five year period.

100. Given that the planning application proposals are included as part of the current five year housing supply, alongside a number of other as yet unconsented schemes which are also contrary to the existing Development Plan, it is inevitable that, unless the applications are approved, the Council would fall into a position where it is not able to demonstrate a 5-year housing supply.
101. Some commentators have referred to the ongoing release of circa 550 former USAFE personnel dwellings at Lords Walk on the edge of the RAF Lakenheath airbase to the south of Lakenheath (in the Parish of Eriswell) onto the housing market as either contributing to the five year housing supply or evidence that further new housing is not required at Lakenheath. This stock of dwellings is already counted as 'existing' housing stock and is therefore already counted in the housing supply and the 'release' of the existing housing stock at Lords Walk does not contribute to the supply of housing over the next 5 year period.

Adopted Local Plan policy context

102. Vision 1 of the Core Strategy confirms development will be focussed in the towns and key service centres. Vision 5 (and policy CS1) confirms Lakenheath 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).
103. The relevant surviving elements of Core Strategy policy CS7 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.
104. Policy CS1 states (in Lakenheath) commercial uses such as shops or offices will be expected to be allocated within any major residential development near the High Street and that sites for 70 new dwellings will be allocated within the existing development boundary. A further part of the policy which confirmed greenfield urban extension sites would be allocated for at least 600 dwellings was quashed by the High Court decision and carries no weight in determining this planning application.
105. Core Strategy policy CS6 states that economic and tourism growth at Lakenheath will be in broad alignment with the scale of housing development to discourage commuting and achieve a homes/jobs balance.
106. Policy DM1 of the Joint Development Management Policies Document re-affirms the tests set out at paragraph 11 of the NPPF (which do not apply to these particular proposals). Policies DM5 and DM27 set out criteria against

which development (DM5) and infill housing (DM27) proposals in the countryside (outside defined settlement boundaries) will be considered.

The Emerging Development Plan documents

107. Lakenheath is designated as a Key Service Centre in the Forest Heath Core Strategy and, as such, the Single Issue Review of Policy CS7 (the SIR) initially proposed that it should accommodate an additional 828 dwellings over the plan period. The application site at Briscoe Way is allocated for housing development as part of the Council's emerging Site Allocations Development Plan (SALP) document.
108. The SIR and SALP have reached examination and were the subject of hearings held in September and October 2017. Subsequently, the Inspectors wrote to the Council in January 2018 to set out their concerns about the proposed distribution and soundness of the SIR and indicated possible ways forward. In particular, the Inspectors considered that the distribution of new homes did not sufficiently reflect the 'settlement hierarchy' at Core Strategy policy CS1. The Inspectors' noted the potential to plan for more housing development at Newmarket in order to tip the balance of new housing development towards the District's most sustainable locations (noting environmental constraints at Brandon for example). The Inspectors noted that the soundness concern raised is capable of remedy through main modifications, and offered three potential options to the Council, including a re-consideration of the balance of distribution between the towns and the Key Service Centres.
109. The Council considered its options at the Full Council meeting in February 2018 and resolved to propose main modifications and additional modifications to the SIR and SALP which would result in an additional 450 homes being provided at Newmarket together with 5ha of employment and new school and reduce the distribution in both Red Lodge by 50 homes and Lakenheath by 165 homes. At Lakenheath, it was resolved to remove site allocation SA8 (d) (land north of Burrow Drive and Briscoe Way) from the SALP. The modifications have been accepted by the Inspectors, have been the subject of further consultation and, in June 2018, were the subject of further focussed hearing sessions. At the time of writing, the Inspectors final report on the SIR and SALP documents were awaited.
110. The policies set out in the emerging plans can be attributed weight in reaching decisions on planning applications. The NPPF advises the degree of weight will depend upon the stage the plan has reached in the process, their degree of consistency with the NPPF and the extent to which there are unresolved objections to relevant policies.
111. The emerging Local Plan (the SIR and SALP together) has reached an advanced stage which significantly increases the weight that can be attributed to it in determining planning applications. The Council has sought to resolve the Inspectors' soundness concerns by reducing housing numbers at Red Lodge and Lakenheath and increasing housing provision at Newmarket. These modifications have been accepted by the Inspectors. There remains unresolved objections to the inclusion of the application site at Briscoe Way as a housing allocation within the emerging Local Plan. This serves to reduce the degree of weight that should be attributed to it in considering the planning application.

Prematurity

112. Concerns have been raised locally that approval of this planning application would be premature and its consideration should await the formation (adoption) by the Council of an appropriate Local Policy Framework (in this case the emerging 'SIR' and 'SALP' documents).
113. The NPPF addresses 'prematurity' and states:
- *...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 in the limited circumstances 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 plan; 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 plan has yet to be submitted for examination. Where planning permission is refused on grounds of prematurity, the local planning authority will need to indicate clearly how granting permission for the development concerned would prejudice the outcome of the plan-making process.*
114. In this case the development proposal for 67 dwellings is not particularly substantial in comparison to the overall quantum of development to be provided over the Plan period. Furthermore, the emerging Single Issue Review of the Core Strategy is at an advanced stage in the plan making process and the proposals are fully consistent with the content of the latest and modified version of the emerging SALP.
115. Officers consider it would be difficult to justify any decision that approval of this scheme would be premature in the context of current guidance. This advice is further re-enforced by the fact that without the development, the Council is unlikely to be able to demonstrate a five year housing land supply.
116. On the basis of national guidance on the issue of prematurity officers do not consider it would be reasonable to object to the planning application on the grounds of it being premature to the emerging and advanced elements of the Development Plan.

Officer comment and conclusions on the principle of development

117. It is clear that the application proposals, owing to the situation of the application site at a 'countryside' location (as currently defined) are contrary to the dominant operative policies of the adopted Development Plan. The proposals were formally advertised as a departure from the provisions of the Development Plan at the outset. Accordingly, and as a starting point both Section 38(6) of the 2004 Planning Act and the NPPF set out a 'presumption against' the development and direct that planning permission should be

refused unless material considerations indicate otherwise. Officers advise that, setting aside the provisions of the emerging SALP document, the clear breach of the development plan which these proposals represent must not be overlooked in the consideration of this planning application.

118. The NPPF is capable of amounting to a material consideration that may justify granting planning permission for development which is contrary to the provisions of the Development Plan. The Framework does not equate to a 'blanket approval' for residential development in locations that would otherwise conflict with Development Plan policies (even where a five year housing supply cannot be demonstrated). In this regard it is an important to keep in mind the fact that the 'presumption in favour of sustainable development' embedded in paragraph 11 of the Framework does not apply to these proposals. It remains the case that the planning application falls to be determined in accordance with Section 38(6) of the 2004 Act (paragraph 81 above) with the NPPF being a key material consideration in the consideration.
119. This report will go on to consider whether or not it is appropriate to grant planning permission as a departure from the normal provisions of the Development Plan in the light of any 'material considerations that indicate otherwise'.
120. Before that assessment is made, it is first appropriate to consider whether the application proposals might be supported by or offend any other policies of the development plan. It is also appropriate to consider the influence of relevant national planning policies and guidance. This will establish whether there are other material considerations that will influence the final decision (either positively or negatively).

Impact upon the countryside (including landscape impact)

121. 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 i) the intrinsic character and beauty of the countryside and ii) the benefits of the best and most versatile agricultural land and of trees and woodland, national policy stops short of seeking to protect the 'countryside' from new development in a general sense.
122. Vision 5 of the Core Strategy recognises the fen and heathland qualities of the countryside surrounding Lakenheath and seeks to protect and enhance these landscapes. Some elements of the countryside surrounding Lakenheath could therefore be viewed as being 'valued landscapes' as cited in the Framework, albeit these are not protected by a local 'Special Landscape Area' designation which weakens that potential significantly.
123. 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.
124. 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.

125. Emerging Policy SA8 of the Site Allocations Local Plan document which proposes to allocate the application site (under SA8(c)) for around 67 dwellings confirms that strategic landscaping and open space must be provided on all sites to address the individual site requirements and location.
126. The application site is agricultural land outside the Lakenheath settlement boundary and is situated in the countryside for the purposes of applying planning policies, including those set out in the Framework.
127. The proposals for residential development in the countryside are thus contrary to extant Development Plan policies which seek to direct such development to locations within defined settlement boundaries or allocated sites.
128. Lakenheath sits on the lower slopes of the chalky and sandy Maids Cross Hill on the edge of the fens.
129. The application site is categorised as 'Settled Chalkland' by the Suffolk Landscape Character Assessment (SLCA). The Assessment recognises the presence of the two air bases as important drivers for economic activity and settlement expansion and states the Settled Chalkland landscapes are under pressure from expansion of settlements and other developments. The document considers it important to minimise the impact of development upon the countryside of the settled chalklands and landscape of the Settled Fenlands.
130. The SLCA comments, in a general sense, that the characteristic pattern of planting found in chalkland landscapes, means it is possible to design effective and locally appropriate boundary planting that will minimise the impact of settlement expansion on the surrounding landscape.
131. The 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 constitutes material planning harm.
132. The impact of the development proposals upon the landscape qualities and character of the wider countryside would be moderately harmful but not significant given the contained character of the site, the presence and screening influence of existing mature landscaping a short distance to the north and west and the fact the site abuts existing built development on the edge of the village. The existing built development provides a shielding effect along the south and east boundaries and would form a backdrop to new development at the site. Furthermore, boundary planting is proposed to the outer (north and west) boundaries of the site which, in time, will mature to soften the impact of the proposed development upon the local landscape.
133. The moderately harmful impact of the proposed development upon the landscape is considered acceptable with any significant adverse effects capable of mitigation via the introduction of new boundary landscaping (the precise details of which could be secured by condition).

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

134. The Framework states transport issues should be considered from the earliest stages of ... development proposals, so that:
- a) the potential impacts of development on transport networks can be addressed;
 - b) opportunities from existing or proposed transport infrastructure, and changing transport technology and usage, are realised – for example in relation to the scale, location or density of development that can be accommodated;
 - c) opportunities to promote walking, cycling and public transport use are identified and pursued;
 - d) the environmental impacts of traffic and transport infrastructure can be identified, assessed and taken into account – including appropriate opportunities for avoiding and mitigating any adverse effects, and for net environmental gains; and
 - e) patterns of movement, streets, parking and other transport considerations are integral to the design of schemes, and contribute to making high quality places.
135. The NPPF goes on to confirm the planning system should actively manage patterns of growth in support of these objectives. Furthermore, it advises that significant development should be focused on locations which are or can be made sustainable, through limiting the need to travel and offering a genuine choice of transport modes (which can help to reduce congestion and emissions, and improve air quality and public health). However it also recognises opportunities to maximise sustainable transport solutions will vary between urban and rural areas, and concedes this should be taken into account in both plan-making and decision-taking.
136. With regard to considering development proposals, the Framework states that, in assessing specific applications for development, it should be ensured that:
- a) appropriate opportunities to promote sustainable transport modes can be – or have been – taken up, given the type of development and its location;
 - b) safe and suitable access to the site can be achieved for all users; and
 - c) any significant impacts from the development on the transport network (in terms of capacity and congestion), or on highway safety, can be cost effectively mitigated to an acceptable degree.
137. It is national policy that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.
138. 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.

139. 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.
140. 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.
141. Policy DM46 sets out parking standards for new development proposals (and links to Suffolk County Council's adopted standards (November 2014)).
142. Emerging policy SA8 of the Site Allocations Local Plan, which proposes to allocate around 523 houses on three sites to the north of Lakenheath confirms that [planning] permission will only be granted where applicants can demonstrate that satisfactory measures to mitigate the cumulative and individual highway impacts of development on the sites can be formally secured and are deliverable.
143. The Core Strategy, through its policy CS1, categorises Lakenheath as a Key Service Centre and is thus regarded as a 'sustainable' location which could support growth. Local employment opportunities are restricted with the air base being a key provider of local employment. Populations living in Lakenheath, whom are not employed at the base, are likely to need to travel to their place of work. There is a range of community facilities in the village, including a number of shops, services, a school, churches and other meeting rooms which serve to contain a number of trips within the village. The village does not have a large grocery supermarket (there is a small Co-Operative in the High Street), and whilst planning permission is extant (and implemented) for a new grocery shop off the High Street, close to the village centre, there is an element of doubt that this facility will be delivered.
144. It is likely that the majority of the potential occupiers of the dwellings proposed in this planning application would need to travel to meet their main employment, retail and entertainment needs. Some of these journeys could be lengthy (non-airbase employees in particular). However, there are a range of services and facilities in the village that will prevent the need for travel to some facilities. Given the village scale of Lakenheath and its isolated situation in a rural area, the development proposals are considered to accord with relevant accessibility policies in the Framework and bearing in mind the rural location and are considered sustainable in transport terms.
145. The application site takes vehicular access from Briscoe Way at a single point. Secondary access for pedestrian and cycle access and occasional emergency

vehicles is provided from the site onto Burrow Drive. Briscoe Way takes access from Station Road (B1112), the principal route through the village.

146. The applicants have amended the design and layout of the proposals to incorporate comments received from the County Highway Authority whom, consequently, has not objected to the proposals (subject to the imposition of conditions). The highway authority has requested the a contribution is secured from this development to be used towards a sustainable travel project in the village. The applicant has agreed to provide the contribution.
147. Access to the proposed development is considered safe and suitable and the development would not lead to significant highway safety issues or hazards. Furthermore, the proposed development would not lead to congestion of the highway network, including during am and pm peak hours.
148. The cumulative traffic impact of the proposed development with other developments presently proposed in the village is considered later in this section of the report.

Impact upon natural heritage

149. The Framework confirms that planning decisions should (inter alia) protect and enhance sites of biodiversity value and minimise impacts on and provide net gains for biodiversity. The following principles should apply when determining planning applications:
 - a) if significant harm to biodiversity resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused;
 - b) development on land within or outside a Site of Special Scientific Interest, and which is likely to have an adverse effect on it (either individually or in combination with other developments), should not normally be permitted. The only exception is where the benefits of the development in the location proposed clearly outweigh both its likely impact on the features of the site that make it of special scientific interest, and any broader impacts on the national network of Sites of Special Scientific Interest;
 - c) development resulting in the loss or deterioration of irreplaceable habitats (such as ancient woodland and ancient or veteran trees) should be refused, unless there are wholly exceptional reasons and a suitable compensation strategy exists; and
 - d) development whose primary objective is to conserve or enhance biodiversity should be supported; while opportunities to incorporate biodiversity improvements in and around developments should be encouraged, especially where this can secure measurable net gains for biodiversity.
150. As is the case here, the presumption in favour of sustainable development set out at paragraph 11 of the Framework does not apply where development requiring appropriate assessment because of its potential impact on a habitats site is being planned or determined.

151. 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.
152. 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.
153. This particular requirement also forms part of the emerging policy SA8 of the Site Allocations Local Plan document which allocates the application site for a housing development. Emerging Policy SA8 refers to the Maidscloss Hill SSSI and the Breckland SPA designations in this regard and also requires avoidance and mitigation measures to be incorporated into the design and layout of the allocated sites to provide well connected and linked suitable natural greenspace and enhancement and promotion of dog friendly access routes in the immediate vicinity of the development.
154. 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.
155. A 'Phase I' Habitat Survey has been submitted with the planning application. This assesses whether the development proposals might affect the internationally designated sites and other important sites/species outside which are protect by the Habitats and Species Regulations and/or the Wildlife & Countryside Act and Local Biodiversity Action Plan (BAP).
156. As discussed above, the 'appropriate assessment' carried out by the Council concluded that the development proposals would not impact upon the integrity of any European designated nature conservation sites. The applicants report supports this conclusion.
157. The applicant's report confirms the application site (and some adjacent sites) has been surveyed for a range of rare species. It comments the site is predominantly of low ecological value being mainly cultivated arable land (although the rough grass-dominated margins and boundary hedges will be of higher value to wildlife) and recommends that no further survey is necessary (unless hedgerow/shrub clearance is to occur in the bird nesting season).
158. The report concludes that with a sensitive landscaping scheme and by incorporating other measures recommended (provision of three bat boxes, two house-sparrow terraces, provision of reptile hibernacula, planting of

climbing plants and provision of a wildlife corridor (suitable hedgerow) to north boundary) the site could be enhanced for local wildlife post-development.

159. Natural England (statutory advisor under the Habitats and Species Regulations) has not raised concerns or objections in response to the proposals, including their potential impact upon the hierarchy of designated nature conservation sites and recognises the potential to secure biodiversity enhancements in the event that planning permission is granted.
160. Officers are satisfied that the development proposals, in isolation, 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). There is no evidence to dispute the applicant's conclusions that carefully a constructed development is likely to result in net ecological gains. The delivery of the enhancement measures set out in the Phase I Habitat Survey could be secured by means of an appropriately worded planning condition.
161. The potential impacts of the development proposals in-combination with other proposals for development in the village is considered later in this section of the report.

Impact upon built heritage

162. 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 is defined as a building, monument, site, place, area or landscape identified as having a degree of significance meriting consideration in planning decisions, because of its heritage interest. It includes designated heritage assets (A World Heritage Site, Scheduled Monument, Listed Building, Protected Wreck Site, Registered Park and Garden, Registered Battlefield or Conservation Area designated under the relevant legislation) and assets identified by the local planning authority (including local listing).
163. 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.
164. Core Strategy Spatial Objective C4 aims to protect and enhance the Historic Environment. This objective is implemented via Policy CS3. Policy DM17 of the Joint Development Management Policies Document sets out detailed criteria against which proposals within, adjacent to or visible from a Conservation Area will be considered. Policy DM20 sets out criteria for development affecting Scheduled Ancient Monuments and/or archaeological sites (including below ground sites).
165. The development proposals would not impact upon any listed buildings, (including their settings) and as discussed above would have only a negligible impact upon the character and appearance of the Lakenheath Conservation Area from increased traffic movement on the main road through the designation.

166. An Archaeological Evaluation Report has been prepared on behalf of the applicants to establish whether the site might support any important archaeological remains (undesignated heritage assets). The report explains the work that carried out to investigate the archaeological potential of the site and confirms that no significant archaeological features or deposits were encountered.
167. The Archaeological Service at Suffolk County Council has been consulted of the planning application and accepts the findings of the applicants' report. Accordingly, no further archaeological work will be needed prior to development commencing and no archaeological mitigation is required.
168. The development proposals would have no significant impacts upon heritage assets.

Impact upon local infrastructure (utilities)

169. The 'economic' objective of achieving sustainable development set out in the Framework confirms the planning system should (inter alia) identify and co-ordinate the provision of infrastructure.
170. 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".
171. 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.
172. The policy concludes that all development will be accompanied by appropriate infrastructure to meet site specific requirements and create sustainable communities.
173. Matters pertaining to highway, education, health and open space infrastructure are addressed later in this report. This particular section assesses the impact of the proposals upon utilities infrastructure (waste water treatment, water supply and energy supply).

Waste water treatment infrastructure

174. Details submitted with the planning application confirms the proposed development would connect to existing foul water systems in the village. The village is served by Lakenheath Wastewater Treatment Works.
175. The Draft Infrastructure Delivery Plan (DIDP) which identifies infrastructure needs to support the emerging Single Issue Review and Site Allocations Local Plan confirms that some new or improved sewers and upgrades to pumping stations may be required to facilitate development in the District,

depending on the location of developments. The document also confirms that no significant constraints to delivery have been identified. At Lakenheath, the DIDP identifies there are no constraints associated with Lakenheath WRC in terms of treatment capacity or discharge capacity.

176. The available evidence confirms the proposed development is acceptable with regard to waste water infrastructure. Indeed this conclusion has been corroborated by Anglian Water Services, the statutory sewerage undertaker which has not objected to the application and has not requested the imposition of any conditions relating to the treatment of waste water arising from the development.

Water supply

177. The DIDP identifies there may be a future water supply deficit and confirms that a solution is planned. Water supply has not been identified as a constraint on the level of development for Lakenheath proposed in the emerging Development Plan. Anglian Water Services has not identified water supply as a constraint on this development as part of their comments about the planning application.

Energy supply

178. The DIDP does not identify any issues with capacity in the energy supply network and, as such, this is not a constraint on the development. The village is served by Lakenheath major substation.

Flood risk, drainage and pollution

179. 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 and where appropriate, applications should be supported by a site-specific flood risk assessment. The Framework also advises that major developments should incorporate sustainable drainage systems unless there is clear evidence this would be inappropriate.
180. The Framework states that planning decisions should contribute to and enhance the natural and local environment by (inter alia) preventing new and existing development from, or being adversely affected by (inter alia) pollution. It should also remediate contaminated (and other spoiled) land, where appropriate. 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.
181. 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.
182. 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.

183. The application site is not in an area at a risk of flooding (i.e. Environment Agency flood risk Zones 2 or 3) and it is therefore unlikely that the proposed dwellings would be at risk of flooding from the nearby drainage channel (north and west of the site), being situated outside of its modelled floodplains.
184. The flood risk assessment submitted with the planning application confirms that surface water will be managed via sustainable drainage systems, including range source control measures (permeable paving, water butts etc.), trapped gullies and catchpits on highway manholes (pollution avoidance), surface water attenuation and flows off the site replicating existing hydrology (i.e. discharge at existing greenfield rates). The applicant has confirmed that some SUDS infrastructure is intended to be positioned below part of the open space. This does not mean the development is contrary to planning policies relevant to SUDS or public open space, but means it is unlikely the Council would adopt the open space because of the additional risks and liabilities arising from the SUDS infrastructure beneath the surface. This means it would fall upon the developer to form a Management Company to manage and maintain these areas. Resolution of the management of the public open spaces and SUDS infrastructure could be secured by means of a planning condition. The applicant has amended the proposals for surface water drainage of the site in order to satisfy concerns expressed previously by the Lead Local Flood Authority (Suffolk County Council). The Authority has subsequently confirmed it is content with the SW drainage proposals, subject to the imposition of conditions upon any planning permission granted.
185. The planning application is accompanied by a Phase I contamination report. This concludes the site has not been unduly impacted by former land uses (allotments/agricultural land) and groundwater underlying the site is not regarded as a sensitive receptor. Furthermore, ground gases are considered to pose a low risk. The Council's Environmental Health team has requested the imposition of a condition requiring the submission of a detailed scheme of investigation into potential contamination, including measures to secure any remediation necessary.
186. The Environment Agency (risk of flooding, contamination and pollution control and drainage), Anglian Water Services (drainage and pollution control) and the Council's Environmental Health Team (contamination and pollution control) have not objected to or raised concerns about the application proposals. All have recommended the imposition of reasonable conditions upon any potential planning permission to secure appropriate mitigation.
187. The proposals are considered acceptable with regard to flood risk, surface water drainage and pollution (contaminated land and potential contamination of water supply) considerations.

Impact upon education

188. The Framework states that strategic planning policies should make sufficient provision for (inter alia) community facilities, such as education infrastructure. It also advises on the importance 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 and should give great weight to the need to create expand or alter schools through decisions on applications.
189. Core Strategy Policy CS13 (b) considers educational requirements as a key infrastructure requirement.
190. The County Council as Local Education Authority has confirmed the village school has reached its 315 place capacity. This means that the primary school aged pupils emerging from these development proposals would need to be accommodated in a new primary school facility which is yet to be built in the village or pupils would need to be diverted to alternative primary schools outside of the village. Suffolk County Council is currently considering a detailed planning application for the construction of a new primary school at Station Road. Furthermore, planning application DC/14/2096/HYB includes proposals in outline for the construction of a primary school at the same site. Planning permission has already been granted for the construction of vehicular and pedestrian accesses into the school site. Emerging Policy SA8 (b) of the Site Allocations Local Plan includes the provision of a new primary school within the land allocation at Station Road (relatively close to the Briscoe Way site). Given the planning history and the emerging policy position it is likely that a new primary school will be provided in the village in a relatively short space of time to provide sufficient capacity for the pupils forecast to emerge from these development proposals.
191. The cumulative impact of pupil yields emerging from other planning applications proposing significant new housing development in the village also needs to be considered. This is assessed later in this section of the report. Developer contributions to be used towards the early years (pre-school) education and for land and build costs of providing a new primary school in the village are also discussed later in this section of the report.
192. 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

193. The Framework states the creation of high quality buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities.
194. The NPPF advises that planning decisions should ensure that developments:
- a) will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;
 - b) are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;

- c) are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities);
 - d) establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit;
 - e) optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks; and
 - f) create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.
195. 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.
196. 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.
197. Policy DM2 of the Joint Development Management Policies Document sets out general design criteria to be applied to all forms of development proposals. DM7 applies similar criteria, but is specific to proposals for residential development.
198. The application seeks full planning permission for development so details of the site layout and appearance of the dwellings are included for consideration.

Relationship to context

199. The application site is on the north extreme of the village and effectively 'bolts-on' to an existing modern housing estate. The site is detached from the core of the village, a designated conservation area, and has no visual relationship to the more vernacular buildings along the village High Street. The proposal's organic, informal layout, mixture of standard house types, and materials reflects the character of the existing housing in Briscoe Way and Burrow Drive.

Connectivity

200. Owing to the 'backland' location of the site there are limited opportunities for connections to be made back into the village footpath and highway network. However there are two points of access from the site into Briscoe Way (Vehicular and pedestrian/cycle) and Burrow Drive (pedestrian/cycle and emergency vehicle) so the development maximises its opportunities to connect back into the village. Furthermore, opportunities to make connection to any further future development to the north and west of the site are provided as part of the site layout.

Existing trees and hedgerows and new planting

201. The site is treeless which is not surprising given its existing active agricultural use. There are some existing trees overhanging the east site boundary marking the rear gardens of some dwellings in Elm Close and these would not be affected by the development proposals as buildings are sited a sufficient distance away from them. Mature hedgerows along the south boundary of the application site which mark the edge of the existing housing estate at Briscoe Way would also be retained.
202. The application proposals include new hedgerow planting to the outer 'countryside' boundaries, with opportunities to provide some trees dispersed within it. In time this landscaping would mature to soften the impact of the development on the immediate countryside. New planting is also proposed in landscaped areas within the development, particularly alongside the new internal roads. Some of these will be within front garden areas of the new dwellings and thus have varying chances of becoming established and maturing. Other planting is illustrated within the open spaces.
203. Details of the planting scheme, including its implementation and subsequent maintenance could be secured by condition. The landscaping proposals are considered adequate for the development at this location.

Parking provision

204. The private dwellings are each provided with at least 2 off road car parking spaces, some are shown to have 3 per dwelling via a mix of covered (garaged) and open spaces. There is also sufficient parking available for visitor vehicles. Car parking for the affordable units is provided in communal areas at an average of 1.5 spaces per unit. The level of parking proposed is acceptable and accords with the revised adopted Suffolk Advisory Parking Standards.
205. It is important to ensure car parking provision is well designed and adequate such that it would not lead to on-street parking on the new and existing estate roads. The majority of the dwellings have parking contained within the curtilage (garaged or open). Communal parking courts are provided for the affordable units but these would not require future residents to drive past their own home before reaching their designated parking space in a rear parking court. Rear communal car parking areas are generally recognised as likely to lead to on-street parking in preference to a less-conveniently located parking court. Although parking courts are an undesirable design feature their presence alone cannot merit a refusal of planning permission and the visual impact of the courts must be taken in to the overall balance.
206. There are unlikely to be general parking problems arising from the proposed design and layout of the scheme.

Efficiency of layout

207. Some of the parking courts proposed would be to the side of houses, accessed directly from the street. The use of single-sided access roads serving plots close the public open space would be an inherently inefficient use of land, but these driveways are not lengthy and provide crime prevention benefits by enabling dwellings to front towards the public open space providing it with a high level of natural surveillance.
208. The site is clearly pressured, in terms of the quantity and mix of housing it is expected to accommodate, and as a consequence it needs to be laid out efficiently in order to achieve an acceptable result. There is no evidence the applicants have tested the efficiency of the layout proposed to demonstrate that the potential of the site had been optimised in the way sought by the third bullet point of paragraph 127 of the NPPF;

Planning decisions should ensure that developments ... optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development and support local facilities and transport networks.

209. Some inefficiencies of layout are an inevitable result of the absence of a highway frontage to the site and the consequential fixed points of access. Others flow from the demands of the local authorities, such as the requirement to provide secondary access for emergency vehicles (Burrows Drive) and for the provision of public open space and the need to provide it with natural surveillance and enclosure. Other inefficiencies are introduced by the inclusion of a number of bungalows in the scheme (which tend to require larger plot sizes than 2-storey housing). Consequences flow, in terms of place-making, from the efficiency with which the site is used. These are considered in the following paragraphs.

Placemaking

210. It is perfectly reasonable to use standard house types in new development but essential to configure them to contribute to quality of place. The urban design of the scheme could be improved by designing the configuration of standard house types to contribute to the quality of space.
211. It is possible to discern, from the proposed site layout, that there would be instances of the creation of a sense of place; for example the enclosure of the public open space and the greater height of the affordable flats creating a focal point. Elsewhere, however, there are some areas which would be less successful in place-making terms including (in particular) plots 5, 6 and 10 which are to be set back behind other dwellings without a frontage. Many of the spaces and streets would have little sense of enclosure (because of spacing and positioning of the bungalows) or of design and appear to be no more than pragmatic arrangements of houses and roads to fit the site and its shape.
212. Criticism of any proposal on design matters is a matter of judgement and balance; 'missed Opportunities' and matters which could be improved upon rather than matters which actually cause harm. The future residents of the scheme would experience a high quality living environment with well designed homes, off-street parking, a centrally located and accessible area

of public open space and (for most of the private dwellings) generous gardens.

External materials

213. The proposed materials (ref paragraph 3 above) would be contiguous with those used to face the existing Briscoe Way housing development using similar colours and textures. The materials palette is considered acceptable.

Cycle and bin storage provision

214. The private dwellings and the two affordable dwellings would be able to utilise their own space to provide for bin and cycle storage. All have access to private rear amenity spaces such that these could be stored away from the public realm. Less opportunity would exist for the occupiers of the affordable flats whilst these do have private dedicated amenity space per unit, they are much smaller than those provided to the dwellings. Less opportunity therefore exists for the occupiers of the flats to store their bins and cycles. A communal bin store is illustrated on the plans but a clear strategy for bin and secure cycle storage will be required. This could be secured by condition.

Conclusions on design matters

215. The relatively hard, urban visual character of the housing area would be adequately balanced by the open space, landscaped internal spaces and the new boundary planting.
216. Some elements which would contribute to the character of the development are as yet not fully specified or would require to be secured by conditions (street lighting for example). However, there is no indication that any of these matters would not result in a satisfactory outcome if left to be resolved through conditions or other means.
217. The proposal would be as connected to adjoining development as it could possibly be. The layout takes a varied approach to the question of frontages which is not inherently wrong but in places leads to inefficiencies of land use and missed opportunities for place making. Some efforts at place making are evident but there is one instance of a less than desirable outcome (the positioning of plots 5, 6 and 10 in 'backland' locations behind frontage development).
218. After considering the elements which would contribute to the character of the development itself, it is concluded that the scheme is capable of improvement in a small number of elements as discussed above but these would not, by themselves, justify consideration of a refusal of planning permission but need to be taken into account in the planning balance.

Impact upon residential amenity

Impact upon the amenities of the residents of the proposed development – Military Aircraft

i) National Planning Policy

219. The Framework states that planning decisions should ensure that a site is suitable for its location taking into account the likely effects (including

cumulative effects) of pollution on health, living conditions and the natural environment, as well as the potential sensitivity of the site or the wider area to impacts that could arise from the development. It also advises that, in doing so, planning decisions should (inter alia) avoid noise giving rise to significant adverse impacts on health and the quality of life. In the context of achieving well designed places, the Framework confirms that planning decisions should create places with a high standard of amenity for existing and future users.

220. Paragraph 2.18 of the National Policy Statement of England (NPSE) reiterates the need to balance the economic and social benefit of the development/activity with the environmental impacts, including the impact of noise on health and quality of life. It is clear in stating that noise impacts should not be treated in isolation.

ii) Local Planning Policy

221. Vision 1 of the Core Strategy seeks to provide 'a higher quality of life' for residents. Policy DM2 of the Joint Development Management Policies Document seeks to safeguard (inter alia) residential amenity from potentially adverse effects of new development and not site sensitive development where its users would be significantly and adversely affected by (inter alia) noise, unless adequate and appropriate mitigation can be implemented.

iii) Relevant standards and Guidelines for noise

World Health Organisation (WHO): 1999: Guidelines for Community Noise

222. This is a wide ranging document describing the effects of community noise. It provides information about the effects of noise that may occur at certain levels of exposure. For dwellings, the critical effects of noise are taken to be sleep disturbance, annoyance and speech interference.

223. Indoor guideline values are provided for bedrooms with the aim of protecting against sleep disturbance, a guideline value of 30 dB LAeq for continuous noise and 45 dB LAm_{ax} for single sound events (no more than 10-15 occasions per night) is recommended. To enable casual conversation during the daytime an internal guideline noise level of 35 dB LAeq is provided.

224. With respect to external noise levels it is stated that:

"To protect the majority of people from being seriously annoyed during the daytime, it is recommended that the sound pressure level on balconies, terraces, and outdoor living areas should not exceed 55 dB LAeq for a steady continuous noise. To protect the majority of people from being moderately annoyed during the daytime, the outdoor noise level should not exceed 50 dB LAeq."

British Standard 8233:2014 (Guidance on sound insulation and noise reduction for buildings)

225. The applicants have carried out their noise assessment in accordance with this British Standard. British Standard 8233:2014 provides recommendations for the control of noise in and around buildings. It suggests appropriate criteria and limits for different situations, which are primarily intended to guide the design of new buildings, or refurbished buildings undergoing a

change of use, rather than to assess the effect of changes in the external noise climate.

226. The standard suggests suitable internal noise levels within different types of buildings, including residential dwellings. It suggests that for steady external noise sources, during the day, an internal noise level of 35 dB LAeq,T is appropriate for resting conditions within living rooms and bedrooms and a level of 40 dB LAeq,T is applicable to dining rooms. During the night, an internal noise level of 30 dB LAeq,T is recommended within bedrooms.
227. The recommended levels are based on the existing guidelines issued by the World Health Organisation (WHO) and assume normal diurnal fluctuations in external noise. It is also stated that *'Where development is considered necessary or desirable, despite external noise levels above WHO guidelines, the internal target levels may be relaxed by up to 5 dB and reasonable internal conditions still achieved.'*
228. For regular individual noise events with the potential to cause sleep disturbance it is stated that a guideline value may be set in terms of sound exposure level (SEL) or L_{Amax,F}. No further guidance is provided with respect to an appropriate criterion which may be adopted for the assessment of such events.
229. Recommendations for design criteria for external noise are also provided, in this regard it is stated;

'For traditional external areas that are used for amenity space, such as gardens and patios, it is desirable that the external noise level does not exceed 50 dB LAeq,T, with an upper guideline value of 55 dB LAeq,T which would be acceptable in noisier environments. However, it is also recognized that these guideline values are not achievable in all circumstances where development might be desirable. In higher noise areas, such as city centres or urban areas adjoining the strategic transport network, a compromise between elevated noise levels and other factors, such as the convenience of living in these locations or making efficient use of land resources to ensure development needs can be met, might be warranted. In such a situation, development should be designed to achieve the lowest practicable levels in these external amenity spaces, but should not be prohibited'

230. The external and internal ambient noise levels LAeq criteria in BS 8233:2014 is concordant with those contained within the WHO guidelines.

ProPG: Planning and Noise (New Residential Development)

231. Professional Practice Guidance on Planning and Noise for new residential development (ProPG) was published June 2017 by the Chartered Institute of Environmental Health (CIEH), the Association of Noise Consultants (ANC) and the Institute of Acoustics (IOA). The guidance has been produced to provide practitioners with guidance on the management of noise within the planning system in England.
232. The guidance focusses on proposed new residential development and existing transport noise sources and reflects the Government's overarching Noise Policy Statement for England (NPSE, the National Planning Policy Framework (NPPF) and Planning Practice Guidance (including PPGN), as well as other authoritative sources of guidance.

233. The guidance provides advice for Local Planning Authorities (LPAs) and developers, and their respective professional advisers which complements Government planning and noise policy and guidance and, in particular, aims to:

- Advocate full consideration of the acoustic environment from the earliest possible stage of the development control process;
- Encourage the process of good acoustic design in and around new residential developments;
- Outline what should be taken into account in deciding planning applications for new noise-sensitive developments;
- Improve understanding of how to determine the extent of potential noise impact and effect; and
- Assist the delivery of sustainable development.

234. ProPG provides guidance for producing an initial site noise risk assessment, pre-mitigation, based on the prevailing daytime and night time noise levels across the site, from which the site (or areas thereof) can be zoned. The chart below shows the Stage 1 noise risk assessment criteria taken from Figure 1 of ProPG.

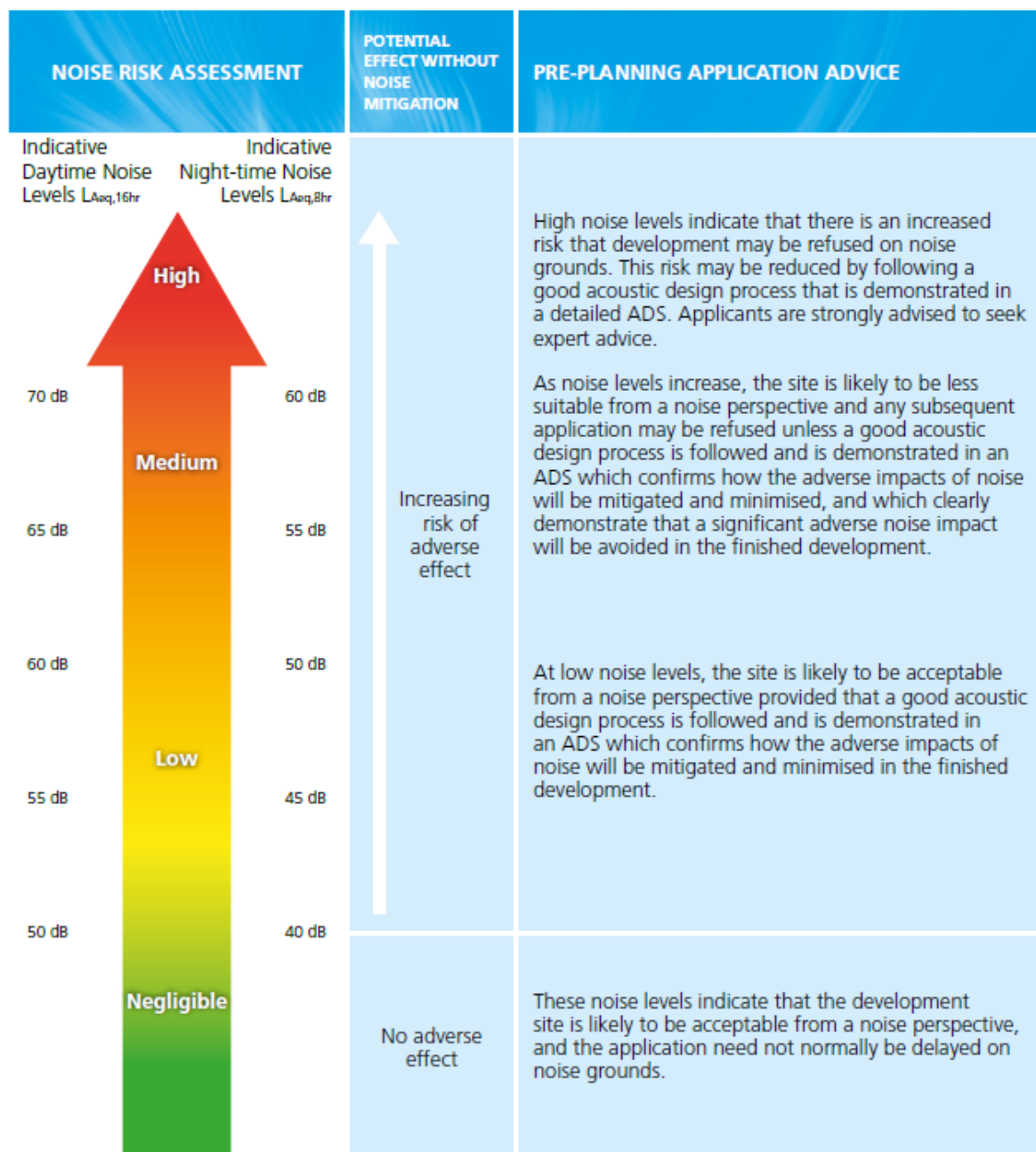


Figure 1 Notes:

- Indicative noise levels should be assessed without inclusion of the acoustic effect of any scheme specific noise mitigation measures.
- Indicative noise levels are the combined free-field noise level from all sources of transport noise and may also include industrial/commercial noise where this is present but is "not dominant".
- $L_{Aeq,16hr}$ is for daytime 0700 – 2300, $L_{Aeq,8hr}$ is for night-time 2300 – 0700.
- An indication that there may be more than 10 noise events at night (2300 – 0700) with $L_{Amax,F} > 60$ dB means the site should not be regarded as negligible risk.

ProPG Figure 1- Initial Site Risk Assessment (measured/predicted, empty site, pre mitigation)

- Stage 2 of the ProPG assessment requires consideration of four key elements to be undertaken in parallel. The Stage 2 assessment is intended to be proportionate to the risk, as determined by the initial site risk assessment.
- The four elements of the Stage 2 assessment and implications on acoustic design are discussed below.

Element 1 - Good Acoustic Design Process

- Following a good acoustic design process is a key part of achieving good design, as required by NPPF and NPSE. It is imperative that acoustic design is considered at an early stage of the development process.
- A good acoustic design process takes an overarching and integrated approach in order to achieve optimal acoustic conditions, both in terms of internal noise levels within habitable rooms and external amenity noise (e.g. in gardens, balconies etc.).
- Good acoustic design should avoid 'unreasonable' acoustic conditions and prevent 'unacceptable acoustic conditions. ProPG notes that good acoustic design does not mean over-engineering or 'gold plating' all new developments but instead should aim to provide an optimum acoustic outcome for a particular site.

Element 2 - Internal Noise Level Guidelines

- The second element of Stage 2 is to seek to achieve recommended internal noise levels inside noise sensitive rooms in new residential development. The guideline values proposed are the same as those provided in BS 8233:2014 and WHO, including the recommendation that maximum noise levels should not exceed 45 dB LA_{max} more than 10 times per night.
- Designers should principally aim, through good acoustic design, to achieve these noise levels in sensitive rooms with windows open. Where noise levels are assessed with windows closed, justification is to be provided.

Element 3 - External Amenity Area Noise Assessment

- ProPG recommends the guideline values of 50 – 55 dB LA_{eq}, 16hr in gardens and external amenity areas, where such areas are an intrinsic part of the overall design. If these values cannot be achieved in all areas, the development should be designed to achieve the lowest practicable noise levels. The provision of relatively quiet alternative publically accessible external amenity space may help to offset the noise impact in high noise areas.

Element 4 - Assessment of Other Relevant Issues

- This guidance reflects advice already provided in NPSE and PPG-Noise and includes acoustic factors that determine whether noise could be a concern, e.g. the number, frequency and pattern of noise events; the spectral content of the noise, the character of the noise (i.e. the presence of tones or other features such as impulsiveness), possible cumulative impacts from several sources as well as local topology and topography.
 - Other relevant issues to be considered include: magnitude and extent of compliance with ProPG; likely occupants of the development; acoustic design vs. unintended adverse consequences; acoustic design vs. wider planning objectives.
- iv) The adequacy of Noise information submitted with the planning application

237. In September 2014, at the time the Development Control Committee first considered the planning application, the application site was shown to be situated outside the noise contours relevant to the operation of RAF Lakenheath. Noise contour information is prepared and published by the Ministry of Defence.
238. Despite that, the applicants undertook a noise impact assessment (NIA) at the time and submitted the results with the planning application. The NIA was based on field surveys carried out on a single day in February 2014. Military aircraft were observed during the day and, following liaison with the base (whom confirmed there are typically 40-45 flights departing from the base per day), the NIA adjusted the noise data to reflect this level of aircraft movement. This increased the robustness of the information. The adjusted field work recorded noise levels of 62.1db LAeq(16-hr) and proposed mitigation measures to insulate the dwellings against aircraft noise. The noise mitigation strategy was designed to achieve internal noise levels set out by the World Health Organisation guidelines. The external areas of the site would remain unmitigated and would exceed the WHO guidelines for external areas for short periods when aircraft are passing.
239. It was apparent from the recommendations of the NIA that the internal spaces of the dwellings could be adequately mitigated through appropriate construction and insulation techniques. Indeed, the Council's Public Health and Housing Officers and, latterly, the Defence Infrastructure Organisation (DIO) do not object to the proposals, subject to conditions.
240. The DIO did object to the planning application for a period of time but following agreement being reached regarding the wording of controlling conditions which are to be applied to any planning permissions granted, those objections were withdrawn. In February 2017, the Ministry of Defence published refreshed noise contours relevant to the Lakenheath airbase. The information confirmed the application site is situated within a 66-72 db LAeq (16-hr) noise contour which suggests the application site could be exposed to greater noise levels than set out by the 2014 NIA accompanying the planning application. The applicant's noise consultant submitted comments in response to the publication of the new noise contours and has demonstrated the internal spaces of the dwellings remain capable of mitigation (with an assumed noise measurement of 67dB(A), based on the contour information. Furthermore, the Public Health and Housing Team, having considered the information set out in the NIA, the MoD noise contours and continue to advise the internal spaces of the dwellings are capable of mitigation through construction and appropriate window and wall/roof insulation.
241. In April 2017, following publication of the refreshed noise contours, the Ministry of Defence provided general (and currently informal) guidance with respect to considering planning applications for new development in areas likely to be affected by aircraft noise. With respect to development proposals within the 66-72db LAeq (16-hr) noise contour, the MoD advises as follows:

"...acoustic insulation is required. Suggested measures include, but are not limited to;

- *Acoustic primary double glazing system of at least 6.4L[1](12)10 for all windows;*

- *Installation of acoustic louvered passive ventilation systems in all rooms fitted with the glazing system;*
- *Installation of mechanical acoustically louvered ventilation systems in kitchens (where the kitchen forms a substantial part of the living space);*
- *Acoustic insulation of exterior doors which open into an insulated area;*
- *sealing up open chimneys in insulated rooms providing that flues to existing combustion appliances are not blocked;*
- *Insulation of loft space using an acoustic mineral slab material at least 100mm x 600mm x 1200mm where the loft will support this depth of installation. Alternatively, an acoustic glass mineral roll material of at least 250mm x 200mm x 600mm can be used."*

242. The Lakenheath Parish Council continues to object to the planning application on the grounds of the impact of aircraft noise to the residents of the proposed development. They have commissioned a noise consultant (Clarke Saunders Acoustics – (CSA)) to advise them on matters pertaining to the planning application and comments made specifically in relation to this planning application are set out at paragraph 58 above.

243. The applicants' own noise consultant has responded to the Parish Council's criticisms of their assessment. Their response to the criticisms of the technical assessment is as follows:

Assessment criteria

- In paragraphs 3.15 and 3.16, CSA agree with our assessment methodology and criteria. It is agreed that if the site were to be reassessed today, account would be taken of the May 2017 document "ProPG: Planning and noise – new residential development."
- In paragraphs 3.17 and 3.18, CSA state:

"A previous consultation with Forest Heath District Council was understood to have been made by AJA for another development site nearby, which has been taken as applicable to both sites.... It is not clear if the other development referred to is also subject to significant aircraft noise from RAF Lakenheath. The outcome of the previous consultation referred to may not, therefore, have been applicable to the current development site(s)."
- We do not know what this "previous consultation" refers to or on what basis they understand it to have been made. It is not clear which other development site CSA is referring to. We note, however, that exactly the same paragraphs are repeated at 3.33 and 3.34 in their discussion of Rabbit Hill Covert, and in those paragraphs the "other development site nearby" must therefore be a reference to Briscoe Way. It is therefore rather surprising that CSA do not find it clear whether this development is subject to significant aircraft noise from RAF Lakenheath.

Duration of noise survey

- Paragraphs 3.19 – 3.20 correctly repeat our measurement methodology:

“Noise levels were measured at the Briscoe Way development site on 26th February 2014 between 08:00 – 14:30 (6.5 hours). The noise levels measured during this period included 19 aircraft departing to the south-west, and 20 aircraft returning from the north-west. Confirmation was made from RAF Lakenheath Commanders Office at the date of the survey that typically there could be up to 40-45 flights departing per day (80-90 aircraft movements including landings).

From these measurements AJA have estimated the LAeq, 16hr noise levels by ‘scaling up’ the noise measurements made of 39 aircraft movements in the six and half hour period, to 90 aircraft movements in a 16-hour period. The resultant estimated LAeq, 16hr has been determined by AJA to be 62 dB.”

- In Paragraphs 3.21 and 3.22 they state:

“The AJA survey method would be an entirely suitable means of accurately establishing the noise climate on the site from aircraft movements as the dominant noise source, if all aircraft movements from RAF Lakenheath comprised events identical to those measured during the single manual survey exercise on 26/2/14. With the more likely scenario being a greater degree of variability in terms of aircraft movement tracks, altitudes and weather conditions, the short-term measurements need to be considered as more of a ‘snapshot’ albeit one which has been extrapolated to show the potential effect on the typical daily average level.”

- This does not make sense. It is clearly impossible for all aircraft movements from RAF Lakenheath to be identical to those that we measured. There will inevitably be differences in noise levels between individual events. These differences are clearly shown in Appendix B of our report, which lists the levels for each individual event, showing variations between 55.5 and 76.8 dB LAeq,T with T being the duration of the event. We have not, therefore, merely measured a number of identical events, but we have measured a wide range of events over a six hour period which was confirmed by squadron leader Nield at the Lakenheath RAF commander’s office to be representative of typical operations.
- CSA do not explain on what basis they consider it likely that on other days there would be “...a greater degree of variability in aircraft movement tracks or altitudes”. These are of course closely controlled by the RAF, and only certain tracks and altitudes are permitted. We note that CSA have not specifically stated that our data is not representative of typical conditions, and they have certainly produced no evidence to support their suggestion that it might not be.
- Paragraph 3.24 makes claims about visiting aircraft being less precise in their approach to the runway, resulting in possible noise from late course adjustments. This is a speculative discussion of something which

might occur on an occasional basis, and no supporting evidence or reference is provided.

- CSA also refer to possible variations in noise levels as a result of variations in weather conditions. The meteorological conditions during our survey are listed in Appendix C of our report, being dry, sunny, calm and with a temperature in the range 5 to 10°C. CSA are well aware that variations in those conditions (e.g. rain, wind, snow, mist or fog) will all tend to decrease noise levels at the site from aircraft movements, so that in practice the weather conditions in which we measured are consistent with a worst case.
- In addition, CSA are well aware of the restrictions in weather conditions over which noise surveys can reliably be taken. If we were, for example, to measure noise levels over several weeks of varying weather conditions, the relevant standards and guidance on noise measurements would require us to discard any measurements taken during precipitation, fog or significant wind speeds. That would effectively leave us with data for the weather conditions in which we already have measurements. The suggestion that we should therefore have taken measurements over a longer period to assess the effect of a wider range of weather conditions is therefore disingenuous.
- It is notable that in their letter CSA suggest that all of the noise surveys undertaken for all of the developments are or may be of too short a duration, irrespective of the actual length of the noise survey. It would be interesting to know what length noise survey CSA would consider to be adequate.

Intensification and night-time operation

- In Paragraph 3.22 and 3.23, CSA state:

“The potential for future increases in aircraft activity and resultant noise is not considered at all. This would also include the introduction of 24/7 operation and the resultant potential for sleep disturbance. It would be reasonable to conclude that a significant number of children whose sleep might be disturbed in the new dwellings would then be attending the new school during the daytime, when their concentration would be affected by both distraction and lack of sleep”.
- This is both emotive and disingenuous. It assumes regular night-time operation, for which no evidence is provided, and also assumes that sound insulation in the houses would not comply with the local authority’s planning conditions. It also assumes that noise levels in the school would not comply with Building Regulation E4. CSA provide no supporting evidence for these assumptions. They are well aware that very high standards of sound insulation can be achieved in both houses and schools provided that windows do not need to be open for ventilation, and indeed they state this in Paragraph 2.10 of their letter.
- CSA have not quantified the alleged potential intensification or regular night-time operation. While the RAF must, for obvious reasons, be capable of allowing aircraft to take off and land at night in exceptional circumstances, we are not aware of any plans for night-time flights to

occur regularly. We have consulted with Mark Johnson of Forest Heath District Council's Environmental Health Department who informed us that the council is not aware of any such plans. Mr Johnson also confirmed that the Council cannot base its development policy on the assumption that regular night-time operations will occur in the absence of evidence to support this assumption.

- Any intensification or increase in night-time operations would affect existing residents and therefore would, presumably, not be undertaken lightly. Houses on the application site would not be disproportionately affected compared with existing houses. We note that in paragraph 1.2 of their letter, CSA state:

"The exposure of existing dwellings to high noise levels from military jet movements does not justify a similar level of impact on new residential communities and a new school."

- While this may express the opinion of the authors or of their clients, we do not consider that opinions on matters of planning policy should be included in a technical review of noise assessments which are matters of fact rather than policy or opinion.

Level of detail of our assessment

- In paragraph 3.25 of their letter, CSA graciously concede that our survey provides a "Helpful general indication of noise levels to which the site is exposed", and then go on to speculate about the terms of our instructions from our client. They continue:

"The bullet points in their introductory section "1.1 Background" confirm that the daily noise exposure is an estimate and that they have only advised on sound insulation measures in "general terms". The submission is not, therefore, sufficiently detailed to be relied upon as the sole supporting document for the development in terms of noise impact and its mitigation."

- Here CSA appear to assume that planning consent for a housing development can only be provided with a detailed design of the sound insulation for every house. This is, of course, not the case. It would be ridiculously onerous for the developer to have to provide a precise noise level at every house along with detailed design for every house to achieve the required conditions. The purpose of the noise assessment at this stage is to demonstrate how the required conditions can be met. The planning authority can then set planning conditions requiring these noise levels to be met, and the developer can then proceed with a detailed design of individual properties.

2014 and 2017 data

- In paragraph 3.26 of their letter, CSA state that it is possible that our noise data does not include use of a particular flight path, which they claim would cause aircraft to fly directly over the site. They also state elsewhere in the letter that our survey in 2014 does not take account of updated noise contours issued in 2017.

- In fact, the purpose of our memo M001A issued on 30 March 2017 was specifically to comment on these new noise contours with regards to the proposed development. CSA has not referred to that document. If they had taken the reasonable step of consulting with us before issuing their letter, we would of course have informed them of the existence of this document.
- We will not reproduce the text of M001A here, but in summary this revises our 2014 report to take account of report OEM/08/17 dated January 2017 by the Noise and Vibration Division of the Occupational and Environmental Medicine Wing. It identifies that the 2017 contour plots indicate daytime noise levels between 66 and 67 dB at the site, which is higher than the values between 62 and 63 dB LAeq, 16 hours measured in 2014. We therefore identified a higher specification of sound insulating glazing and acoustically attenuated ventilation in order to comply with the internal noise criteria identified by the Council. Our memo M001A includes all of this information.
- For ease of reference, Figure 1 shows the LAeq,16 hour noise contour from OEM/08/17 marked up to show the location of the Briscoe way site. The innermost (dark blue) line is the 72 dB contour, the middle (green) line is the 66 dB contour and the outer (light blue) line is the 63 dB contour.
- The report accompanying the noise contours confirms that these include F15MK/C and F15MK/E aircraft activity only as this is considered to be the dominant source of aviation noise emitted at RAF Lakenheath. It includes engine ground operations but does not include aircraft activity originating from RAF Mildenhall. There is no reference to noise from F35 Lightning aircraft which CSA state in paragraph 1.5 (executive summary) of their letter is "imminent".

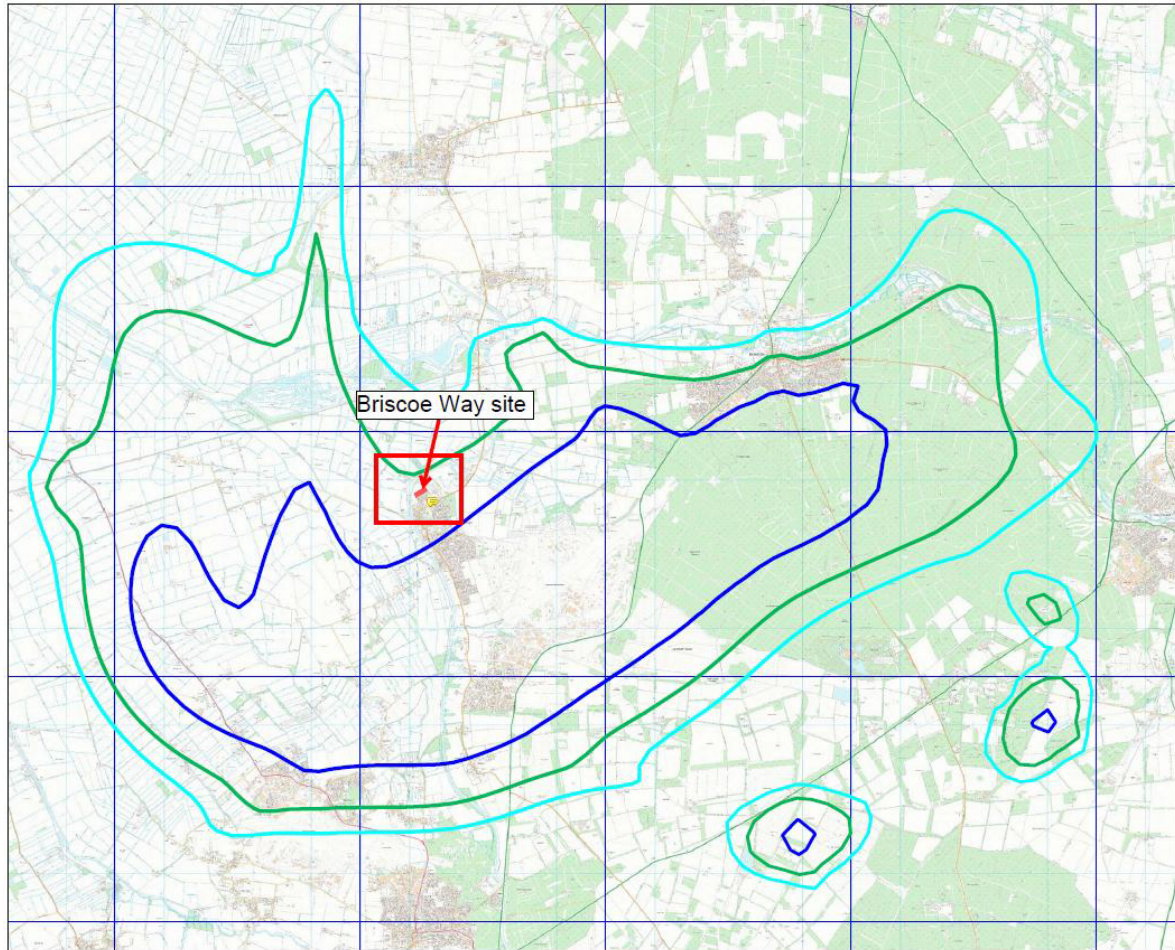


Figure 1 – LAeq,16 hour noise contour from OEM/08/17 marked up to show the location of the Briscoe way site.

Low frequency noise

- At paragraph 3.27, CSA question whether we have taken into account the low frequency characteristic of the noise in our calculations. This is rather surprising as the octave band analysis of all of our measurements is included at Appendix B of our report. This presents CSA with all of the data that they would require to undertake their own calculations as to the sound insulation required at all frequencies. Alternatively of course they could have asked us, and we would then have confirmed that we had, in fact, taken this into account. This would, however, have reduced the "Number of significant concerns" that CSA could highlight in their letter.
- In addition, our memo M001A - to which CSA have not referred - very clearly sets out the sound reduction indices in octave bands (including low frequencies) of the glazing and ventilators required to achieve the Council's internal noise criteria assuming the noise levels from the January 2017 contours.

Outdoor noise

- At paragraph 3.30 of their letter CSA claim that we have not put the external noise levels "in context". It is not clear in what context they expected this to be put. We have not argued that the external noise

levels from aircraft are desirable, or that they would not cause annoyance to a significant proportion of a randomly selected population. CSA are, however, rather disingenuous in claiming that 20% of the population would be highly annoyed by these levels of external noise. By definition, that part of the population which would be prepared to move within or into an area known to be affected by military aircraft noise is likely to come largely from the other 80% of the population. It is important to differentiate between a new noise source being imposed on existing residents, and new residents making a decision to move within or into an area where there is a known existing noise source.

244. The Parish Council has expressed concern that the applicant has not properly considered the impact of aircraft noise to the development proposals and consider the submitted noise information inadequate to enable proper assessment to be carried out. Officers disagree with that analysis. The noise assessment measurements were captured on site in 2014 and, following liaison with the RAF Lakenheath airbase, the results (number of noise events – aircraft events) were adjusted to reflect a typical day's aircraft movements. This is considered a robust position. The measured noise levels at the site (as adjusted) were 62.1 dB(A). Following publication of refreshed noise contours for RAF Lakenheath Airbase, the applicants' supplemented their noise assessment and adjusted the noise level up to 67 dB(A) to reflect the location of the site within the noise contour (again increasing the robustness of the assessment). The supplementary assessment again demonstrated that the internal spaces of the dwellings are capable of mitigation through specialist construction techniques, features and materials.
245. A number of noise assessments have been carried out in support of various planning applications considered in the village over the past few years. These are set out in the table below. The results vary in terms of their alignment to the noise contour information (as shown in the table) but there is nothing to suggest from the collective noise assessments or any other evidence that has been made available that the noise contours (or indeed the applicant's noise assessment), are inaccurate.

Reference	Address	Proposal	MOD Contour	Recorded/adjusted noise level (worst case reported) (16hr)	Noise range (if more than one location measured)
F/2013/0394/OUT	Land West of Eriswell Road, Lakenheath	Up to 140 dwellings	72+	68	64-68
F/2013/0918/OUT	Land East of Eriswell Road and south of Broom Road	Up to 750 dwellings and school	72+	81	69-81
DC/13/0660/FUL	Land at Briscoe Way, Lakenheath	67 dwellings	66-72	62.1	n/a
DC/14/2073/FUL	Land at Broom Road, Lakenheath	120 dwellings	72+	71.1	n/a
DC/14/2042/OUT	Land adj Covey Way, Maidscross Hill, Broom Road Lakenheath	Up to 110 dwellings	72+	70	n/a
DC/15/0545/OUT & DC/16/2265/ful	27 Eriswell Road	Up to 6 dwellings	72+	63.4	n/a
DC/16/1406/FUL	28 Earlsfield, RAF Lakenheath (Lords Walk)	1 dwelling	72+	72	n/a
DC/17/2454/FUL	41 Mill Road, Lakenheath	2 dwellings	72+	59	n/a
DC/17/2584/FUL	127-133 High Street, Lakenheath	3 dwellings	72+	65.8	n/a
DC/17/2349/FUL	Site at Wingfield Road, Lakenheath	3 dwellings	66-72	53.1	n/a
DC/17/2307/FUL	Goward House, 124 High Street	COU to 3 flats	72+	43.9	n/a
DC/18/0556/FUL	29 Wings Road, Lakenheath	1 dwelling	66-72	63	n/a
DC/18/0341/FUL	Land r/o 27 High Street, Lakenheath	COU to dwelling	66-72	51	n/a
F/2031/0345/OUT and DC/14/2096/HYB	Land at Station Road, Lakenheath	Up to 81 dwellings and up to 375 dwellings + primary school	66-72	63	62-63

Table: Noise recordings captured at Lakenheath

246. Aircraft noise is a complex matter to assess and it is difficult to determine with precision the noise climate around the village of Lakenheath. This is because of the variations in (in particular) daily operational activities at the base, the tracking of aircraft and the influence of weather conditions. Accordingly, it is important that noise assessments are not only based on actual recordings captured as a 'snapshot in time' but are also considered alongside modelled noise contours. The applicants have followed this approach in their own assessments.

247. The Parish Council's noise consultant has criticised the methodology of the applicants assessment, but has not proposed a creditable alternative methodology or, indeed, demonstrated that the evidence accompanying the planning application cannot be relied upon by the Council. Furthermore, the Council's Public Health and Housing officers whom are independent noise experts, have advised the assessment is robust and, alongside the noise contour information, is sufficient to enable an adequate scheme of mitigation to be developed and secured. Accordingly, it is your officers' view that the noise information submitted by the applicants to accompany their planning application, when read alongside the noise contour information and other advice supplied by the Defence Infrastructure Organisation, forms a sufficiently robust position from which to form a planning assessment about the impact of noise to the development.

v) Appeal decisions

248. The Parish Council has drawn the District Council's attention to two appeal decisions where aircraft noise was a central and determining issue. The first appeal decision (reference APP/R0660/W/15/3027388) related to a site at Mobberley near Knutsford in Cheshire. Here the appeal scheme proposed a mixed use development, including dwellings. The second appeal decision

(reference APP/Q3115/W/16/3163844) was briefly referred to by the Parish Council's noise consultant and related to a site at Benson in Oxfordshire.

249. At Mobberley the appeal site was close to Manchester International Airport and its two runways (which were around a mile away). The site was also affected by noise from industrial and traffic sources. The Inspector noted that some 80% of all flights leave the run ways towards the appeal site. The housing was proposed within the 60 dB(A) and 63 dB(A) noise contours drawn to reflect the peak activities of the airport. In summarising his assessment about noise impact, the Inspector commented that a suitable external noise environment (in the external private gardens) would not be achieved and would have a significantly adverse impact on the quality of life of future residents. He also weighed into the equation that the 'sealed box solution' to providing an acceptable internal acoustic environment would further detract from the residents' quality of life and was an additional factor weighing against permission.
250. In his overall conclusions the Inspector dismissed the appeal and considered that the adverse effects of the development (identified as noise and Green Belt impacts) would significantly and demonstrably outweigh the benefits he had identified.
251. At Benson, the appeal site was located close to RAF Benson, an operational airbase housing over 20 military and emergency service helicopters (including Puma's and Chinooks). The Puma helicopters are principally on standby for UK and overseas aid or emergency deployment whereas the Chinooks were primarily used for training during the night and day for around 21 weeks per year. The external sound (daytime) was measured at 54db Laeq (16 hours) and was used by the inspector to analyse impacts to external amenity spaces of the proposed dwellings. The night time noise measurements were not quoted by the Inspector, although he considered that with windows closed (sealed box) the internal spaces would not exceed WHO guidelines but with windows open (which he considered likely during the summer period) noise in bedrooms (during night time military training exercises) would exceed WHO levels. The Inspector found against the proposals on both the daytime (external) and the night time (internal) noise impacts and concluded that the proposed development would result in an unacceptable impact on the living conditions of occupiers that would give rise to significant adverse effects on health and quality of life.
252. It is also pertinent to consider the Inspectors comments on noise impacts in the recent appeal at Broom Road in Lakenheath (appeal reference APP/H3510/W/16/3149242; planning application reference DC/14/2073/FUL). In that case, 120 dwellings were proposed at the site in Broom Road which is around 1km from the airbase runway (and nearer to the runway than the application site at Briscoe Way). The Inspector noted the site was situated within the 72db contour (LAeq 16hr) and considered the appeal on the basis of the appellants' estimate that the majority of the appeal site would be about 75dB LAeqT. The Inspector observed several military aircraft taking off and considered that concerns about the acoustic environment for future residents were well founded, but considered, after mitigation, the proposals would afford a reasonable level of amenity in relation to inside living space. In terms of the external spaces, the Inspector recognised there would be very limited scope to mitigate airborne noise and concluded therefore that the development would conflict with policy DM2

which expects that sensitive development should not be sited where users would be significantly affected by noise.

253. In this respect, and whilst recognising the conflict with Policy DM2, the Inspector went on to consider the fact that Lakenheath is identified in the adopted Core Strategy as a key service centre and in the emerging Single Issue Review as a location for a substantial amount of new housing with several sites allocated for development in the emerging Site Allocations Plan. The Inspector recognised that the appeal site is closer to the airbase than those in the SALP but considered it seems likely that the acoustic environment for residents will be comparable. Accordingly, she exercised her planning judgement with respect to the living conditions of future residents and attached only limited weight to the conflict with Policy DM2 in this regard. The appeal was dismissed for other reasons with only limited weight being added to the refusal owing to the identified adverse acoustic environment at the site.

vi) Assessment of impacts from military aircraft

254. The applicant's Noise Impact Assessment confirms the internal spaces of the proposed dwellings could (and will) be mitigated against noise impacts arising from military aircraft to WHO levels. This assumes that windows will be closed with mechanical ventilation provided. The publication of new noise contours for RAF Lakenheath airbase in 2017 and the related informal planning advice prepared by the Ministry of Defence confirms that development of the application site is acceptable in principle (with respect to aircraft noise) and the internal spaces of the dwellings are capable of mitigation.

255. The Ministry of Defence has confirmed that night flights are rare occurrences and do not feature as part of a normal training regime at RAF Lakenheath. Accordingly it is unlikely that the night time sleep patterns of the occupants of these dwellings would be disturbed by aircraft noise to the extent that they would suffer adverse health issues as a consequence. This sets the application proposals apart from the 'Benson' appeal case raised by the Parish Council where night flights were a part of normal training routines and the Inspector considered there would be a considerable risk to the health of occupants of those proposals as a consequence. Furthermore, military helicopters were the subject of the Benson appeal whereas at Lakenheath, military jets are the principal noise source. Accordingly it appears to officers that circumstances differ between the Benson appeal and the Briscoe Way planning application such that the Inspectors conclusions in that case cannot automatically be applied to these proposals at Lakenheath.

256. Similarly, the circumstances were different at the Mobberley appeal scheme where the housing site was affected by constant, but varying noise from passing civilian aircraft at a busy airport. Furthermore, the dwellings in that case would also have been affected by noise from other sources (roads and industry). Again the circumstances of that case are different to the Lakenheath scenario such that it is not appropriate to transfer the Inspectors conclusions to these proposals for development at Lakenheath.

257. That said, it remains the case that external spaces of the application site at Lakenheath, including the domestic gardens, public paths and public open space proposed, cannot be mitigated against the effects of aircraft noise. In this regard, and as the external areas cannot be defended to levels below WHO recommendations, it is likely that the residents of the proposed

development would experience significant disturbance from peak noise events when aircraft pass their garden spaces and a proportion of these will be annoyed by the experience. As such, your officers consider the proposals conflict with Policy DM2, which states development proposals should (inter alia) not site sensitive development where its users would be significantly and adversely affected by noise unless adequate and appropriate mitigation can be implemented.

258. It might be assumed that, following a narrow assessment of the noise impacts from military aircraft upon the development, that a refusal of planning permission could be justified. The external areas of the site cannot be mitigated to standards set out in the WHO guidance and, accordingly, breach planning policies that require residential amenity to be safeguarded. This is essentially the position the Parish Council has adopted with respect to the planning application.
259. Before the Committee considers reaching that same conclusion, however, it is important to exercise an element of planning judgement and, in this case, to consider the noise context of the site and, in particular, the context of the wider noise climate at Lakenheath. The Committee will also need to consider, notwithstanding the outcome of the noise assessment, whether there are any other mitigating factors which may serve to reduce the level of harm (or perceived harm) to residential amenity.
260. In this regard, officers' consider concerns relating to the likely adverse impact of aircraft noise to external areas of the site would be reduced by i) the sporadic nature of the aircraft movements, meaning that noise events persist for short periods only (and for the majority of the time the background noise levels at Lakenheath village are no different to any other village), and ii) the non-operation of the base at weekends when the external areas of the site are likely to be most used. These factors contribute to your officers' view that harm arising from aircraft noise is not overriding in this case and should not, in isolation from other material planning issues, lead to planning permission being refused. Instead it is a matter for the Committee to consider in the 'planning balance'. Members will note the way in which the Inspector considered the impacts of aircraft noise in the balance in reaching her appeal decision in the appeal case at Broom Road, Lakenheath which is summarised above. Officer views with respect to the planning balance are set out in the concluding comments below.
261. If planning permission were to be granted in this case, conditions could be imposed in order to ensure maximum noise levels are achieved in relevant internal living spaces.
262. The announced introduction of two squadrons of Lockheed Martin F-35 Lightning II aircraft into RAF Lakenheath may change the noise climate of the village again in the future, although it is understood the type of F-35's that will operate from the base will have similar noise outputs to the existing F-15's (when both are used to their maximum capabilities). The Ministry of Defence has provided further information about the operations of RAF Lakenheath following the bedding down of the F35's as part of their request for a formal Screening Opinion of the project under the EIA Regulations (the documents are available on the Council website under register reference DC/18/0456/EIASCR).

263. The Screening Report states that the introduction of the F-35A aircraft is expected to result in a reduction in the overall number of military movements at RAF Lakenheath compared to the current baseline levels. This is owing to a reduction in the number of F15 jets stationed at the base in combination with significant amounts of F35-A pilot training being carried out on the ground in computer simulators. The Screening Report includes modelled noise contours for the year 2023, following the bed-down of the F-35A squadrons, and illustrates a slight retraction of the 2017 (and current) noise contours. This signifies a minor improvement to the noise climate in the village. This improvement is unlikely to be perceivable by the civilian population of Lakenheath which means that, at 2023, the noise climate of the village (including the application site) will be comparable with the current situation. This means that, from the evidence made available, the future (imminent) expansion of RAF Lakenheath to receive the F-35A squadrons does not materially influence the determination of this planning application.
264. Whilst the predictive noise contours for 2023 illustrate a slight improvement in the noise climate of the village, including the application site, it remains appropriate to secure mitigation which responds to the current noise climate to ensure the 'worst case' scenario is addressed.

vii) Other noise and amenity related matters

Vibration

265. In September 2016, the Ministry of Defence requested that, in the event that planning permission is granted, a condition be imposed requiring a vibration assessment to be carried out and submitted to the Local Planning Authority. In April 2017, however, the Ministry of Defence altered its position which, at the time, was as follows:
- *"I have reviewed, and taken advice on, the position we have adopted in the past.*
 - *Obviously, noise is, in itself, a vibration of the air. Sound waves enter the ear; affect various bones, membranes, and fluids; and, as a result, trigger a nerve response. Disturbance from noise is subjective, and some people can be more affected than others.*
 - *People may become more aware of the disturbance through the transfer of the noise to a building or structure; this is known as Noise-Induced Structural Vibration (NISV). The most sensitive parts of a structure to airborne noise are the windows. Though less frequent, plastered walls and ceilings can also be sensitive. NISV may annoy occupants because of secondary vibrations (e.g. rattling of objects such as crockery, ornaments, and hanging pictures) and can also be noticed when window panes vibrate when exposed to high levels of airborne noise. Therefore, noise surveys should take into consideration the effect of NISV on those who will occupy, use, and/or visit the proposed development if planning permission is granted.*
 - *In many cases it is difficult to separate aircraft NISV from that created by other sources, e.g. road traffic and commercial/industrial activity. Even if military aircraft are identified as the source of vibration it is unlikely that a single overpass will result in damage to property; the degree of NISV is often exacerbated due to poor repairs and/or*

maintenance (e.g. loose roof tiles, poorly installed windows, lack of loft insulation etc.). While we remain concerned that people using and occupying some properties near RAF Lakenheath will experience some vibration, because of the factors I have summarised above, it is my intention that we focus on the effects of noise and do not, unless absolutely necessary, refer to vibration in the future."

266. Since those comments were received in 2017, the Defence Infrastructure Organisation has withdrawn all objections expressed previously to the planning application (including in relation to aircraft noise).
267. There is no evidence of past or current issues and/or property damage attributable by vibration caused by military aircraft. Officers' are not aware of any issues in this regard from their own experiences, including discussions with relevant Building Control and Environmental Health Officers.
268. Without any evidence of harm or potential harm caused by vibration to the development proposals, it is considered unjustifiable to request vibration assessments from the applicant.
269. The effects of vibration from military aircraft activities on future occupiers of the proposed dwellings is likely to be perceived as opposed to having a tangible effect. Experience of the effects of vibration has the potential to impact upon ones reasonable enjoyment of their property, but the impacts are unlikely to be significant, particularly at this site which is outside the loudest noise contour and a good distance away from the runways and exit flight paths of RAF Lakenheath where aircraft noise and vibration is likely to be at its greatest.
270. In this case, given the lack of evidence to substantiate any vibration impact concerns to this site, it is your Officer's view that only limited weight be attached to the potential harm.

Public Safety

271. At one time, the Defence Infrastructure Organisation was concerned that the occupants of the proposed dwellings (if approved) would be at greater risk of 'incursion' in the event of an aircraft emergency in comparison to the existing agricultural land use. Whilst the precautionary position adopted by the Ministry of Defence at the time is noted, it is not considered that the residents of this scheme would be at any greater risk of incursion than any other site or existing development in the village or indeed elsewhere where pilots carry out training in the exercises.
272. The starting point is that the risk of accident from jets in flight is low. For the application site the risks are further reduced by your officer's understanding that more 'incidents' will occur during or shortly after a take-off manoeuvre than upon a return flight into an airbase. It is also understood that pilots are trained to divert their aircraft away from built up areas in the event of an emergency.
273. Whilst any expansion in the size and population of Lakenheath will, to a certain degree, be at risk from a falling plane, the risk is not considered significant in the context of this particular planning application, and in your officer's view is not sufficient to justify a refusal of planning permission or add any weight against the proposals.

Impact of the proposed development upon existing residents.

274. The amenities of occupiers of dwellings abutting (backing on to) the application site would not be adversely affected by development. The design includes bungalows on all plots which abut the south boundaries of the site (adjacent to the existing Briscoe Way housing estate) in order to safeguard against the potential issues of dominance or overlooking of these dwellings. There are some two-storey units proposed to abut the eastern boundary where the application site abuts the rear gardens of dwellings fronting Drift Road, but these back on to large garden areas such that the amenities of the occupiers of the dwellings in Drift Road would not be compromised.

Impact upon RAF airbases

275. The Framework states that planning policies and decisions should promote public safety and take into account wider security and defence requirements by (inter alia) recognising and supporting development required for operational defence and security purposes, and ensuring that operational sites are not affected adversely by the impact of other development proposed in the area.
276. The safeguarding division of the Defence Infrastructure Organisation has been consulted of the planning application proposals and has not raised any concerns in relation to potential safeguarding issues. There are no reasons to suggest that the proposed development (both in isolation and in combination with other development proposals in the area) might adversely affect the safe and efficient operation of the RAF Lakenheath and RAF Mildenhall military airbases.

Loss of agricultural land

277. The Framework states that planning decisions should contribute to and enhance the natural environment by (inter alia) recognising the economic and other benefits of the best and most versatile land (defined as land in grades 1, 2 and 3a of the Agricultural Land Classification) and where significant development of agricultural land is demonstrated to be necessary, areas of poorer quality land should be preferred to those of a higher quality.
278. 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 the quantity of housing need required over this period. Accordingly, the future development of greenfield sites is inevitable.
279. The application site is Grade 3 agricultural land (good to moderate) and whilst it is not regarded as 'poor quality' land (ref DEFRA agricultural land classifications) its loss is not considered significant. Nonetheless the development of Grade 3 agricultural land which is currently of use for agriculture represents material planning harm. Whilst not an issue that would in isolation warrant a refusal of planning permission, it is a matter to be taken into account in the overall planning balance.

Sustainable construction and operation

280. 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”.
281. The Framework confirms the planning system should support the transition to a low carbon future in a changing climate and should help to (inter alia) shape places in ways that contribute to radical reductions in greenhouse gas emissions.
282. The document expands on this role with the following policy:
- In determining planning applications, local planning authorities should expect new development to:
- comply with any development 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.
283. 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.
284. 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 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).
285. Part G2 of the Building Regulations enables the Building Control Authority to require stricter controls over the use of water. The ‘standard’ water use requirement set out in the Regulations is 125 litres per person, per day. Part G2 enables this requirement to be reduced to 110 litres per person per day, but only if the reduction is also a requirement of a planning condition. Given the provisions of Policy DM7 of the Joint Development Management Policies Document (2015) requires developers to demonstrate water efficiency measures (and one of the options is 110 litres water use per person, per day), it is considered reasonable to require the more stringent water efficiency measures set out in the Building Regulations be applied to this development if the Committee resolved to grant planning permission.

Cumulative Impacts

286. Members will note from the table produced beneath paragraph 12 above there are a number of planning applications for major housing development currently under consideration at Lakenheath and Eriswell to the south.

Furthermore, as the Development Plan progresses and the Site Allocations Document matures, further sites might be allocated for new residential development irrespective of the outcome of these planning applications. Whilst the evidence base behind the Development Plan documents will assess potential cumulative impacts of any formal site allocations, only limited assessments have been carried out with regard to the potential cumulative impacts of the current planning applications.

287. This sub-section of the officer assessment considers potential cumulative impacts upon village infrastructure of the four planning applications for large scale housing development at Lakenheath which are ready to be determined. Project E from the table set out at paragraph 12 above is disregarded given its recent deemed refusal. Furthermore, project F (from the same table) is not included in the assessment given that it is accompanied by an Environmental Statement which will need to consider and mitigate individual and residual cumulative impacts.

Primary education

288. Any additional children of primary school age emerging from these proposals would need to be accommodated within a new village school given the existing school has reached capacity and cannot be extended. The County Council has confirmed the school site allocated within the emerging Site Allocations plan and which is subject to a two current (and separate) planning applications, is their 'preferred site' for the erection of a new primary school.
289. If planning permission is granted for that particular scheme, it would provide the County Council with opportunity to purchase/transfer the land. It is understood there is currently no formal agreement in place between the landowner and Suffolk County Council with respect to the school site. The availability of the land for use by the County Council to construct a new primary school is ultimately dependent upon planning permission being granted for the overall scheme which includes a large residential component. At its meeting in August 2016, the Development Control Committee resolved to grant planning permission for those proposals (include the school site). The planning application is yet to be finally determined, however, and will require a fresh decision from the Development Control Committee.
290. The delivery of a site for the construction of a new primary school (and therefore an opening date for a new school) remains relatively uncertain. In the worst case scenario, being that a school is significantly delayed or not delivered on the County Council's preferred site, the pupils emerging from the developments would need to travel to locations outside of Lakenheath in order to receive their education.
291. If primary school pupils (as young as four years old) are forced to leave the village in order to gain primary education as a consequence of the development proposals (individually and/or cumulatively) it would be an unfortunate consequence of development proceeding. That said, if the applicants' are willing to commit their 'pro-rata' share of the reasonable land and construction costs of the new primary school infrastructure that will be required to facilitate new development in the village, they will have done all they reasonably can to mitigate the impact of their development with respect to primary education provision.

292. It is important to note, however, that the County Council has confirmed school places would be available for all pupils emerging from the development proposals and concerns have not been expressed by the Authority that educational attainment would be affected or threatened should development at Lakenheath proceed in advance of a new school opening.
293. Furthermore, it is also noteworthy that planning applications are presently being considered for the construction of a new primary school at the favoured site within the village. It is therefore considered unlikely (but not impossible) that the village would be left with planning permission for significant new housing without planning permission also being in place for the construction of a new primary school.
294. It is your officers view (particularly in the absence of confirmed objections from the Local Education Authority) that the absence of places for children at the nearest school to the development proposals is not in itself sufficient to warrant a refusal of planning permission and even if additional primary school places need to be provided outside of the village for a period of time, this would not lead to significant harmful impacts arising.

Highways

295. The Local Highway Authority (Suffolk County Council) has progressively commissioned cumulative traffic studies to assess the potential impact of new development at Lakenheath upon the local road network, via its consultants, AECOM. The first independent study was commissioned following the now out of date decisions of the Development Control Committee to grant planning permission for three of the planning applications at its September 2014 meeting (Applications, B, C and D from the table included above, beneath paragraph 12). A requirement for the cumulative study formed part of the resolution of the Development Control Committee for those planning applications. At that time the other planning applications listed in the table had not been submitted to the Council. Whilst AECOM did complete the first assessment, it quickly became out of date upon submission of other planning applications proposing significant new housing development in the village.
296. An update to the cumulative study was subsequently commissioned independently by the Local Highway Authority via AECOM. This has been the subject of public consultation. The updated cumulative study considers four different levels of development:
- 288 dwellings (specifically applications B, C and D from the table beneath paragraph 12 of this report)
 - 663 dwellings (specifically applications A, B, C and D from the table)
 - 1465 dwellings (which addressed the housing included all planning applications current at the time; two planning applications have been refused planning permission/dismissed at appeal since that time) and
 - 2215 dwellings (to enable sensitivity testing).
297. The study assessed a number of junctions on the local road network and (with respect to the quantum of development proposed by all applications in hand at that time) concluded all of the junctions, with the exception of three, could accommodate the cumulative growth set out in all four scenarios

without 'severe impacts' arising. The three junctions where issues would arise cumulatively are i) the B1112/Eriswell Road priority 'T' junction (the "Eriswell Road junction"), ii) the B1112/Lords Walk/Earls Field Four Arm roundabout (the "Lords Walk roundabout") and, iii) the A1065/B1112 Staggered Crossroads.

298. The Highway Authority has advised the threshold for works being required to the Lords Walk and the A1065/B1112 junctions are above the levels of housing growth presently being considered. Accordingly, no mitigation measures (or developer contributions) are required for these particular junctions from these development proposals.
299. The Eriswell Road junction is more complicated given i) the need to carry out improvements to increase the efficiency of the junction before any of the large scale housing developments can be occupied and ii) the limited available land for improvements to be carried out to this junction within existing highway boundaries.
300. The cumulative study assessed two potential schemes of mitigation works at the Eriswell Road junction; the first being signalisation of the junction in order to prioritise and improve traffic flows; the second being signalisation of the junction and introduction of two entry lanes. A further update to the study examined the first option in more detail and found that a detailed scheme could be delivered within the boundaries of the highway without requiring the incorporation of third party land outside of existing highway boundaries.
301. The second option for mitigation works at the Eriswell Road junction would deliver greater increased capacity than the first option. The cumulative traffic study suggests, with the first mitigation option installed (signalisation only) the junction would be able to accommodate traffic forecast to be generated from the first circa 850 dwellings (located on sites to the north of the junction) without severe impacts arising. However, if up to 1465 dwellings are to be provided, the second option for mitigation (signalisation and two lane entry) would be required at some point beyond occupation of the circa 850th dwelling.
302. The study does not clarify precisely (or roughly) where the tipping point is and it is not precisely clear how many dwellings could be built at Lakenheath with signalisation only of the Eriswell Road junction before additional measures to implement the larger mitigation scheme need to be carried out. The traffic study does however confirm that, with new signalisation being provided within the highway, the improved junction would be capable of accommodating the traffic flows emerging from all the development proposals presently proposed at Lakenheath without severe impacts arising.
303. In May and June 2017, Elveden Farms Ltd which owns the third party land around the 'Eriswell Road' junction provided further evidence to the Council and the Highway Authority at Suffolk County Council to challenge the findings of the AECOM studies that an acceptable scheme of mitigation could be provided within the highway boundary. Specifically, Elveden Farms commissioned a further technical note based on fresh traffic counts carried out in March 2017. The following conclusions were drawn by their traffic consultant:

"It is quite clear from this Technical Note that when using the March 2017 traffic counts that the reduced traffic signal junction cannot even

accommodate the existing traffic flows let alone any additional traffic arising from new development without creating a severe traffic impact.

The implication of these conclusions is that any new development in Lakenheath is not deliverable without land beyond the highway boundary needed for the larger traffic signal improvement at the B1112/Eriswell Road junction and this should be understood before any planning consent is granted for new development."

304. The Highway Authority at Suffolk County Council has carefully considered the fresh evidence submitted by Elveden Farms Ltd and has provided the following comments in response:

- *"We have looked at the WSP technical Note dated 21st April 2017 which includes updated traffic flow information obtained in March 2017.*
- *While the traffic flow information does highlight some underestimation in the Aecom AM peak assessment we do not consider this to be significant as the PM peak hour is considered to be the worst case at this location, and this assessment is robust. We have re-run the AM modelling with higher figures from the WSP surveys through an updated version of the Aecom junction model and this still has sufficient capacity in reserve.*
- *The technical report does make a point about junction blocking impacting on overall performance, this is not considered to fundamentally affect the conclusions, as we have tested the model with blocking and no blocking and while the option without blocking works better, again there is still residual capacity even if the worst case scenario is assessed. Furthermore, alternative junction layouts can be accommodated within the highway boundary which could potentially improve this aspect of the junction layout. This could involve giving more priority to the dominant traffic flows to improve junction performance. The Section 278 detailed design review will allow us to explore several slight changes to the layout and signal operation which have the potential to further improve junction performance.*
- *Our overall view remains that a junction traffic signal upgrade at Sparks Farm (B1112/Eriswell Road) can be delivered within the highway boundary, and would give capacity and road safety benefits to cater for current and proposed traffic, up to a level of around 915 new homes.*
- *The assessment shows that the junction is operating at around the limit of its theoretical capacity in this scenario, and it is important to appreciate that day to day fluctuation would result in short term localised impacts that would result in occasional significant queuing. While this is not desirable for residents and visitors to the area it is felt that the overall performance of the junction would be acceptable, and therefore the overall impacts would not be deemed severe in highways terms."*

305. Contrary to representations received on behalf of Elveden Farms Ltd, including that received latterly in June 2017, the advice of the Local Highway remains clear that the local highway network, including the 'Eriswell Road' junction (which would be placed under the greatest pressure from new housing developments at Lakenheath) is capable of accommodating the

development proposals without 'severe impacts' arising as a consequence. Furthermore, it remains the position of the Local Highway Authority that a scheme of junction improvements to increase the capacity of the Eriswell Road junction could be accommodated within existing highway boundaries. The Local Highway Authority has confirmed these improvements would allow around 915 new dwellings to be constructed and occupied in the village before a 'larger' improvement scheme is required at this junction, which may at that point require the inclusion of land outside of the existing highway.

306. Having carefully considered all evidence available with respect to cumulative traffic matters, officers consider, on balance, the advice of the highway authority to be correct and reliable.
307. The required improvements to the 'Eriswell Road' junction would need to be fully implemented in advance of the occupation of the first dwelling in the application scheme (or any of the planning applications proposing large scale development at locations to the north of the junction). This could be secured by means of an appropriately worded 'Grampian' planning condition.

Breckland Special Protection Area and Maidscross Hill SSSI

308. The application site is outside the 1.5km buffers to the Breckland SPA and the nesting buffer (as recently amended). Accordingly, there are no concerns regarding potential direct impacts upon the Breckland SPA, both individually nor in-combination with other projects.
309. The SPA is also vulnerable to disturbance caused by increased recreation visitor pressure (indirect impact) arising as a consequence of new housing developments, including those located at distances greater than 1.5km from the SPA boundaries. Indirect impacts upon the conservation interests of the SPA from the application proposals cannot automatically be ruled out and further consideration of potential 'in-combination' recreational impacts is required.
310. The ecological information submitted with the planning application does not consider the potential for recreational impacts upon the SPA arising from the occupation of the proposed development. The scheme design contains only very limited measures to mitigate, off-set or avoid potential recreational impacts upon the SPA. The site is too small to provide its own measures in this respect (i.e. large areas of public open space and attractive dog walking routes for example). The application proposals, left unmitigated, are likely to increase recreational pressure upon the Breckland Special Protection area and add to any detrimental effects arising to the species of interest (the woodland component in particular).
311. Furthermore, the development (if left unmitigated) is likely to increase recreational pressure upon the Maidscross Hill SSSI to the east of the village. The SSSI is the only large area of recreational open space available locally to Lakenheath residents and is well used for recreation (dog walking in particular) and is showing signs of damage and deterioration as a consequence.
312. Emerging Policy SA8 of the Site Allocations Development Plan Document allocates a number of sites to the north of Lakenheath for residential development, including the application site. The policy requires that any development proposals must provide measures for influencing recreation in

the surrounding area to avoid a damaging increase in visitors to Maidscross Hill SSSI and Breckland SPA. Measures should include the provision of well connected and linked suitable alternative natural greenspace and enhancement and promotion of a dog friendly access route in the immediate vicinity of the development and/or other agreed measures.

313. The Council has prepared a greenspace strategy as part of the evidence underpinning the emerging Development Plan Documents. This includes a 'masterplan' for providing new green infrastructure and dog walking routes in and around Lakenheath to off-set (or avoid) potential increased recreational pressure being placed upon the Breckland SPA and Maidscross Hill SSSI.
314. The application proposals can contribute towards implementing the measures included in the greenspace strategy and, to this end, officers consider it would be appropriate for this particular development to provide sufficient capital funding to enable a pedestrian footbridge to be provided over the drainage channel to the north of the village (and north of the site). The bridge would connect new areas of public open space allocated by emerging policy SA8 to the north of the village with the existing public footpath that runs close to the north bank of the channel. This 'project' has been costed and the contribution agreed with the applicants.
315. With these measures in place, being the contribution of this particular development to a wider package of SPA mitigation measures, your officers conclude the potential impact of the development (both in isolation and in combination with the other projects) upon the Breckland Special Protection Area and the Maidscross Hill SSSI, from increased recreational use would be satisfactorily addressed. Indeed, this is the conclusions of the 'Appropriate Assessment' already carried out by the Council under the provisions of the Habitats Regulations (paragraphs 75-79 above and attached Working Paper 1).
316. The Lakenheath Cumulative Traffic Study prepared independently to consider the potential cumulative impact of development upon the local transport network did not identify that any significant improvements or other alterations would be required to junctions close to the SPA designation (i.e. junctions to the north and south of Lakenheath onto the A1065 Brandon to Mildenhall Road). Accordingly, the highways mitigation arising from the proposed developments at Lakenheath would have no impacts upon the SPA.

Landscape

317. Given the locations of the proposed housing developments around Lakenheath and the ability of the local landscape to absorb new development (particularly on the edges of settlements), no cumulative landscape impacts are anticipated despite all the projects being proposed around the edges of the village. Lakenheath is a sizeable village and whilst the development proposals in their entirety would represent a relatively significant expansion to it (particularly to the north of the village), no significant cumulative landscape impacts would arise as a consequence.

Utilities

318. The potential cumulative impact of development upon the utilities network has been considered as part of the evidence base of the emerging 'SIR' and

'SALP' Local Plan documents. The Draft Infrastructure Delivery Plan (DIDP) does not raise any issues with respect to the ability of the utilities infrastructure to absorb the level of growth proposed in the emerging plan. Accordingly, there are no concerns with respect to the potential cumulative impacts of the four planning applications proposing new residential development at Lakenheath given that all of these schemes are in the emerging Plan and were therefore included within the scope of the DIPD assessment.

Air Quality

319. The Council's Environmental Health Officers initially expressed concerns about the potential combined impact of the developments proposed at Lakenheath upon air quality and requested further information from the proposals.
320. The Council subsequently commissioned an independent assessment of the potential for the developments, in-combination, to exceed air quality targets. The assessment concluded that, although the developments would lead to an increase in nitrogen dioxide concentrations alongside roads in the village, it is extremely unlikely that these increases would lead to exceedances of the air quality objectives.
321. Given the findings of the assessment, the Council's Environmental Health Officers are now satisfied that no further assessment is required by the developers for any of the applications and previous requests for conditions in relation to air quality can be disregarded.

Summary

322. On the basis of the above evaluation officers' are satisfied that the cumulative impacts of the proposed residential development (in terms of ecology, utilities, landscape, healthcare, air quality, transport and schooling) would be acceptable. There is no evidence to demonstrate that the development proposal should be refused planning permission on grounds of confirmed or potentially adverse cumulative impacts.

Planning Obligations

323. The Framework states that local planning authorities should consider whether otherwise unacceptable development could be made acceptable through the use of conditions or planning obligations. It repeats the tests of lawfulness for planning obligations which are derived from Regulation 122 of The Community Infrastructure Levy Regulations 2010. These (alongside the restrictions imposed by 123 of the Regulations) are set out at paragraphs 88-90 above. The Framework (and the National Planning Policy Guidance) also advises with respect to the approach to be taken in relation to development viability.
324. 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.

325. The developer has confirmed a willingness to meet the required obligations and a formal Agreement under S106 of the 1990 Act is at an advanced stage. The planning obligations to be secured from the development, which includes a 'policy compliant' package of affordable housing provision, are 'viable' insofar as these would not deem the development 'undeliverable' in financial terms.
326. The following developer contributions are required from these proposals.

Affordable Housing

327. The Framework states the size, type and tenure of housing needed for different groups in the community should be assessed and reflected in planning policies (including, but not limited to, those who require affordable housing). Where a need for affordable housing is identified, the Framework advises that planning policies should specify the type of affordable housing required and expect it to be met on-site unless this would exceed the level of affordable housing required in the area, or significantly prejudice the ability to meet the identified affordable housing needs of specific groups.
328. Where major development involving the provision of housing is proposed, planning policies and decisions should expect at least 10% of the homes to be available for affordable home ownership (which includes 'shared ownership' homes)
329. 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 (20.1 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).
330. The applicants have proposed 20 of the 67 dwellings as 'affordable'. The remaining 0.1 of a unit is to be secured as a financial contribution to be used to provide affordable housing elsewhere in the locality. The mix and tenures have been agreed with the Council's Strategic Housing team (paragraphs 36-38 above) and more than 10% of the affordable housing to be secured from the scheme will be 'affordable home ownership' as required by the NPPF. The affordable housing to be secured from this development are considered to be CIL Regulation 122 compliant (Regulation 123 restrictions are not relevant to affordable housing provision).

Education

331. The Framework states that strategic planning policies should make sufficient provision for (inter alia) community facilities, such as education infrastructure. It also advises on the importance 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 and should give great weight to the need to create expand or alter schools through decisions on applications.
332. Core Strategy Policy CS13 (b) considers educational requirements as a key infrastructure requirement. 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 a 'pro-rata' financial contribution from this development to be used towards the land and build costs of the construction of a new village primary school. It has also confirmed a need for the development to provide a 'pro-rata' contribution to be used towards pre-school provision in the village to cater for the educational needs of pre-school children (aged 2-5) that are forecast to reside at the development. The Authority has confirmed there is no requirement for a contribution to be secured for secondary school provision.

Public Open Space

333. 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. Planning decisions should protect and enhance public rights of way and access, including taking opportunities to provide better facilities for users (e.g. by adding links to existing rights of way networks).
334. 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.
335. 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).
336. 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. In this case, 1,507 sq. m of public open space is provided as part of the site layout, which is below adopted planning policy requirements set out in the SPD. The application proposals provide funding for the construction of a bridge across the drainage channel which, in time would provide a publically accessible pedestrian crossing of the watercourse onto the public network footpath beyond.
337. This particular contribution is required to off-set potential cumulative recreational impacts upon the Breckland SPA and the Maids Cross Hill SSSI. Whilst all developments at Lakenheath are making similar contributions towards their own 'recreational' mitigation projects, the developer in this case is providing a higher contribution per dwelling than other developments in the village in order to reflect the lower (less than policy compliant) provision of public open space on site. This is considered a reasonable off-setting of the breach of the public open space policy.

338. Officers consider the public open space provision and SPA/SSSI recreational impact mitigation to be secured by planning obligation comply with the requirements of Regulations 122 and 123 of the CIL Regulations.
339. A condition could be imposed upon any planning permission granted to ensure the open space area provided at the site is properly provided, managed and maintained.

Transportation

340. The Highway Authority has requested a contribution to be used towards delivery of a new and improved village-wide cycle and pedestrian scheme. The scheme comprises crossing provision in the form of pedestrian refuges, a new toucan crossing, new footways, conversion of footways to shared cycle/pedestrian facilities, new '20's plenty' signing, signing through the village for cycle routes, dropped kerbs and associated costs. The applicant has agreed to the contribution which officers consider meets the tests of CIL Regulation 122. Furthermore, this would be one of four obligations that contributions towards this particular project and would therefore also comply with the tests at CIL Regulation 123.

Libraries

341. The Suffolk County Council has identified a need to provide library facilities for the occupiers of this development and has requested financial contribution to off-set the impact identified. The County Council has confirmed the monies would be used towards providing a new library facility co-located with the primary school. Officers consider the planning obligation would comply with the requirements of Regulations 122 and 123 of the CIL Regulations.

Health

342. The NHS Property Services has not requested a contribution towards local NHS infrastructure (GP services in particular) owing to the small scale of the development.

Summary

343. With these provisions in place, the effects of the proposal on local infrastructure, including affordable housing, open space, recreational facilities (including recreational impacts to designated nature sites), education, and libraries would be acceptable. The proposal would comply with Core Strategy Policy CS13 by which the provision or payment is sought for services, facilities and other improvements directly related to development. The proposed planning obligations are considered to meet the CIL Regulation 122 and 123 tests set out at paragraphs 88-90 above.

Conclusions and Planning Balance

344. This report finds the application proposals are contrary to the dominant operative policies of the Development Plan for the area. This is principally owing to the location of the development in the countryside outside the defined village settlement boundary where new housing development is strictly controlled. The consequence arising from the breach of the Development Plan is a 'presumption against' the proposed development.

345. Not only do the proposals offend the 'spatial' policies of the plan by proposing development on a 'greenfield' site in the countryside, they would also harm the local landscape by intensifying the use of the site, and provide new buildings in the countryside. Officers' consider this harm is capable of some mitigation but conclude overall minor adverse impacts would occur to the countryside, thus adding a degree of weight to the 'in-principle' Development Plan led objections to the scheme. It is also of note in this respect that the development of 'greenfield' sites in countryside locations on the edge of key service centres, which would necessitate the loss of agricultural land (including the 'Best and Most Versatile' land) is inevitable if the Council is to meet its current and future housing targets.
346. The location of the development in an area where the external spaces of the site would be adversely affected by aircraft noise, particularly so during peak noise events when aircraft are passing close by, also breaches Development Plan policy. In this case, and having considered the sporadic context of the noise events and the general absence of impact at weekends, Officers consider that a grant of planning permission could be justified in this case despite of the proposal's identified conflict with WHO guidelines and (therefore) local planning policy. Officers consider there would be a degree of harm arising from the impacts of aircraft noise and attribute the conflict moderate weight in the planning balance.
347. The absence of capacity at the local primary school to cater for the pupils emerging from this development on a permanent basis is regarded as a dis-benefit of the development. The in-combination effects of this development with other planned housing developments at Lakenheath could have significant impacts upon local primary education provision and could force some pupils to leave the village to secure their primary school place. This harm is tempered, however, by temporary nature of the arrangement whilst a new school is built and in the absence of objections from the Local Education Authority. Furthermore, the Local Education Authority has not suggested that pupil attainment would be adversely affected by any temporary arrangements to transport pupils to other locations (should this indeed be necessary). This short term and low level harm identified is attributed only very limited weight against the proposals.
348. As previously confirmed, Section 38(6) of the 2004 Planning Act states planning applications should be determined in accordance with the Development Plan, unless material considerations indicate otherwise. The NPPF reinforces the approach set out in Section 38(6). It emphasises the importance of the plan-led system and supports the reliance on up-to-date development plans to make decisions. As already noted, this is not a case where the presumption in favour of sustainable development (in paragraph 11 of the NPPF) is applicable. Paragraph 12 of the NPPF does recognise that local planning authorities may take decisions that depart from an up-to-date development plan, but only if material considerations in a particular case indicate that the plan should not be followed. That proviso reflects the statutory test. In this case, a number of matters arise from the proposed development which constitute other material considerations, including;
- The absence of a five year supply of land (should the current planning applications at Lakenheath not be approved) lends significant weight in support to the principle of these development proposals, notwithstanding the fact there is no presumption in favour of the development under the provisions of the NPPF.

- The proposals would provide 20.1 affordable housing units (with the 0.1 secured as a financial contribution towards off-site provision). Officers consider this should be afforded significant weight in support of the proposals.
- The application site is allocated for a housing development of the same scale as that proposed by this planning application in the emerging Site Allocations Local Plan document. Whilst the plan has reached an advanced stage, having been the subject of hearings before Inspectors, including sessions to examine the Inspectors modifications, the Inspectors final report is currently awaited. As there were unresolved objections to the inclusion of the application site within the document, officers consider the allocation of the application site for housing development within the emerging Plan should be afforded only moderate weight at the present time.
- The construction of the site would lead to economic gains realised through the financial investment and employment created during this phase. Further benefits would accrue from the increased population that would spend money in the local economy and the increased housing stock would provide accommodation for more workers. Such benefits would, however, also be realised equally if these dwellings were to be provided elsewhere in the District on alternate sites. This consideration serves to temper the weight to be attributed the economic benefits, which officers consider should be afforded only modest weight in support of the development proposals.
- The majority of developer (cash) contributions are secured from the proposals in order to mitigate impacts identified from the development (for example education provision and highway works) and are therefore considered neither benefits nor harm. The provision of public open space on the site and a financial contribution to provide a bridge over the drainage channel to the north of the village to connect to the footpath on the north side of the water course however, would be available for use by more than the residents of the scheme and officers consider these new community assets should be afforded moderate weight in favour of the scheme.

349. It is your officers' view that the benefits of the development set out above are relevant 'material considerations' to assist with consideration of whether planning permission should be granted as a departure from the Development Plan in this case. The weight to be attributed to the identified 'benefits' and 'harm' identified is a matter for the decision maker to consider and balance in each case. The Committee will need to resolve whether the 'material considerations that may indicate otherwise' are of sufficient weight to override the identified breaches of current Development Plan policies.

350. In this case, officers have carefully considered the 'other material considerations' raised by the application proposals and conclude the collective benefits that would arise from the application proposals are substantial and are of sufficient weight to warrant a planning decision contrary to the Development Plan. The identified benefits are also considered to outweigh the moderate harm identified to primary education, the landscape, loss of agricultural land and impacts upon the amenities of incoming residents to the development whose gardens areas (and public open

space) would be adversely affected by noise from military aircraft activities. Officers' conclude that a decision which departs as an exception to the normal provisions of the Development Plan is justified in this case.

351. Having carefully considered all of the issues raised by the planning application proposals, including the evidence and opinions submitted on behalf of the applicants, the contributions of key consultees and the views of the Lakenheath Parish Council and Members of the public whom have participated, your Officers have formed a view there is sufficient planning justification to recommend that planning permission is granted, subject to prior completion of a S106 Agreement to secure necessary developer contributions and a number of controlling and safeguarding conditions.

Recommendation

352. That, planning permission be granted subject to:

The completion of an Agreement (or equivalent) under S106 of the Town and Country Planning Act 1990 (as amended) to secure::

- Affordable housing (30% = 20 units on site – 14 rented and 6 intermediate and 0.1 units by means of a developer contribution - £6,940)
- Education contribution (Primary School - £262,388 for build costs and a proportionate contribution towards land acquisition costs – £18,116)
- Pre-school contribution (£64,526 for build costs and £4,344 for land acquisition costs)
- Libraries Contribution (£14,472)
- Public Open Space maintenance contribution (optional payment only relevant if the land is transferred subsequently to the District Council for future maintenance - £36,090)
- Strategic Highway Contribution - £21,176.24 (for sustainable links to village amenities – pro rata contribution)
- SPA Recreational Impact Contribution (to provide a bridge pedestrian crossing of the drainage channel to the north) £120,000

And conditions, including:

1. Time limit (3 years for commencement)
2. Compliance with the approved plans
3. Materials (use of those proposed)
4. Bin and cycle storage strategy for the affordable flats (details to be approved and thereafter implemented)
5. Public open space (strategy for future management and maintenance)
6. Landscaping (precise details of new hard and soft landscaping, including of the public open space)
7. Ecology (precautionary mitigation and enhancements at the site)
8. Construction management plan (to include waste minimisation and recycling, tree/hedgerow protection measures/deliveries management plan, dust management, wheel washing, working hours (including deliveries and operation of generators, lighting scheme (if any), site compound/storage/staff parking areas)
9. As recommended by LHA (as summarised at paragraph 26 above, including reasonable Travel Planning requirements)
10. Contamination & remediation (further investigations and any

- remediation necessary)
11. Means of enclosure
 12. Noise mitigation to the dwellings (to ensure WHO standards are met within internal areas)
 13. Fire Hydrants (details of provision within the site to be submitted and approved)
 14. Compliance with Building Control Requirements for reduced water consumption
 15. Implementation and management/maintenance of a surface water drainage scheme.

That, in the event of the Assistant Director of Planning and Regulatory Services recommending alternative (reduced) Heads of Terms from those set out at paragraph 352 above or not completed within a reasonable period, the planning application be returned to Committee for further consideration.

Documents

Attachments:

WORKING PAPER 1 – Habitats Regulations Assessment (Jaki Fisher – June 2018).

WORKING PAPER 2 – Statement of Common Ground between Forest Heath District Council and the Defence Infrastructure Organisation (August 2017).

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=MW5ML2PDH4S00>