



Forest Heath
District Council

DEV/FH/18/020

Development Control Committee 5 September 2018

Planning Application F/2013/0345/OUT - Land at Rabbit Hill Covert, Station Road, Lakenheath

Date: 22nd November **Expiry Date:** 21st February 2014
Registered: 2013

Case Officer: Gareth Durrant **Recommendation:** Grant planning permission

Parish: Lakenheath **Ward:** Lakenheath

Proposal: Erection of up to 81 dwellings.

Site: Rabbit Hill Covert, Station Road, Lakenheath

Applicant: Mr James Waters

Synopsis:

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

Recommendation:

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

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Background:

This application is referred to the Development Control Committee as it is a proposal for 'major' development. Furthermore the recommendation to grant planning permission is contrary to the provisions of the extant Development Plan. The proposal also raises complex planning issues of District wide importance.

The applicant is an Elected Member of the Council.

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 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 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. The application seeks outline planning permission for the erection of up to 81 dwellings. All matters are reserved such that the planning application seeks to establish the principle of developing the site for housing.
2. During May 2014 the 'up to' number of new dwellings proposed by the planning application was amended from 100 (as submitted) down to 81.

At this time further information was submitted to amend and supplement the planning application. The following documents were received:

- Amended illustrative site layout
 - Amended Design & Access Statement
 - Flood Risk Assessment
 - Archaeological Evaluation Report
 - Stone Curlew Information (a confidential document)
3. In August 2014 the applicant submitted a noise assessment to assess the impact of aircraft noise.
 4. In July 2018 a further noise assessment was submitted.

Application Supporting Material:

5. The following documents were submitted to support this application when it was registered in November 2013:
 - Forms and drawings including site location, site survey and illustrative layout.
 - Design & Access Statement
 - Noise Assessment
 - Protected Species Walkover Survey and Desk Study
 - Transport Assessment
 - Phase 1 and 2 Desk Study and Site Investigation Report (contamination)
 - Archaeological Desk Based Assessment
 - Tree Survey Information
 - Sustainability Appraisal
 - Flood Risk Assessment
6. 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 been the subject of separate public consultation.

Site Details:

7. The site is situated to the north of Lakenheath. It is approximately 3.5 hectares in size, is presently in agricultural use (Grade 3) and has a tree lined frontage onto the highway of Station Road. Trees situated at the site frontage (south) and the side boundary (west) are protected by Tree Preservation Order.

8. The application site is situated outside but abuts the settlement boundary of Lakenheath. The settlement boundary terminates at the west site boundary but includes existing development on the opposite side (south) of Station Road. The site is thus situated in the countryside for the purposes of applying relevant Development Plan policies. The site is abutted to the north and east by agricultural land (which is also the subject of a 'live' planning application for development – register reference DC/14/2096/HYB)
9. The site frontage has the benefit of a mature landscaped frontage of mixed species, including some pines. Some low density housing abuts the west boundary and there is a small housing estate of bungalows on the opposite side of the highway. The bulk of the settlement and key village amenities are located further south in the village.
10. There are no landscape or heritage asset designations at the site, although the Lakenheath Conservation Area is situated close to the south-west corner of the site (on the opposite side of Station Road). The Environment Agency flood risk maps indicate that the site is situated within Flood Zone 1 (with little or no risk of flooding).

Planning History:

11. 1985 - Planning permission refused for one dwelling and garage (on a plot situated at the southwest corner of the current application site). Register reference F/85/076.
12. 1986 – Planning permission refused for Bungalow and Garage (on a plot situated at with the southwest corner of the current application site). Register reference F/86/0125.
13. Earlier this year in June, planning permission was granted for the construction of a new access road for proposed primary school (DC/18/0246/FUL). The proposals include vehicular access into the application site and pedestrian/cycle paths to the school site which would pass through the 'Rabbit Hill Covert' application site.
14. 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	Up to 81	The subject of this

		Hill Covert, Lakenheath		report.
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	To be re-considered by the Development Control Committee.
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:

15. **Environment Agency –object** – (December 2013) and comment that the submitted Flood Risk Assessment does not provide a suitable basis for assessment to be made of the flood risks arising from the proposed development. The Agency goes on to advise how its objection can be resolved.
16. **Environment Agency – no objections** – (May 2014) following receipt of an amended Flood Risk Assessment remove their previous objections to the planning application and recommend imposition of conditions regarding surface water drainage and potential land contamination. The Agency also provides advice for the benefit of the applicant/developer.
17. **Anglian Water – no objections** – (January 2014) confirm that the

sewerage system and waste water treatment plant (Lakenheath STW) have capacity available to accommodate waste water generated by this development.

18. **Anglian Water Services** – (May 2014) do not wish to comment further at this stage.
19. **Natural England** – (December 2013) **no objection** but requests further information – comments the site is 2.2km from RAF Lakenheath Site of Special Scientific Interest (SSSI). This SSSI is part of the Breckland Special Area of Conservation. It is also about 2km from Breckland Farmland SSSI which is part of Breckland Special Protection Area. The application site is outside the 1500m stone curlew 'buffer' to the SPA. However, we advise that the applicant is asked to determine whether there are any known stone curlew nest sites within 1500m of the development, i.e. outside the SPA. If there are nest sites, then further consideration of the impact on stone curlews will be required.
20. Natural England advises that the proposal, if undertaken in strict accordance with the details submitted, is not likely to have a significant effect on the interest features for which Breckland SAC/SPA has been classified. Natural England therefore advises the Council is not required to undertake an Appropriate Assessment to assess the implications of this proposal on the sites conservation objectives. Natural England is also content the development would not affect the Pashford Poors Fen, Lakenheath (SSSI), Lakenheath Fen SSSI and Maidscross Hill, Lakenheath SSSI/Local Nature Reserve.
21. Following consultation on the information **Natural England** had requested previously, the body again confirmed it held **no objections** to the proposals and repeated earlier advice.
22. **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 (at the time) 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]*.
23. Further comments were received in June 2015 after **Natural England** had given further consideration to potential 'in-combination' impacts of various planning application for development with the Council at the time. Natural England raised **concerns and objections** to the planning application 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 held at the time proposes 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 Maidscross Hill SSSI from further damage caused by further (increased)

recreational pressure arising from the proposed developments.

24. Following submission of a Habitats Regulations Assessment with planning application DC/14/2096/HYB, which considered the potential cumulative impacts to the SPA of a number of planning applications in the village, including that being considered by this Committee report, **Natural England** confirmed (in December 2015) the document had adequately addressed their concerns and confirmed it **no longer objects** to the proposals and reached the following conclusions:
 - Natural England is now satisfied that the application will be unlikely to significantly affect the qualifying species of the SPA, either directly or indirectly or result in significant effects to the integrity of Breckland SPA. We therefore have no further issues to raise regarding this application and do not consider that an appropriate assessment is now required.
25. **Defence Infrastructure Organisation** – (February 2014) **no objections**, and request further consultation at Reserved Matters stage.
26. **Defence Infrastructure Organisation** – submitted further representations in September 2016 and **objected** to the application. Their comments are summarised as follows:
 - It is important to acknowledge that the MoD supports the basic principle of new residential development in the local area. However, in these circumstances, the MoD wishes to outline its concerns regarding this planning application.
 - 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 directly underneath 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 relied upon by 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 vehicular access to RAF Lakenheath should be refused planning permission, unless appropriate mitigation is provided by the developers.
27. 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.
28. **NHS Property Services** (January 2014) – '**no objections**' to the planning application and no request for a contribution to be used towards health infrastructure.
29. 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.
30. **Suffolk Police Authority** – (December 2013) – **did not wish to comment** at the time.
31. **FHDC (Environmental Health)** – (February 2014) **no objections** – subject to the imposition of conditions to ensure i) the site is adequately investigated for contamination and any contaminants remediated, ii) to mitigate the impact of noise disturbance to existing local residents (construction management and hours of working).

32. In December 2014, the Council's **Public Health and Housing** officers noted the noise impact assessment confirmed revised noise calculations would need to be undertaken once the scheme layout, floor plans and elevations have been finalised. The following conditions were recommended:
- Construction method statement (to address construction noise management, hours of working, use of generators (hours) necessity to agree out of hours working, burning of waste and dust management).
33. 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.
34. In July 2018, following consultation on the applicants noise assessment, the Council's **Public Health and Housing** Officers raised **no objections** to the planning application and provided the following comments:
- Subject to the advice provided below and adoption of appropriate conditions at full application and development stages I could support the outline applications.
 - I accept the updated noise assessment in respect of the methodology and time periods for noise monitoring of existing road and aircraft impacts.

- With respect to road and aircraft noise in response to any planning approval conditions are required (sound insulation and a demonstration that sound reduction has been achieved).
- With respect to mitigation options for road traffic on the B1112 I agree with the proposal for a 1.8m close boarded fence along this boundary and the requirement to appropriately orientate bedrooms of dwellings along this boundary away from direct line of sight of the road. This should be conditioned.
- Further conditions requiring a construction method statement, including hours/restrictions for construction activities and generator use are recommended.

35. **FHDC (Leisure, Culture and Communities) – (January 2014) no objections** -comments on the planning application as follows;

- The two central areas of open space, should be combined to make one meaningful space, this would provide an area large enough to use and reduce the impact of use on neighbouring properties.
- The space should contain natural playable features.
- The central area should be surrounded by a knee rail.
- Detail of soft landscaping and tree planting required.
- Red line plan confirming all adoptable areas.
- The green spaces adjacent to parking spaces and turning heads should be protected by a knee rail.
- Any formal play provision should be off site and provided at one of the existing play areas in Lakenheath.
- All other provision should be in accordance with the SPD for open space, sport and recreation facilities and also provided off site at suitable locations within Lakenheath.

36. **FHDC (Strategic Housing) – (January 2014) objects** on the grounds that apparently less than the policy requirement of 30% affordable housing provision is offered from the development. The following comments are provided:

- The Strategic Housing team does not support this development in Lakenheath. Forest Heath's Core Strategy Policy CS9 states a requirement of 30% affordable housing. This development does not meet Policy CS9 and although the viability issue has been mentioned in the Affordable Housing Statement, no viability assessment has been completed at this stage.

- There is strong evidence from the Housing Register and the SHMA to conclude that we need a variety of tenure and mix in Lakenheath. There are currently 199 applicants in housing need on the Housing Register with a preference to live in Lakenheath.
- Based on the housing register figures, below is an indicative mix of what would be required (based on 30 affordable homes);
 - 13 x 1 bed (2 person)
 - 12 x 2 bed (4 person)
 - 4 x 3 bed (5 person)
 - 1 x 4 bed (6 person)
- There would be a need for circa 5% of the overall affordable housing mix to be bespoke for households with specific needs i.e. wheelchair accessible, and Strategic Housing would be happy with a mix of flats and houses.
- Our Affordable Housing SPD requires a tenure split of 70/30 (affordable rent/intermediate housing) however the latest SHMA data is indicating a closer tenure split to 80/20.
- We would also encourage working with a Registered Provider of Affordable Housing at an early stage and require the affordable homes meet the Homes and Communities Agency (HCA) design and quality standards.

37. **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. In general the site is screened from the B1112 Station Road by a tree screen which is protected by a tree preservation order. The site is open to the north and the east
- The proposal is to access the site through this protected tree screen however the practicality of how this could be achieved without the loss of a significant number of trees has not been clarified although one option is shown. It is likely that trees would be lost to accommodate the actual access road, to provide the necessary visibility spays and adjacent trees in the vicinity where the root protection area (RPA) of the trees are disturbed potentially affecting tree stability. The submitted details do not allow for an accurate assessment of tree loss. There is potential to take the access through a section of the tree belt where there are few trees thus limiting the loss. This would need to be explored as part of the reserved matters.
- The proposals, in general, include for the retention of many of the existing TPO trees. These trees will need to be protected through sensitive design of the site and during the construction period. A tree

protection plan should be provided with the reserved matters.

- 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 a landscape strategy which states that additional landscape planting will be developed on the northern and eastern boundaries of the site. The strategy will need to be developed further if the application is approved
- Recommend that a landscape strategy is conditioned to be submitted alongside the reserved matters master plan showing how these principals have been addressed.
- Detailed soft and hard landscaping to be submitted and implemented

SUDs

- The provision of sustainable urban drainage is not shown on the indicative 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 confirmed that they do not object to the proposals and that there would be no impact on statutory sites including Breckland SAC and SPA and SSSI's (Pashford Poors Fen, Lakenheath (SSSI), Lakenheath Fen SSSI and Maidscross Hill SSSI/Local Nature Reserve)
 - An ecological assessment accompanies the application which has assessed the risk to habitats and species. The report identified that there is the potential for impact on bats resulting from the removal of trees to form the site access. Further information relating to the bat roost potential of the existing trees and potentially survey of any trees to be removed is required at reserved matters stage. Environmental enhancements (DAS 4.16) are also required and there provision should be included in the landscape plan for the site. Other recommendations of the ecology report should be implemented in full and if a period of time elapses prior to development of the site additional survey will be required.
38. In August 2016, the Council's **Ecology and Landscape Officer** updated her previous comments with respect to the planning application. The main changes/additional advice is summarised as follows:
- The landscape strategy (to be developed at Reserved Matters stage) may also need to consider the relationship with the adjacent

development site.

- A tree protection plan should be conditioned.
- Ecological surveys (and any mitigation requirements arising) should be updated at Reserved Matters stage.
- If tree removed is found to be required, the specimens should be surveyed for bats in advance.
- Natural England has provided advice and is satisfied that the application will be unlikely to significantly affect the qualifying species of the SPA, either directly or indirectly or result in significant effects to the integrity of Breckland SPA. Natural England has advised that an appropriate assessment is not required.
- The Ecology and Landscape Officer also took the opportunity to re-consider the proposals against the requirements of the Habitats Regulations and concluded (again) that an Appropriate Assessment is not required in advance of a (potential) grant of planning permission for this development.

39. In April 2017, the Forest Heath District Council's **Ecology and Landscape Officer** again updated her comments about the planning application as follows:

Stone Curlew Buffers in the Brecks - 21st July 2016

- At about the time that the application was previously reported to committee, the Council published up-dated Special Protection Area constraints buffers taking into account Natural England's advice and new information that has come to light since the Core Strategy was published. In particular the frequent nesters buffer was re-visited.
- Policy CS2 of the Core Strategy defines constraint zones to Breckland SPA. These also protect land outside the SPA, considered to be supporting habitat, which is used by Stone curlew considered to be part of the same Breckland population. The policy requires that all development within 1,500m of a 1km grid square which has supported 5 or more stone curlew nesting attempts since 1995 will require a project level HRA.
- The stone curlew population is currently increasing and the birds use areas outside the SPA boundary for both breeding and foraging. Forest Heath commissioned Footprint Ecology to review the constraint zones previously used. There is still strong evidence that the 1500m distance is appropriate, however it is important to ensure up to date data are used to reflect the areas of the SPA used by Stone Curlews and the areas outside the SPA that are also important. More recent stone curlew data (2011-2015 inclusive) were used to review the constraint zones relating to supporting habitat outside the SPA.

- In advising on direct impacts of this planning application upon the SPA, Natural England paid full regard to the relevant nesting records which also informed the revised nesting buffers. Accordingly, the updated buffers (which have now caught up with the source nesting records) do not affect Natural England's advice nor the Councils HRA screening.

Emerging Single Issue Review and Site Allocations Local Plan

- The Council has submitted the emerging 'Single Issue Review' and 'Site Allocations Local Plan' documents to the Planning Inspectorate for examination. The plans were submitted on Thursday 23rd March 2017. This means that increased weight can be attributed to the provisions of the policies contained in those documents given the next stage in the process of preparing the Plans has been reached.
 - Policies SA8 of the Site Allocations Document allocate sites for housing development at Lakenheath including Land north of Station Road. The policy requires: measures for influencing recreation in the surrounding area to avoid a damaging increase in visitors to both Maidscross Hill and the Breckland SPA; strategic landscaping and open space. This adds further weight to the need for the proposals, to provide onsite open space and a proportionate contribution towards strategic green infrastructure for Lakenheath which could be related to the Cut-Off Channel or other project.
40. In August 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.
 41. **Suffolk County Council (Highways – Development Management)** – (December 2013) raises **no objections**, subject to conditions (details of the access & internal estate roads, bin storage areas, junction visibility splays and phasing of construction of the new road infrastructure. The Authority has also requested developer contributions towards off site highway improvements (Footway widening for a safer cycle way (£50k); Street lighting and street furniture re-location (£15k) and an uncontrolled crossing (£10k).
 42. **Suffolk County Council (Highways – Development Management)** – (July 2014) provides commentary about the amended illustrative layout of the site and repeats previous requests for conditions and S106 contributions.
 43. **Suffolk County Council (Local Highway Authority)** – In September 2014 provided comment and recommended conditions as follows:

- Due to Station Road being a 60mph up to the entrance of the site I would require a 30mph extension to the speed limit for the frontage of the site. I would also require gateway improvements at the terminal signs. Features such as picket gates, road markings etc.
- I would require the 30mph limit to be place prior to planning approval.
- There appears to be insufficient parking to meet our maximum parking standards. As this site is on the edge of the town, maximum standards should be applied.
- Several dwellings appear to have no parking or in the case of plots 39 and 51, it is not clear as to where there garages are. I require a parking schedule showing the parking for all the plots. Parking should also be reasonably local to the dwelling to encourage usage and deter parking on the roads.
- I also require the achievable visibility splays to be shown on a drawing.
- The entry access road is very straight. This layout may encourage inappropriate speeds into the residential area.
- Once these issues are addressed my conditions would be; details of the access and visibility splays, estate roads and footpaths, bin storage to be provided; no dwelling occupations until carriageways and footways for the dwelling has been provided and; withdrawal of permitted development rights to protect access visibility splays.

44. In January 2018, **Suffolk County Council Highway Authority** took the opportunity to review its advice about the application proposals. **No objections** were raised and the following comments were made:

- Due to Station Road being a 60mph up to the entrance of the site I would require a 30mph extension to the speed limit for the frontage of the site. I would also require gateway improvements at the terminal signs. Features such as picket gates, road markings etc. I would require the 30mph limit to be place prior to planning approval.
- There appears to be insufficient parking to meet our maximum parking standards. As this site is on the edge of the town, maximum standards should be applied.
- Several dwellings appear to have no parking or in the case of plots 39 and 51, it is not clear as to where there garages are. I require a parking schedule showing the parking for all the plots. Parking

should also be reasonably local to the dwelling to encourage usage and deter parking on the roads.

- I also require the achievable visibility splays to be shown on a drawing.
 - The entry access road is very straight. This layout may encourage inappropriate speeds into the residential area.
45. Conditions were also recommended to address: details of the access and visibility; storage for refuse bins; details of the estate roads and footpaths; timing of construction of the carriageways and footpaths; junction improvement works at Eriswell Road (Sparks Farm). S106 payments of £25,601.13 (or £316.07 per dwelling) was requested to be used towards the provision of sustainable transport routes to local amenities. 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.
46. **Suffolk County Council (Transport Strategy – Travel Planning)** – (June 2014) comments that There is a reference in the Transport Assessment that a travel plan is to be submitted for this development. I would require this travel plan to be submitted and approved prior to the first dwelling being occupied. If possible, I would recommend that there is a legal obligation or planning condition to ensure the travel plan is properly implemented by the developer.
47. **Suffolk County Council (Archaeology)** (December 2013) – **Objects** – The Authority comments that the site lies in an area of archaeological potential as recorded in the County Historic Environment Record (HER). A desk based assessment with this application presents a summary of known archaeological remains within the vicinity of the site, which includes a crop-marked ring ditch to the north and extensive finds from the Roman, Saxon and medieval periods to the north, south and east.
48. For these reasons, and in order to establish the full archaeological implications of this area, the applicant should be required to provide an archaeological evaluation of the site before the determination of the planning application to allow for preservation *in situ* of any sites of national importance that might be defined. These comment were repeated in February 2014.
49. **Suffolk County Council (Archaeology)** – (May 2014) **no objections** and comment that a program of archaeological field evaluation comprising geophysical survey and trial trenching was conducted on the application site in April 2014, in accordance with a brief issued by the Suffolk County Council Archaeology Service Conservation Team. The field evaluation demonstrated that there were no below ground heritage assets on the application site. Consequently, we have no objections to

the proposals and do not believe that any archaeological mitigation is necessary.

50. **Suffolk County Council (Planning Obligations Manager)** – In December 2014, provided comments (and calculated developer contributions) for the original 100 dwelling scheme as originally submitted. Following consultation on the amendments made to the planning application including a reduction in housing numbers to 81 dwellings , in January 2013, the following amended comments were provided:

- 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.
- **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 25 primary school places. The contribution to be secured from this development is therefore £444,450 (25 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 = £3,925.
- 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 decision is made on this application. The existing village primary is a full capacity.
- **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 14 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 £60,910 is requested.

- In Lakenheath, census data shows there is an existing shortfall of places in the area.
- **Play space provision.** Consideration will need to be given to adequate play space provision.
- **Libraries.** A capital contribution of £21,600 to be used towards libraries is requested. The contribution would be available to spend in Lakenheath.
- **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.** In the interim, 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).

51. **Suffolk County Council (Planning Obligations Manager)** submitted a '**holding objection**' and further interim comments in May 2014. The following comments were received at that time;

- I previously provided a comprehensive response by way of letter dated 23 January 2014 which the Development Control Committee will need to consider in due course. 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 can be resolved in the absence of a Site Allocations document. The county council is keen to continue discussions with the district council to examine this matter in order to agree a project plan for delivery of the new school.

52. **Suffolk County Council (Head of Planning)** – (representations received 8th August 2014) removing the holding objection to the planning application made previously by the Planning Obligations Manager. The following comments were received;

- The county council's substantive responses regarding education matters for these 3 applications was set out by way of letters dated 23 January 2014, which for sake of completeness also referred to mitigation measures sought for early years and libraries.
- However as this application has recently been amended to 81 dwellings the adjusted early years and libraries contributions previously requested are now respectively reduced to £48,728 and £17,496.
- 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 and updated above to reflect the revised scheme of 81 dwellings.
- On this basis we would request the following updated contributions in respect of education mitigation from this particular scheme of 81 dwellings, namely:
 1. Based on the methodology set out in the adopted Developers Guide we estimate that a minimum of 20 primary age children will arise from a scheme of 81 dwellings.
 2. The pro-rata contribution towards the full build cost of a new school is £355,560 (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 £109,820. 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).

53. **Suffolk County Council (Planning Obligations 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 - £374,840 towards build costs and £25,880 towards land costs.
- Secondary Education – capacity available, no contribution.
- Pre-school provision - £86,664.
- Libraries - £17,496.

54. 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 £374,840 (and an additional £25,880 for land). 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 £73,744 with a further contribution towards land acquisition for the pre-school setting (£4,965).
55. **Suffolk County Council (Suffolk Fire and Rescue Service) – (December 2013) no objections** – Requests adequate provision of fire hydrants (to be secured by condition) and provides advisory comments for the benefit of the applicant/developer (access for fire engines, water supply and use of sprinkler systems in new development).

Representations:

56. **Lakenheath Parish Council – objects** (January 2014) and provides the following comments –
- The Parish Council is very disappointed that the developer has not sought to engage with them prior to the application being submitted given the proposed scale of development.
 - The grounds for objection are as follows :-
 - the proposed site lies outside the current development area and as such pre-empts the Single Issue Review
 - the proposed site encroaches on the wildlife "buffer" zone and the natural boundary of the village - thus contrary to FHDC Policy CS2. NPPF indicates that care should be exercised to prevent development

sprawling into the countryside.

- the density and layout of the proposed dwellings is out of character (dwellings in Drift Road sit in spacious grounds, a setting more amenable and pleasing when location, on the outskirts of the village, is viewed); the design unimaginative and parking totally inadequate given the poor level of public transport within the village, thus contrary to FHDC Policy 4.14, Policy CS3, more importantly, Policy CS5 and Policy CS6.
- the site is too close to the flight path for the nearby base at RAF Lakenheath which sees the arrival of many NATO aircraft
- the village school, despite recent alterations and improvements, has no extra capacity
- the site forms part of a detailed FHDC water cycle study which has shown that "upgrades to approx. 700mt of existing sewerage network through the town". If such work is undertaken, it would only be cost effective in upgrades in two other sites (L14 & L28) were to be carried out at the same time. Such work would require a 1- 3 year time frame
- Finally, the site is within an area of high archaeological finds and it is felt that a field survey, rather than a desk top assumption should be carried out (NPPF s128 & 129 refer).

57. **Lakenheath Parish Council** (February 2014) - **additional comments** 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."

58. **Lakenheath Parish Council** – (June 2014) **objects** to the amended planning application and comments as follows–

- The Parish Council is very disappointed that the developer has again not sought to engage with them prior to the amended application being submitted given the proposed scale of development.
- The Design and access statement point 6.2 states: to ensure that the local community had the opportunity to have an input in the scheme a number of meetings have been held in regard to development proposals at Lakenheath. There has been no prior Parish Council or Village community Consultation in relation to this site at any time.
- Referring to the Design and access statement point 9.3 this is a totally incorrect assumption as there is not easy access within the Village. It is over a mile to Shops and the School. Public Transport has recently been reduced. There is no direct route to Bury St Edmunds now. Trains only stop at Lakenheath Station, some 2 miles

from the proposed development at weekends as a request stop only which has to be arranged in advance. Additionally there is no longer any parking at the station and as it is so far outside the village access can only be by car. This cannot be deemed reasonable mode of transport.

- The proposed site lies outside the current development area and as such pre-empts the Single Issue Review.
- The proposed site encroaches on the wildlife "buffer" zone and the natural boundary of the village. This is contrary to FHDC Policy CS2. NPPF indicates that care should be exercised to prevent development sprawling into the countryside.
- The density and layout of the proposed dwellings although now reduced is out of character (dwellings in Drift Road sit in spacious grounds, a setting more amenable and pleasing when location, on the outskirts of the village, is viewed). The Planning inspector has previously held up a planning application 3 times within the area as a unique and distinctive area and should be retained as such primarily citing (retained policy) 4.14 – "out of character and detrimental to the environment / locality".
- The affordable housing is all concentrated in one place. We surely want to see mixed communities not ghettoization! Just look at Jubilee Road. Any future development anywhere in Lakenheath should be enhanced by designing mixed housing and communities. On entering the Village from the North this will be the first area of the Village viewed therefore should be aesthetically pleasing.
- Parking on the site is totally inadequate, especially to plots 10 to 29, given the poor level of public transport within the village, thus contrary to FHDC Policy 4.14, Policy CS3, more importantly, Policy CS5 and Policy CS6. Why is the garage for plot 38 next to house on plot 37? Why are there shared road surfaces for the bulk of the proposed estate?
- The site is too close to the flight path for the nearby base at RAF Lakenheath which sees the arrival of many NATO aircraft. The site lies under the flight path of returning F15 aircraft as well as being the main route for outgoing helicopters. An independent noise survey should be obtained from the Civil Aviation Authority as spoken of at the informal partial stakeholder meeting held at Lakenheath Primary school on Thursday 29th May 2014. More importantly FHDC are to publish a full Environmental Impact Assessment screening as required by UK planning law, including an independent area wide study for Lakenheath on the impact of noise and vibration from ground and flight path impacts.
- The village school, despite recent alterations and improvements, has no extra capacity. There is already a holding order from Suffolk CC in relation to the Bennett's proposals at Briscoe Way till a new site

can be located to provide additional school. This should apply to this site too.

- Health care provision will not be adequate to cope with the extra occupants from the Estate as it is now 2 weeks to get an appointment to see a doctor and this will not improve. Is this acceptable NHS standard?
- The site forms part of a detailed FHDC water cycle study which has shown that "upgrades to approx. 700mt of existing sewerage network through the town". If such work is undertaken, it would only be cost effective if upgrades in two other sites (L14 & L28) were to be carried out at the same time. Such work would require a 1- 3 year time frame. No major building works should be contemplated till this is sorted per core strategy which would not be till the earliest 2015 as advised by Anglian Water.
- A second access way into the proposed development as only one access to 81 dwellings seems totally inadequate.
- Finally, Highways, there is insufficient infrastructure now. The High Street is already congested at various times of the day. Most jobs are to the South of the Village and this takes most traffic through the High Street and onto Eriswell therefore a new relief access way should be arranged to the B1065 probably at the edge of RAF Lakenheath by the tree line from Eriswell Road.
- We need to restate that our solicitors letter of 14th May attached to Briscoe Way (DC/13/0660/FUL) still stands and the approval of any application at this stage will result in the Parish seeking Judicial review.

59. **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. 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.
60. In September 2014 the **Lakenheath Parish Council** wrote to confirm it had no further comments to make.
61. **Lakenheath Parish Council** – (late January 2015) 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 23 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 Natural England's June 2015 objections were subsequently withdrawn following receipt of further information – paragraph 24 above].
 - 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.
62. **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".
63. In June 2017, **Lakenheath Parish Council** submitted further

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 comments by summarising its objections to the planning application, primarily on noise grounds and, in their view, the absence of adequate noise assessment. They also allege that the Committee [June 2017] was being misled by the content of the officer report and that it gave rise to the decision [to approve] being challenged in the High Court. They also refer to an appeal decision where an inspector determined that aircraft noise was inconsistent with residential development where the output noise exceeded 60 dB(A) and included extracts of the appeal decision with their letter.

64. 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.
65. 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.
66. 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.
67. 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 again 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 airforces, 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 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 Rabbithill Covert report which suggest that aircraft relatively close to, but not directly over the Rabbithill Covert sites. 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 suitability of the measurement location at the Rabbithill Covert site (located approximately 400m to the east of the Briscoe Way site) is dependent on the location of the aircraft and altitude above the ground. Unless these parameters were identical for all aircraft sorties, the relationship between these factors would change for different scenarios, and therefore the approximate relationships used between these data could not be relied on in all instances.
- 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, guidance 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.

68. In July 2017 (following consultation on the applicant's noise assessment) the **Lakenheath Parish Council** maintained their **objections** to the planning application and commented as follows *[note these comments were submitted jointly with planning application DC/14/2096/HYB given that the noise assessment addresses noise impacts to both sites. Application 14/2096 includes proposals for a primary school. Any comments made in respect of the primary school are removed from this summary as they are not relevant to the determination of this planning application]*:

- The previous position of Lakenheath Parish Council is still extant and the following comments merely apply to the applicants' noise assessment.
- First and foremost, it is just yet another eight-day survey covering a period of less jet movement activity than normal from RAF Lakenheath. (PCS season or change in station is upon us). The Parish Council has repeatedly called for a survey of a much longer duration (one month minimum), to give a better and more accurate reflection of the noise profile in our locality.
- A noise survey for a longer duration would cover the variability of aircraft activity which has so far been distorted by all the previous surveys which have always been restricted to one week. Other important parameters need to be measured in conjunction with noise measurements. Most importantly wind speed, wind direction and the degree of cloud cover. These weather conditions have a dramatic effect on the noise perception and experience in this locality. As an example, we have had more northerly winds recently and as the jets take off into wind it has been in the opposite direction to normal creating a different noise nuisance.
- In the last paragraph of section 2.2 AJA make the valid point that "Both the WHO Guidelines and BS 8233 are really only appropriate for "impersonal noise" such as continuous road traffic. Noise which is attributable to a particular source or which has a tonal or intermittent characteristic may cause annoyance at lower levels than these and in such cases an assessment linked to background noise levels may be more appropriate." But then go on to use the 16hr daily average levels in the assessment, rather than comparing aircraft with background level to show how intrusive this noise is. They even say at the end of 5.4 "However, given the short duration of overflights and the low residual ambient level, we do not expect the amenity of external areas to be significantly reduced." Suggesting the large difference between ambient and aircraft noise

levels is a mitigating factor, rather than the reason for it being especially intrusive.

- Flight activity on the day of the assessment was 30 movements, which AJA scale up to the 90 movements described as typical by Sqn Ldr Neild from 45 aircraft. Even if “each jet undertakes three further overshoots and additional circuits prior to a full stop landing” (as Lakenheath Parish Council have had confirmed by the Ministry of Defence) – which seems like a lot of activity for an average single sortie, 45 aircraft could only give rise to 225 movements at most, when the average assumed for the scoping comparison (confirmed again to us by the MOD, as above mentioned) was 242.
 - Additionally, in 5.4 it states “There are no effective practicable methods of reducing aircraft noise in external amenity areas. We have therefore not specifically considered noise mitigation measures against aircraft noise for the external amenity areas of individual residences”. How can this be ignored? Especially as it refers to domestic housing. It is true that at times the noise is of a short duration but many times it can be continual for 30 minutes or even an hour when touch and go exercises occur. Alarm bells should ring here? This report renders the external areas unusable. Surely having a garden should be an amenity to enjoy an outside space it is just not acceptable providing outdoor spaces which become unusable.
 - In section 6. Conclusions – final paragraph “While average daytime noise levels in external amenity areas are expected to regularly exceed 60dB LAeq,16hr during weekdays” is a statement based on current noise levels of the F-15s No account has been made for the F-35s which it is known will be considerably noisier. We still ask how this compares to other areas - is there any precedent to accept this for giving planning permission for housing? Where in the UK has this happened as we have been unable to find any precedent for this type of area for development?
 - There is nothing in this report to address the issues raised by the DIO in their representation 2nd August 2016 for land North of Station Road and of 22nd September 2016 for Rabbithill covert. These early representations surely still apply?
 - The 60dB+ levels are sometimes tolerated from road traffic noise – from a steadier continuous source, but in this case the 16hr average is made up of much much higher short events which would be extremely disturbing and distressing to residents.
69. **28 letters/e-mails** have been received from **Local residents** (including Drift Road Residents association) **objecting** to the planning application. This issues and objections raised are summarised as follows;
- These homes are not needed.
 - Unacceptable development in the countryside and contrary to policy.

Lakenheath does not need to expand on prime agricultural land.

- Roads and other infrastructure (sewerage, water supply, doctors, primary school, village hall, shops, social facilities, etc.) have not been improved to cater for growth.
- This is not a sustainable location because a car is an essential for work (with inadequate bus services) and even to get to the centre of the village. CO2 emissions will be increased.
- Concerned about the cumulative impact of all development currently being proposed in the village.
- The site is detached from the village centre and the facilities and amenities.
- Traffic movement through the village is already high and should not be added to.
- Concerned about mess and disturbance caused during construction.
- Village parking is already inadequate for modern needs.
- School children would need to be bussed causing more traffic movement.
- Existing uncompleted and blighted sites in the village should be developed first before green field is considered.
- Circa 500 homes are about to be released at Lords Walk. This should be subtracted from the level of growth Lakenheath is expected to accommodate.
- If development is approved, the Council should secure appropriate infrastructure improvements via S106 or CIL.
- Loss of prime agricultural land.
- Adverse impacts from traffic noise.
- Concerned about recent removal of established vegetation from within the site.
- Destruction of wildlife and habitat (including bats, barn owls, flora and fauna).
- Highway safety will be compromised.
- This is not sustainable development.
- Lack of footpaths and street lighting.
- Impact of noise pollution from the airbase.
- Development (as illustrated on the layout drawings) would harm the character of this part of Lakenheath and spoil the clearly defined and identifiable village boundary.
- Considerable visual landscape impact.
- This development (and the other developments proposed at Lakenheath) should await the Local Plan to ensure full public participation.
- The NPPF is only guidance (paragraph 13).
- Delivery of a new primary school is far from certain.
- The site lies under the flight path of F15 aircraft returning to the base – this is contrary to the submitted noise assessment which advises aircraft do not fly over the site.
- The application site *is* affected by aircraft noise.
- The noise constraint plan of the village used by the District Council is not accurate.
- An independent survey of the infrastructure capacity and requirements of the village, including the noise environment should be commissioned.

- The site has not been adequately assessed for remains of archaeological interest.
- Increased risk of flooding (surface water)
- There is very little local employment.
- Are the services, such as sewerage adequate?
- The development would destroy the character of this part of the village.
- Adverse impact upon wildlife in the area.
- Loss of trees and shrubs.
- There are a number of unfinished developments/sites in the village. These should be finished first.
- The site is too far away from the school.
- Not enough affordable housing.
- What if the base were to close?
- The revised site design is very poor with 50% of houses facing northwest with no solar gain. Many of these will have a dense planting belt on the south-eastern side and will therefore be denied any passive solar gain at all.
- There has been no consultation with the local community.
- We support SCC's holding objection on education grounds.
- The noise statement in the applicant's design and access statement is completely inadequate.

70. 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.

Policy:

71. The Development Plan comprises the policies set out in the Core Strategy adopted May 2010, the policies of the Joint Development Management Policies Document (2015) and the saved policies of the Forest Heath Local Plan adopted 1995 and which have not been replaced by the more recent policies. The following policies are applicable to the proposal:

Core Strategy

72. 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 behavior
- **Spatial Objective ENV6** – Reduction of waste to landfill.
- **Spatial Objective ENV7** – Achieve sustainable communities by ensuring services and infrastructure are commensurate with new development.
- **Spatial Objective T1** – Location of new development where there are opportunities for sustainable travel.

Policies

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

Joint Development Management Policies Document

- **Policy DM1** – Presumption in Favour of Sustainable Development
- **Policy DM2** – Development Principles and Local Distinctiveness
- **Policy DM5** – Development in the Countryside
- **Policy DM6** – Flooding and Sustainable Drainage
- **Policy DM7** – Sustainable Design and Construction
- **Policy DM10** – Impact of Development on Sites of Biodiversity and Geodiversity Importance.

- **Policy DM11** – Protected Species
- **Policy DM12** – Mitigation, Enhancement, Management and Monitoring of Biodiversity.
- **Policy DM13** – Landscape Features
- **Policy DM14** – Protecting and Enhancing Natural Resources, Minimising Pollution and Safeguarding from Hazards.
- **Policy DM17** – Conservation Areas
- **Policy DM20** – Archaeology
- **Policy DM22** – Residential Design.
- **Policy DM27** – Housing in the Countryside.
- **Policy DM42** – Open Space, Sport and Recreation Facilities
- **Policy DM44** – Rights of Way
- **Policy DM45** – Transport Assessments and Travel Plans
- **Policy DM46** – Parking Standards

Adopted Local Plan

73. 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

74. 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

75. 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

76. 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?

77. 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)
78. 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.
79. 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:

80. This section of the report begins with a summary of the main legal and legislative requirements before entering into discussions 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 national/local policy and site specific considerations) before reaching conclusions on the suitability of the proposals.

Legal Context

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

81. 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.
82. The Secretary of State has subsequently issued a Screening Direction with respect to this planning application and, having considered the likely impacts of the proposals, in isolation and in combination with other proposed developments, concluded the development is not 'EIA Development' and confirmed an Environmental Statement is not required to accompany the planning application.

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

83. 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.
84. 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.
85. Officers first screened the project under the 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.
86. 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.

87. 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

88. 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)

89. 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 Document adopted in 2015 and the saved policies of the Local Plan. National planning policies set out in the Framework are a key material consideration.

Planning (Listed Buildings and Conservation Areas) Act 1990

90. 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.

91. 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.

92. 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, being behind a frontage tree belt and the site being off-set from the corner of the heritage asset, the development 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.

Crime and Disorder Act 1998

93. 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

94. 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

95. 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).
96. 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
97. 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'.

98. 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.

99. 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'.
100. 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.
101. 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).
102. 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.

103. 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).
104. 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 83-87 above, an Appropriate Assessment of the application proposals has been carried out and, accordingly, the provisions of 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.
105. 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 this part 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.
106. 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.
107. 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, C and D from the table set out beneath paragraph 14 above). The housing trajectory predicts that the application proposals would deliver 56 of the 81 proposed 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, C and D from the table) are forecast to deliver 279 further dwellings towards the housing supply over the five year period.

108. 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.
109. 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

110. 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).
111. 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.
112. 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.

113. 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.
114. 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 generally (DM5) and housing (DM27) in the countryside (outside defined settlement boundaries) will be considered.

The Emerging Development Plan documents

115. 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 Station Road is allocated for housing development as part of the Council's emerging Site Allocations Development Plan (SALP) document.
116. 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 at Newmarket in order to tip the balance 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.
117. The Council considered its options at the Full Council meeting in February 2018 and resolved to propose main modifications and additional modifications on 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.

118. 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 nature of any unresolved objections to individual policies.
119. The emerging Local Plan (the SIR and SALP together) has reached an advanced stage in its process towards adoption 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 at Station Road as a housing and primary school allocation in the emerging Local Plan. This serves to reduce the degree of weight that should be attributed to it when considering the planning application.

Prematurity

120. 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).
121. 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.
122. 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.
123. In this case the development proposal for up to 81 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.

124. 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.
125. 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 elements of the Development Plan.

Officer comment and conclusions on the principle of development

126. 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.
127. 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 be determined in accordance with Section 38(6) of the 2004 Act (paragraph 89 above) with the NPPF being a key material consideration in the balance.
128. 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'.
129. 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

130. 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.
131. 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.
132. 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.
133. 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.
134. 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.
135. The proposed development for housing in the countryside is contrary to extant Development Plan policies which seek to direct such development to locations within defined settlement boundaries or allocated sites.
136. Lakenheath sits on the lower slopes of the chalky and sandy Maids Cross Hill on the edge of the fens. 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

are 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.

137. 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.
138. 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 would be a dis-benefit of the proposals.
139. The impact of the development proposals upon the landscape qualities and character of the wider countryside could be significant given the village edge location of the site. However, this is tempered somewhat by existing mature planting on site boundaries, including the frontage roadside boundary. Whilst the development would penetrate the existing strong 'green' village boundary, opportunities exist to provide new planting in order to soften the impact of development upon the countryside.
140. The impact of the proposed development upon the landscape is considered acceptable with any significant adverse effects capable of mitigation via the introduction of new landscaping (the precise details of which would be secured at reserved matters stage).

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

141. 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.
142. 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.
143. 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.
144. 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.
145. 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.
146. 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.
147. Policy DM45 requires the submission of a Transport Assessment to accompany planning applications that are likely to have significant transport implications (including preparation and implementation of a

Travel Plan). The policy states where it is necessary to negate the transport impacts of development, developers will be required to make a financial contribution, appropriate to the scale of the development, towards the delivery of improvements to transport infrastructure or to facilitate access to more sustainable modes of transport. Policy DM46 sets out parking standards for new development proposals (and links to Suffolk County Council's adopted standards (November 2014)).

148. The Core Strategy 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. People living in Lakenheath, 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 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.

Information submitted with the planning application

149. The planning application is accompanied by a Transport Assessment. The document was prepared for the original scheme of 100 dwellings and is therefore very much a 'worst-case' scenario for the reduced number of 81 dwellings now proposed. The document predicts that an average of 56.6 vehicles would use the vehicular access during the am peak and 61.5 vehicles during the pm peak, which is approximately 1 vehicle per minute during the peak periods. The document recognises that pedestrian access into the village is poor and suggests this would benefit from the provision of additional lighting and new footpath provision (for cycle ways). The applicant confirms a Travel Plan will be prepared for the development addressing the following matters:

- Walking and cycling maps showing local facilities;
- Information on locally based on-road cycle training;
- Public transport information including location of bus stops and rail station and up-to-date timetables and frequencies;
- Information on local delivery services (i.e. supermarkets and other);
- Information on car sharing scheme.

150. The Transport Assessment reaches the following conclusions:

- The proposed development is unlikely to create any significant congestion or safety issues on Station Road.
- An extension of the footway and street lighting to the site access will

improve pedestrian facilities in this area.

151. It is likely that potential occupiers of the dwellings proposed in this planning application would need to travel to meet their employment, retail and entertainment needs. Some of these journeys could be lengthy (non-airbase employees in particular). 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 are sustainable in transport terms.
152. Means of access into the site is a reserved matter. The illustrative layout plan suggests vehicular access could be provided onto Station Road towards the south-west corner of the site. This would involve the felling of a small number of trees. The optimum position for the vehicular access (in highway safety and tree loss grounds) will be determined at Reserved Matters stage. The applicant has demonstrated it is possible to achieve safe vehicular access into the site albeit there may be more favourable solutions involving less tree felling.
153. The County Highway Authority has not objected to the proposals (subject to the imposition of conditions and completion of a S106 agreement).
154. 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 applicant has agreed to enhance pedestrian links to the village centre. Having considered the evidence and comments received from the Highway Authority, your officers are content the proposed development would not lead to traffic danger or congestion of the highway network, including during am and pm peak hours.

Impact upon natural heritage

155. 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.
156. 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.
157. 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.
158. 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.
159. 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 Maids Cross 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.
160. 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.

161. An ecological report 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).
162. As discussed above (and following appropriate assessment of the project –working paper 1), it is concluded that the development proposals would not impact upon any European designated nature conservation sites. The applicants report supports this conclusion.
163. The applicant’s survey information 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, inter alia, trees on the outer boundaries may be suitable for bat activity). The report recommends that no further survey is necessary (unless hedgerow/shrub clearance is to occur in the bird nesting season, or trees potentially suitable for bats are to be felled). The report also recommends that any removal of potential reptile habitat is carried out under ecological supervision. These matters could be secured by a suitable method statement imposed by planning condition.
164. The ecology report does not discuss the potential for the proposed development to secure ecological enhancements. It is important that opportunities to secure ecological gains from new development proposals are exploited, in accordance with the provisions of Core Strategy Policy CS2. A condition could be imposed upon any planning permission granted for this development requiring the submission of an ecological enhancement strategy commensurate the Reserved Matters submission to ensure enhancements are fully considered and incorporated at the detailed design stage.
165. In their initial response to the planning application, Natural England requested the applicant provides records of Stone Curlews nesting outside the SPA boundaries. The applicant has sourced this information from the RSPB (the information is confidential). The evidence demonstrates no recently recorded Stone Curlew nesting attempt sites would be affected by the construction/occupation of the development. This matter is not, therefore, a constraint on the development of this site.
166. Natural England (statutory advisor under the Habitats and Species Regulations) has not raised concerns or objections in response to the proposals, including the potential for impacts to occur upon the hierarchy of designated nature conservation sites. Natural England recognises the potential to secure biodiversity enhancements in the

event that planning permission is granted.

167. Officers are satisfied that the development proposals would not adversely affect important sites of ecological interest in the area and would not harm populations or habitats of species which are of acknowledged importance (protected or unprotected). There is no evidence to dispute the officer view that a carefully constructed development is likely to result in net ecological gains. The delivery of the enhancement measures could be secured via an appropriately worded planning condition.
168. 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 trees

169. The application site is fronted by a belt of mature tree and hedgerow planting which provides a distinctly rural character to the northern gateway into the village. The planting is an attractive feature, an important asset for the site and serves to soften the visual impact of the existing village on the countryside beyond. The planting marks a transition between the countryside and the urban form of the village. The trees are protected by a formal Tree Preservation Order. Officers consider it is vital that as much of the vegetative cover as possible is retained along the frontage (and western side boundary) as part of these development proposals.
170. Further information about the health and importance of the trees situated at the southern and western boundaries will be required at reserved matters stage to assist with the positioning of the vehicular access and its visibility splays. The submission of the arboricultural information could be secured by condition.
171. The impact of the development upon existing trees is considered acceptable and opportunities available to enhance the stock by removing declining specimens and providing new tree planting to compensate for any specimens that need to be felled to make way for access or because of their poor condition. New / replacement / compensatory planting would be secured at Reserved Matters stage when the landscaping of the site is considered.

Impact upon built heritage

172. 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).

173. 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.
174. Core Strategy Spatial Objective C4 aims to protect and enhance the Historic Environment. This objective is implemented via Policy CS3.
175. 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).
176. 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.
177. An Archaeological Evaluation Report has been prepared on behalf of the applicants to establish whether the site might support any important archaeological remains (undesigned heritage assets). This has been submitted to supplement the planning application. 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 during intrusive works within the application site (trial trenching).
178. The Archaeological Service at Suffolk County Council has been consulted of the planning application and accepts the findings of the applicant's report. Accordingly, no further archaeological work will be needed prior to development commencing and no archaeological mitigation is required.
179. The development proposals would have no significant impacts upon heritage assets.

Impact upon local infrastructure (utilities)

180. The 'economic' dimension of the definition of sustainable development set out in the Framework confirms the planning system should (inter alia) identify and co-ordinate the provision of infrastructure.
181. 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".

182. 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.
183. The policy concludes that all development will be accompanied by appropriate infrastructure to meet site specific requirements and create sustainable communities.
184. Matters pertaining to highway, education, health and open space (including sport and recreation) 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

185. 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.
186. 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.
187. 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

188. The DIDP identifies there may be a future water supply deficit and 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

189. 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

190. 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.
191. 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.
192. 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.
193. 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.
194. 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 channel (to the north of the site), being outside its modelled floodplains.

195. The amended flood risk assessment submitted with the planning application confirms that soakaways would not be appropriate for surface water drainage of the development given soil conditions. The proposal is to manage surface water via a piped connection from the development site to the drainage Cut-Off Channel on the northern boundary to provide surface water drainage of the site. Discharge rates would be attenuated to limit the effect on the downstream watercourses.
196. The planning application is accompanied by a Phase I & 2 desk study and examination report (contamination, soil conditions etc.). This study has found evidence of some contaminants present within soils at the site which will require further investigation and remediation prior to being developed for housing. There is also an above ground fuel tank which will require remediation. The report confirms that ground gases are considered to pose a low risk.
197. 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.
198. 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.
199. 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

200. 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.
201. Core Strategy Policy CS13 (b) considers educational requirements as a key infrastructure requirement.
202. 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.

203. 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.
204. 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 to the north of the village. 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.
205. 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.
206. 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

207. 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.
208. It also 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.
209. 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.
210. 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.
211. Policy DM2 of the Joint Development Management Policies Document sets out general design criteria to be applied to all forms of development proposals. DM7 does the same, but is specific to proposals for residential development.
212. The application is submitted in outline form with all matters reserved to a later date. Accordingly matters of design are not particularly relevant to the outcome of the planning application at this stage.
213. A design and access statement has been submitted with the planning application to explain potential design strategies that could be implemented at the outline stage. Furthermore, an illustrative layout drawing has been submitted in order to demonstrate that it is physically possible to provide (up to) 81 dwellings on the site.
214. The illustrative drawing does contain a few design weaknesses some of which have drawn comment from the Highway Authority, and may need to be altered to address these and (for example) provide appropriate levels of public open space and boundary landscaping. However, given that the development proposals are 'up to' 81 dwellings the Council, in granting planning permission for development, would not necessarily be

held to that figure per se and a lower number of dwellings may actually be appropriate when greater thought is given to the layout of the site, including, provision of open space and surface water drainage and fully acknowledging the physical constraints of the site (including tree root protection zones).

Impact upon residential amenity

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

i). National Planning Policy

215. 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.
216. Paragraph 2.18 of the Noise Policy Statement for England 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

217. 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

218. 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.
219. 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 LA_{max} 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 LA_{eq} is provided.

220. 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 LA_{eq} 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 LA_{eq}."

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

221. 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.

222. 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 LA_{eq,T} is appropriate for resting conditions within living rooms and bedrooms and a level of 40 dB LA_{eq,T} is applicable to dining rooms. During the night, an internal noise level of 30 dB LA_{eq,T} is recommended within bedrooms.

223. 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.'

224. 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 LA_{max,F}. No further guidance is provided with respect to an appropriate criterion which may be adopted for the assessment of such events.

225. 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 LA_{eq,T}, with an upper guideline value of 55 dB LA_{eq,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'

226. 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)

227. 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.
228. 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.
229. 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.
230. ProPG provides guidance for the 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.

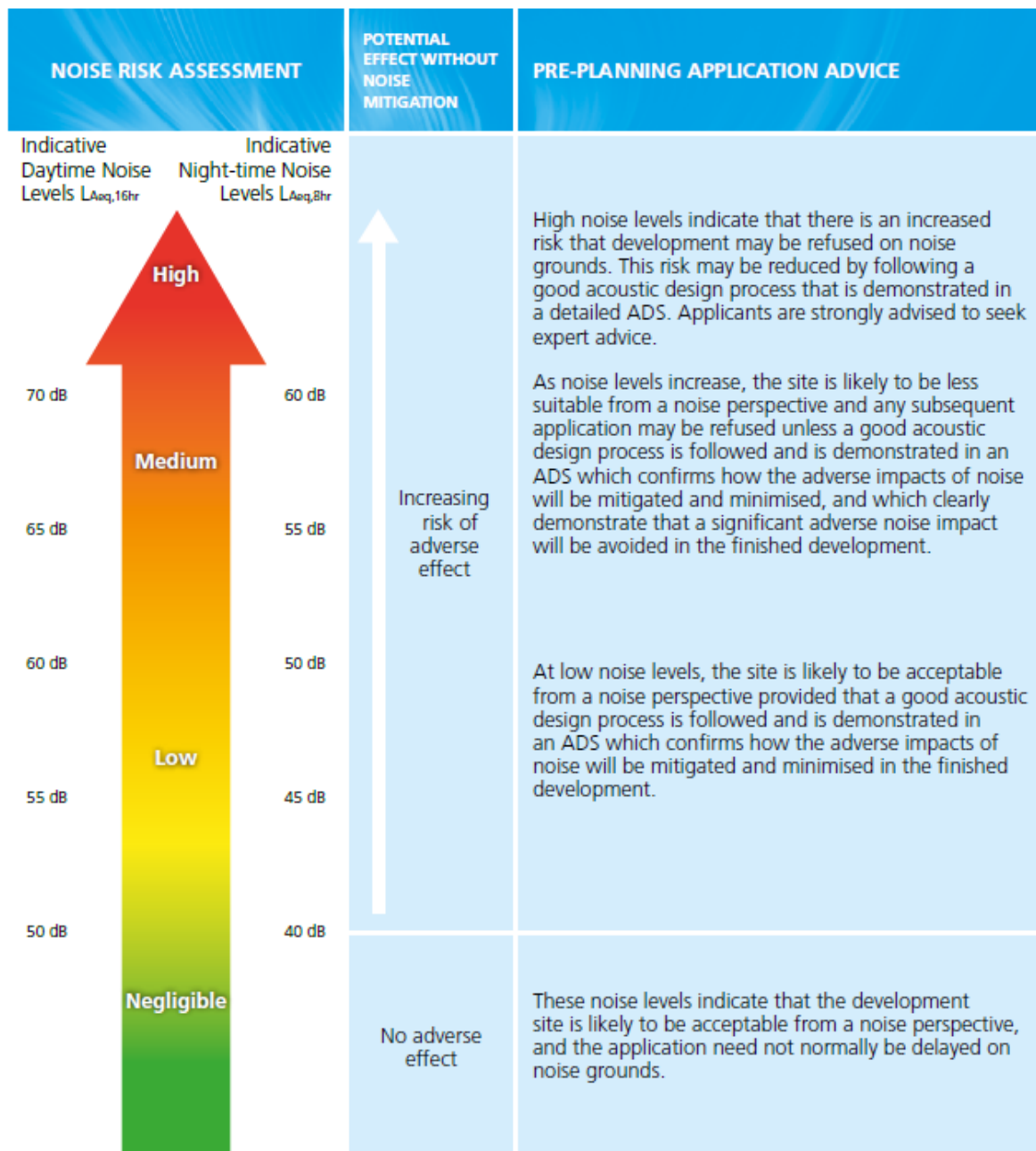


Figure 1 Notes:

- 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)

231. 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.
232. The four elements of the Stage 2 assessment and implications on acoustic design are discussed below.

Element 1 - Good Acoustic Design Process

233. 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.
234. 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.).
235. 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

236. 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.
237. 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

238. 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

239. 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.

240. 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). Noise information submitted with the planning application

241. In July 2018, the applicants submitted a noise assessment to accompany the planning application. The assessment was prepared jointly with the adjacent development site (Rabbit Hill Covert – reference F/2013/0345). The formal consultation period for this document expired on 20th July 2018. The Assessment considers impact of noise upon the residential component of the planning application and does not address noise to the proposed primary school (which is considered against different standards).
242. Comments have subsequently been received from the Council's Public Health and Housing Team including confirmation that the submitted Noise Assessment is adequate for the purposes of considering and assessing potential effects from noise impact and for mitigation (paragraph 34 above).
243. The NIA was based on field surveys carried out over several days between 19th and 28th June 2018. Military aircraft were observed during the day but discussions with the base revealed aircraft activity over this period was reduced from 'typical' levels. Previous discussions with the airbase had revealed there are typically 40-45 flights departing from the base per day. The noise consultant adjusted the noise data to reflect this higher level of aircraft movement. This increases the robustness of the conclusions and recommendations of the report. The field work recorded daytime noise levels of up to 57db LAeq,16-hr. The consultant adjusted the noise level in the Noise Assessment to 62 dB LAeq,16-hr (or 63 dB LAeq,16hr for building facades adjacent to Station Road) to be representative of 'typical' operations of the airbase. The noise consultant noted this level was lower than that indicated by the DIO noise contour information and, for the purposes of assessment and mitigation adopted a higher assumed noise level of 67 dB LAeq,16hr to ensure the 'worst case' scenario was addressed.
244. The noise assessment also includes data to demonstrate the 'maximum' noise levels recorded (i.e. individual events). These typically peak at levels between 80 and 90 dB (LAF max) although on one occasion over the 10 day period a 100 Db measurement was captured. The 'maximum' noise levels are relatively sporadic and irregular (around 26 'events' were recorded where maximum levels exceeded 80 dB over the 10 day

recording period. These were most likely the consequence of aircraft movements and given their irregular nature were not considered further in the applicants' noise assessment.

245. The noise assessment also includes a night time assessment. The recordings did not observe any jet activity during the night time period (11pm to 7am), although distant helicopter noise (probably from night activities from RAF Mildenhall) was detected. RAF Lakenheath does not normally operate flights during the night time. The average measured night time level was 41 dB LAeq,8hr. This was adjusted to exclude bird song detected after 03:30am which gave an adjusted night time recording of 38 dB LAeq,8hr. This level was then adjusted again to reflect a position close to the Station Road frontage in order to more accurately reflect noise from road use at the site frontage. This estimated a noise level at the south end of the site as 48dB LAeq,8hr. The highest individual night time noise level (LAF,max) detected in the middle of the site was 62dB LAF,max, which the noise consultant confirmed was primarily due to bird song. The consultant took a precautionary approach towards noise likely to be generated by early morning (pre-07:00am) vehicle movements given they did not have access to information about the number of movements. The consultant adopted a worst-case by taking the highest daytime LFmax level (for traffic movement) of 68dB LAF,max to be representative of the highest regularly occurring night time maximum noise levels.
246. Using the ProPG criteria the application site was deemed in the noise assessment to be of 'low-medium' risk during the day time (7am to 11pm) and negligible-low risk during the night time (11pm to 7am). The noise mitigation strategy included in the applicants assessment has been 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 most periods when aircraft are passing.
247. The applicant assessed the noise risk to the proposed development using the criteria set out in the ProPG guidance (table beneath 276 above). Daytime noise risks were assessed at the upper end of the scale denoting low risk and the lower end of the scale denoting medium risk. The night time noise levels in the middle of the site and the north of the site were assessed at the lower end of the scale denoting low risk and, at the south end of the site (closest to Station Road) as low risk.
248. The noise assessment includes an acoustic design statement based on the applicants risk assessment. This recognises that the principal source of noise to the site is from aircraft. Accordingly, it concedes that external measures usually used to control road noise, such as noise barriers, would be ineffective and therefore internal noise levels to the dwellings will need to be achieved through design of the building envelope, including acoustic glazing and acoustically attenuated ventilation, particularly to the roof construction and windows. In terms of the roof construction the report recommends the use of unencapsulated mineral wool or glass wool (200mm minimum thickness) and dense

plasterboard to supplement conventionally plastered ceilings. For windows (to habitable rooms), acoustic triple glazing is recommended, although (subject to further consideration when a site layout and housing designs are prepared) a form of double glazing may be suitable. Windows to non-habitable rooms (bathrooms, WCs and circulation spaces should not require special treatment). Mechanical acoustic ventilation would be required for the habitable rooms (given the windows would need to be closed). Most dwellings on the site would achieve internal noise requirements at night time with windows open, although some of the properties to the south of the site with windows facing towards Station Road may need specific mitigation against night time disturbance (the consultant recommends bedrooms are positioned on the north side of the affected dwellings to enable windows to be opened at night).

249. In terms of external amenity spaces, the noise assessment recognises that daytime noise levels are likely to regularly exceed 60dB LAeq,16hr, but considers the daytime noise climate is characterised by short periods of relatively high noise levels due to overflying aircraft, with low residual noise levels at other times. Garden areas to the south of the site (closest to Station Road) are recommended to be provided with 1.8metre high acoustic fencing to screen from traffic noise which, in the absence of overflying aircraft would ensure all of the site would meet the upper guide value in the standards of 55dB LAeq,T. The report acknowledges that there are no effective and practicable methods of reducing aircraft noise in external amenity areas and does not propose any. The report offers the view that given the short duration of overflights and the low residual ambient level, a significant reduction in the amenity of the external amenity areas is not expected.

v). Appeal decisions

250. The Parish Council has drawn the District Council's attention to two appeal decisions where impacts from aircraft noise was a central and determining issue. The first (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 residential development of a site at Benson in Oxfordshire.
251. 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.

252. 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.
253. 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.
254. 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. 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.
255. 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 to the proposed development from aircraft and traffic noise sources.

256. The Parish Council has previously requested that the applicants prepare and submit a site specific noise assessment for the planning application. This has now been received. In addition to their concerns about the adequacy of noise information accompanying the planning application, the Parish Council also previously raised concerns about the impact of aircraft noise (in particular) to the residents of the proposed development and, as set out above, has historically referred to a couple of appeal decisions where planning permission was refused solely or partly on the grounds of adverse impacts arising from military aircraft noise (not at Lakenheath).
257. 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 contours confirmed the application site is situated within a 66-72 dB LAeq (16-hr) noise contour.
258. 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 housing 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."

259. The Noise Assessment summarised above confirms the internal spaces of the proposed dwellings could (and will) be mitigated against noise impacts arising from military aircraft and road traffic to recommended 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 buildings are capable of mitigation.
260. 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 experience adverse health issues. This has been demonstrated as part of the applicants' noise assessment. 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 significantly between the Benson appeal and this planning application such that the Inspectors conclusions in that case cannot automatically be applied to these proposals at Lakenheath.
261. Similarly, 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 significantly different to the Lakenheath scenario such that it is not appropriate to transfer the Inspectors conclusions to these proposals for development at Lakenheath.
262. That said, it remains the case that external spaces of the application site at Lakenheath, including the domestic gardens, public paths and open space proposed, cannot be adequately mitigated against the effects of aircraft noise. In this regard, and as the external areas cannot be defended to levels below the relevant standards, it is likely that the residents of the proposed houses would experience significant

disturbance from passing aircraft when using their gardens and a proportion of these will be annoyed by the experience.

263. In light of the above, your officers consider the proposals would 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.
264. 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 applicant has followed this approach in their own assessment.
265. 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 relevant 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.
266. 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 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 harm to residential amenity.
267. 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 and short term nature of the individual 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 typical village), and ii) the non-operation of the base at weekends when the garden areas in particular are likely to be most used.
268. 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 considerations, lead to planning permission being refused. The adverse effects of aircraft noise identified, particularly to the external spaces of the site (during week days) is a matter for the Committee's planning judgement and 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.

269. If planning permission were to be granted in this case, conditions could be imposed in order to ensure maximum noise levels are achieved in the relevant internal living spaces of the dwellings.
270. 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).
271. The Screening Report states that the introduction of the F-35A aircraft is (by 2023) 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 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 to 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.
272. Whilst the predictive noise contours for 2022 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

273. The Ministry of Defence previously suggested the applicants should undertake a vibration assessment in support of the planning application. 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."

274. 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).
275. 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.
276. 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.
277. 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.

278. 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

279. 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 such incursion than any other site or existing development in the village or indeed elsewhere where military aircraft carry out training exercises.
280. 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.
281. 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.
282. The DIO has latterly amended its position with respect to the planning application, including public safety considerations and no longer objects to the planning application on this or any other grounds.

Impact of the proposed development upon existing residents.

283. The amenities of occupiers of dwellings abutting the application site to the west would not be adversely affected by development given the separation distances created by the need to retain mature tree landscaping along this boundary. Accordingly, there should be no issues with overlooking, dominance or overshadowing of existing dwellings and their garden areas when the proposed housing scheme is designed at reserved matters stage.

Impact upon RAF Airbases

284. 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.

285. 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

286. 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.
287. 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 new development in this period. Accordingly, the future development of greenfield sites is inevitable.
288. 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 is a dis-benefit of the scheme. Whilst not an issue that would justify a refusal of planning permission on its own, it is an issue to be taken into account in the overall balance of weighing the development's benefits against its dis-benefits.

Sustainable construction and operation

289. 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".
290. 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.
291. The document expands on this role with the following policy:

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

- comply with adopted Local Plan policies on local requirements for decentralised energy supply unless it can be demonstrated by the applicant, having regard to the type of development involved and its design, that this is not feasible or viable; and
 - take account of landform, layout, building orientation, massing and landscaping to minimise energy consumption.
292. The importance the Government placed 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.
293. Policy DM7 of the Joint Development Management Policies Document reflects the up-to-date national planning policy on sustainable construction and places lesser requirements upon developers than Core Strategy Policy CS4. Policy DM7 requires adherence to the broad principles of sustainable design and construction (design, layout, orientation, materials, insulation and construction techniques), but in particular (for residential schemes) requires that new residential proposals to demonstrate that appropriate water efficiency measures will be employed (standards for water use or standards for internal water fittings).
294. The documentation submitted in support of this planning application (the amended design and access statement in particular) confirms that the proposed development will be sustainable, by ensuring that sound design principles will be incorporated into the development - including measures to assist with adapting to and mitigating effects of climate change.
295. The Building Regulations allow for more stringent standards to be applied to water use in new development (matching the 110 litres use per person requirement set out in Policy DM7) on the proviso there is a planning condition that also requires those more stringent measures to be achieved. It is no co-incidence that policy DM7 of the Joint Development Management Policies Document requires more stringent water use requirements to match those applied by the Building Regulations. The evidence and justification for the application of tougher water use measures forms part of the evidence base of the Development Plan and, with respect to the requirements of Policy DM7, is consistent with the policies of the NPPF. Accordingly, (and to ensure the applicants water reduction measures are implemented) it is appropriate to impose a planning condition requiring the more stringent Building Control (and Policy DM7) water use measures to be incorporated into the construction and fitting out of this development.

Cumulative Impacts

296. Members will note from the table produced beneath paragraph 14 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.
297. 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 14 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

298. Any additional children of primary school age emerging from these proposals would need to be accommodated within a new village school given the existing village 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.
299. 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.
300. 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.

301. 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.
302. 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.
303. 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.
304. 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

305. 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 14). 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.

306. 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 14 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).
307. 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.
308. 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.
309. 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.
310. 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.
311. 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.

312. 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.

313. 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."

314. 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."
315. 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.
316. 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.
317. 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 Maids Cross Hill SSSI

318. 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.
319. 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.
320. 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).
321. Furthermore, the development (if left unmitigated) is likely to increase recreational pressure upon the Maids Cross 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.
322. 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 Maids Cross 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.
323. 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.

324. 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.
325. 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 83-87 above and attached Working Paper 1).
326. 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

327. 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

328. 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

- 329. 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.
- 330. 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.
- 331. 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

- 332. 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

- 333. 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 95-98 above. The Framework (and the National Planning Policy Guidance) also advises with respect to the approach to be taken in relation to development viability.
- 334. 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.

335. The developer has confirmed a willingness to meet the required obligations. No formal claim to reduce the level of contributions on viability grounds has been received from the applicants. The recommendation (at the end of this report) therefore assumes the development can and will provide a fully policy compliant package of measures.
336. The following developer contributions are required from these proposals.

Affordable Housing

337. 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.
338. 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).
339. 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 (up to 24.3 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).
340. As the planning application is in outline form, it is appropriate to secure the percentage of units for affordable housing as required by policy CS9 (30% of 'up to' 81 dwellings = 'up to' 24.3 affordable dwellings). Members will note (paragraph 36 above) that there were unresolved objections on file from the Council's Strategic Housing officers. These objections were submitted on the basis that the material accompanying the planning application was suggesting the development would not be financially viable with 30% affordable housing provision. Despite this, no formal viability claim was submitted and the applicant is, via the S106 Agreement committing to 30% affordable housing provision from the development. The objections of the Strategic Housing Team have been overcome during the S106 Agreement discussions.

Education

341. 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.

342. Core Strategy Policy CS13 (b) considers educational requirements as a key infrastructure requirement. This is built upon, in a general sense, in Policy DM41 of the Joint Development Management Policies Document which states (inter alia) the provision of community facilities and services will be permitted where they contribute to the quality of community life and sustainable communities. The policy confirms, where necessary to the acceptability of the development, the local planning authority will require developers of residential schemes to enhance existing community buildings, provide new facilities or provide land and financial contributions towards the costs of these developments, proportional to the impact of the proposed development in that area (through conditions and/or S106 Agreements).
343. 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 financial contributions from this development which would be used towards the construction of a new primary school in the village. It has also confirmed a need for the development to provide contributions to be used towards pre-school provision in the area to cater for the educational needs of pre-school children (aged 2-5) whom are forecast to emerge from the development. The Authority has confirmed there is no requirement for a contribution to be secured for secondary school provision.

Public Open Space

344. 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).
345. 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.
346. 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).

347. These Development Plan policies are expanded upon via the adopted Supplementary Planning Document for public open space, sport and recreation. This document sets out the requirements for on-site and off-site provision and maintenance. The document imposes a formula based approach to calculating developer contributions from development proposals (both for on-site 'in-kind' provision and off site 'cash' contributions). Accordingly, with planning applications for outline consent, where numbers of dwellings and the mix (no's of bedrooms) is uncertain and unsecured, it is only possible to secure for later consideration the provision of public open space in accordance with the SPD requirements. The precise areas of land and any financial contributions for future maintenance (if transferred to the Council) would be secured via the S106 Agreement.

Transportation

348. 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

349. The Suffolk County Council has identified a need to provide library facilities for the occupiers of this development and has requested a capital contribution from this development of £17,496. 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

350. 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

351. With these provisions in place, the effects of the proposal on local infrastructure, including affordable housing, open space, recreational facilities, 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 tests set out at paragraph 96 above.

Conclusions and Planning Balance:

352. 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.
353. 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.
354. 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.
355. 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 in the village 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 alternative school locations (should this indeed be necessary). This short term and low level harm identified is attributed only very limited weight against the proposals.

356. 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 up to 24.3 much needed affordable housing units (with the 0.3 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 alternative 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 new public footpath along the southern and eastern bank of the drainage channel however, would be available for use by more than the residents of the scheme and officers consider this new community asset should be afforded moderate weight in favour of the scheme.

357. 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 over-ride the identified breaches of current Development Plan policies.

358. 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 in-coming 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.

359. 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:

360. That outline 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% provision overall)
- Education contribution (Primary School – up to £374,840 towards build costs and up to £25,880 towards land costs)
- Pre-school contribution (up to £73,744 for construction costs and up to £4,965 towards land acquisition costs)
- Libraries Contribution (up to £17,496)
- Public Open Space contribution (in accordance with the SPD and, if required, optional commuted sum for future management and maintenance of the space)
- Strategic Highway Contribution - £25,601.13 (for sustainable links to village amenities – pro rata contribution)
- SPA Recreational Impact Contribution – to secure public access along the cut off channel (£37,306)

And subject to conditions, including:

- Time limit (3 years for commencement)
- Compliance with the approved plans
- Materials (to be submitted with the Reserved Matters)
- Bin and cycle storage strategy (to be submitted for approval with the Reserved Matters and subsequently implemented)
- Public open space (strategy for future management and maintenance)
- Landscaping details and tree information (including precise details of new hard and soft landscaping and surveys/arboricultural information about the existing tree stock)
- Woodland management scheme
- Retention and protection of existing trees and hedgerows
- Ecology (enhancements at the site, method statements for species protection and mitigation and any further survey work required)
- 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)
- As recommended by LHA
- Contamination & remediation (further investigations and any remediation necessary)
- Means of enclosure (to be submitted with Reserved Matters)
- Fire Hydrants
- Noise mitigation to the dwellings (to ensure WHO standards are met within internal areas)
- Compliance with Building Control Requirements for reduced water

- consumption
- Waste minimisation and re-cycling strategy
- Details of the surface water drainage scheme (SUDS – full details to be submitted with the Reserved Matters).
- Travel Planning

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 360 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/simpleSearchResults.do?action=firstPage>