

Land South of Burwell Road, Exning: Development Brief

Report number:	CAB/WS/21/017	
Report to and date:	Portfolio holder decision	19 April 2021
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Decisions Plan: Notice of Intention providing the purpose of the decision and the date in which the decision is expected to be made has been published on 9 April 2021.

Wards impacted: Exning

Recommendation: It is recommended that the Portfolio Holder for Growth approves the draft Land south of Burwell Road, Exning Development Brief, as contained in Appendix A to Report number: CAB/WS/21/017, for adoption as planning guidance.

1. Context to this report

- 1.1 The site is allocated in the Site Allocations Local Plan (SALP) 2019 under Policy SA12(a) which was adopted in September 2019. This site is known in the SALP document as Land South of Burwell Road and West of Queens View.
- 1.2 Policy SA12(a) of the SALP 2019 document sets out 15 hectares of land is allocated for residential development, with an indicative capacity of 205 dwellings.
- 1.3 The policy details that a Development Brief should be prepared which will help to determine access arrangements, landscaping and the delivery of a cycle path between the site and the village of Burwell. It then goes on to state that planning applications for the site should only be determined once the Development Brief has been adopted by the Local Planning Authority.
- 1.4 The draft Development Brief has been prepared by the landowner, Persimmon Homes Suffolk.

2. Proposals within this report

- 2.1 The Site Allocations Local Plan (SALP) 2019 Development Plan document, in Policy SA12(a), allocates 15 hectares of land for a residential development with an indicative capacity of 205 dwellings.
- 2.2 Policy SA12(a) sets out the following specific requirements should be met;
 - a. The amount of land available for development, access arrangements, design, open space and landscaping will be informed by a Development Brief for the whole 15 hectare site. The Development Brief should set out how the cycle path between Burwell and the site will be delivered. Applications for planning permission will only be determined once the Development Brief has been adopted by the local planning authority. Any application for planning permission should be in accordance with the approved Development Brief.
 - b. Strategic landscaping and open space must be provided to address the individual site requirements and location.
 - c. There is an identified need for a dedicated cross county boundary cycle route between Burwell and the site. Land shall be provided within the site for a cycle path and an appropriate off-site contribution shall be provided for the delivery of the cycle path.

- d. Adequate access should be provided to the satisfaction of the Highways Authority. Sustainable travel provision including facilities for pedestrians and cyclists should be made with links to existing networks.
- e. In advance of determination, initial archaeological field evaluation must be carried out in order to identify the significance of any archaeological assets.

2.3 The developer commissioned the assessments and reports which have informed the draft Development Brief and are also required for any planning application. The main purpose of the Development Brief in this instance was to set out the areas where strategic landscaping and public open space should be provided, vehicular and cycle routes in the site and how they connect to the wider area and the delivery of the cross-boundary cycle route.

2.4 The following changes, which are annotated in the draft Development Brief as new text underlined and deleted text struck through were made following public consultation:

- Ecology – the Development Brief was amended to state an appropriate assessment will accompany any planning application submitted which details the potential recreational impact to the Devils Dyke Special Area of Conservation (SAC) and Newmarket Heath Site of Special Scientific Interest (SSSI).
- Affordable Housing – the Development Brief was amended to state 30 percent affordable housing will be provided on site in accordance with policy.
- Highways – the Development Brief was amended to state that opportunities for pedestrian access links to the north and south of the site will be explored.
- Energy and Sustainability – the Development Brief was amended to provide further explanation and clarity to what Persimmon Homes Suffolk are going to deliver and provide in relation to renewable energy and climate change.

2.5 The Development Brief sets out a framework that would guide any planning application submitted on the site. The site is to be accessed via three vehicular access; one off Burwell Road and two off Glebe Drive (an earlier phase delivered by Persimmon Homes Suffolk). A minimum of a 15 metre landscape buffer will be provided along the western and southern boundary of the site, with further opportunities for strong landscaping within the site. The draft Development Brief highlights the opportunities for pedestrian and cycle links throughout the site and how these are going to connect to the surrounding development, including the dog walking routes which surround the boundaries of the site. Furthermore, it

confirms that the applicant/landowner will provide an off site contribution via a Section 106 agreement associated with any planning application for the delivery of the cross-boundary cycle link between Exning and Burwell.

2.6 The site is split into two sections, with approximately half of the development to be accessed via Burwell Road and the other remaining part of the development to be accessed via Glebe Drive. Through initial consultations with Suffolk County Council (SCC), it was confirmed from the outset that an early years facility may be required and the applicant/landowner needed to safeguard land for if the provision was needed in the future. Suffolk County Council, the Local Planning Authority and Persimmon Homes Suffolk worked together on this during the Development Brief process and space is to be provided for an early years facility on the site.

2.7 The Devil's Dyke SSSI and SAC are located approximately 2.2 kilometres and 2.9 kilometres away from the proposed site.

The LPA, as the competent authority, is responsible for the Habitats Regulation Assessment (HRA) as required by The Conservation of Habitats and Species Regulations 2017. Regulation 105(1) requires that a competent authority, before giving effect to a plan which (a) is likely to have a significant effect on a European site or a European offshore marine site (either alone or in combination with other plans or projects), and (b) is not directly connected with or necessary to the management of that site, must make an appropriate assessment of the implications of the plan for that site in view of that site's conservation objectives.

A HRA has been undertaken by the LPA as part of the Development Brief process. A project level Habitats Regulations Assessment of the development proposals will be required at planning application stage, with all the identified measures included in the submitted design. It is considered realistic that such a scheme can be successfully designed and implemented, and that the additional information required can be secured at that more detailed stage. It is concluded therefore that impacts on integrity of the SAC can be ruled out.

2.8 Adoption of the draft Development Brief would enable the Council to shape the nature and content of current and future planning applications for this allocated site.

3. Alternative options that have been considered

3.1 The draft Development Brief is consistent with the adopted Local Plan allocation for the development of the site. Therefore, other options regarding the potential development of the site have not been considered as part of this process. Should Members ultimately resolve to adopt the draft Development Brief as planning guidance, that decision would not preclude alternative development options being considered in the future.

4. Consultation and engagement undertaken

- 4.1 The draft Development Brief has been prepared in accordance with the Council's adopted protocol.

In early March 2020 the Local Planning Authority granted Persimmon Homes consent to start consulting on their draft Development Brief between 23 March and 26 April 2020. This included a public drop in event planned and booked for the 31 March 2020. Unfortunately, on the 23 March, England entered its first Coronavirus lockdown and this meant that the planned public drop in event was not able to go ahead. At this time Persimmon Homes decided to keep their planned consultation running until such time as suitable alternative means of public engagement were agreed with the Local Planning Authority. In early July 2020, Persimmon Homes Suffolk submitted a Digital Communication Strategy to the Council and requested that their consultation be rebooted with a view to it closing on the 28 August 2020 (some 22 weeks after it first commenced). Accordingly, the Local Planning Authority granted consent for the consultation to be rebooted on 10 July 2020. This second part of their consultation included an exhibition summarising the draft Development brief which was displayed in Exning Village Hall on the 4 and 5 August 2020, at which employees of Persimmon Homes Suffolk were present. A series of public webinars on were held on 12 August 2020, where electronic copies of the exhibition boards were displayed and discussed with attendees. A feedback form and question and answers section were available through the dedicated consultation website.

- 4.2 A copy of the Statement of Community Involvement prepared by Persimmon Homes Suffolk is attached at Appendix B. A copy of the responses received to the public consultation prepared by Persimmon Homes Suffolk is attached at Appendix C.

5. Risks associated with the proposals

- 5.1 There is a risk that failure to adopt the draft Development Brief could inhibit the Council's ability to deliver homes and a high-quality development.
- 5.2 The adoption of the draft Development Brief will mean that the Development Brief becomes informal planning guidance and a material consideration in the determination of any future planning applications, including reserved matter submissions.

6. Implications arising from the proposals

6.1 Financial

There are no potential adverse financial or resource impacts resulting from the adoption of the draft Development Brief. Minor costs associated with the adoption of the document can be sourced from existing budgets.

6.2 Legal Compliance

There are no legal implications arising from the recommended adoption of the draft Development Brief as informal planning guidance. The preparation of the Development Brief for the Land South of Burwell Road, Exning site is a requirement of planning policy ahead of development proposals on the site. An adopted Development Brief would enable the Local Planning Authority to proceed in determining detailed planning application(s) for the site. If approved, the Development Brief would have the status of informal planning guidance and would be a material consideration to be taken into account in determining any subsequent planning application(s) for the site.

6.3 Personal Data Processing

In accordance with the General Data Protection Regulation and Data Protection Act 2018, Persimmon Homes Suffolk have provided both redacted and non-redacted versions of their Statement of Community Involvement and responses from members of the public. No personal data or information will be detailed on the copies of the documents available to the public.

6.4 Equalities

The public consultation sought to identify and engage all appropriate members of the community and other key stakeholders.

6.5 External organisations (such as businesses, community groups) Please see 6.4.

7. Appendices referenced in this report

7.1 Appendix A - Draft Development Brief document for the Land South of Burwell Road, Exning (incorporating post public consultation amendments).

7.2 Appendix B – Draft Development Brief Statement of Community Involvement prepared by Persimmon Homes Suffolk.

7.3 Appendix C – A copy of the responses received during the public consultation on the Draft Development Brief prepared by Persimmon Homes Suffolk.

8. Background documents associated with this report

8.1 Site Allocations Local Plan (SALP) 2019 Development Plan Document:

[Final-SALP-September-2019.pdf \(westsuffolk.gov.uk\)](https://www.westsuffolk.gov.uk/~/media/2019/09/Final-SALP-September-2019.pdf)