

Development Control Committee 2 November 2022

Planning Application DC/21/2337/OUT – Land East of Beeches Road, Beeches Road, West Row

Date registered: 29 November 2021 **Expiry date:** 28 February 2022(EOT until 11.11.22)

Case officer: Gary Hancox **Recommendation:** Approve application

Parish: West Row **Ward:** The Rows

Proposal: Outline planning application (all matters reserved except access) for up to 106 dwellings, parish office and car parking, and green infrastructure including sustainable drainage, amenity green space and ecological habitats

Site: Land East of Beeches Road, Beeches Road, West Row

Applicant: Suffolk County Council (Mr Rob Hancock)

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.

CONTACT CASE OFFICER:

Gary Hancox

Email: gary.hancox@westsuffolk.gov.uk

Telephone: 07867 976817

Background:

This application is referred to Development Control Committee as the application is recommended for APPROVAL contrary to the Development Plan. This is due to a 1.7-hectare section of the application site being outside of the residential site allocation SA14(a).

Proposal:

1. The proposed development is submitted in outline only with all matters reserved (save for access) and comprises a mixed-use development with the following land components:
 - Up to 106 residential 2, 3, and 4-bed dwellings
 - 0.2ha land for a new parish office, car parking and associated landscaping
 - Vehicle access via Mildenhall Road and associated infrastructure
 - Green infrastructure, including sustainable drainage infrastructure
 - Ecological habitats
 - Amenity green space
 - Sustainable transport links (footpaths and cycleways) to connect into the village.
2. The application proposes a development on the site that will provide for up to 106 new dwellings on a net developable area of 3.7ha resulting in an average density of 29 dwellings per hectare (dph).
3. The overall development aims of the application and its accompanying illustrative masterplan are:
 - To provide 2.4ha of green space, (the local policy requirement being 0.9ha equating to 38% of the main development site. This also goes significantly beyond the minimum standard of 0.8ha recommended with respect to the mitigation of impacts on the Breckland SPA through the provision of additional recreational opportunities.
 - To provide a useable and attractive multi-functional green space network with opportunities for walking and cycling, formal and informal recreation, creation of new ecological habitats – to include biodiversity net gain - sustainable drainage, landscaping and supporting resilience to future climate change.
 - To create a strong landscape framework centred on a large informal green space to the west of the scheme to create a softer transition between development and neighbouring development and the wider countryside.
 - To use existing landscape features (field boundaries, trees and hedgerows), topography and character to inform the design approach, by maintaining the 'open' character of the site and strengthening the northern and southern boundaries through new tree and hedgerow planting.

- To maximise opportunities for overlooking, natural surveillance and safety with new homes and buildings fronting on to areas of open space as well as pedestrian and cycle routes.
- To use green space and landscaping to add value to the proposed development, including the creation of a high-quality frontage within the residential area as well as enhancing the setting of new homes and the neighbouring homes within the village.

Application supporting material:

4. The following documents/plans have been submitted with the application:
 - Application form and certificates, and application fee
 - Application plans and drawings, including an illustrative masterplan
 - Planning Statement, incorporating Affordable Housing Statement and Sustainability Statement
 - Statement of Community Involvement (SCI)
 - Design and Access Statement (DAS) and Development Brief
 - Transport Assessment
 - Travel Plan
 - Phase 1 Geo-environmental Desk Study Report
 - Noise Assessment
 - Floor Risk Assessment (including outline drainage strategy)
 - Air Quality Assessment
 - Landscaping and Visual Appraisal
 - Heritage Statement
 - Utilities and Foul Drainage Statement
 - Biodiversity Report
 - Habitat Regulations Assessment
 - Breeding Birds Technical Note
 - Topographical Survey
 - Arboricultural Survey.

Site details:

5. The site is situated south of Mildenhall Road, east of Beeches Road and north of Chapel Road. Mason Gardens is also directly south of the proposed site. The local primary School, village shop, hairdressers and a fast food take away are to the west and various community facilities (tennis courts, recreation ground, sports pavilion, village hall, allotments) are located to the south-west.
6. Mildenhall Air Base is located to the north-east. A footpath is on the eastern side of the site and links Mildenhall Road and Chapel Road. This footpath then links into another footpath running between Chapel Road and Church Road.
7. The entirety of the site comprises arable agricultural land, defined by hedgerows and areas of scrub on the western boundary.
8. The majority of the site has been allocated by West Suffolk Council for residential development since 2019 under Site Allocation reference SA14(a). A hybrid application covering the site was submitted in 2014, but no

permission has ever been issued and the application is no longer being pursued.

9. However, a 1.7-hectare section of the application site to the east is outside the SA14(a) allocation boundary. This has been included to facilitate the access onto Mildenhall Road avoiding the need for an access onto Beeches Road through the area of archaeological importance in the western area of the site.
10. The adjoining site to the north – which also forms part of the SA14(a) allocation boundary – has detailed permission for 46 dwellings. Full permission was granted in April 2019. A variation of condition application for this site was approved in January 2021 to amend the site layout and drainage details for the site. A further variation of condition application is currently pending decision.

Planning history:

Reference	Proposal	Status	Decision date
DC/14/2047/HYB	Hybrid Planning Application comprising: Full application for erection of 41 dwellings (including 12 affordable dwellings), creation of new vehicular access onto Beeches Road, an outline application with all matters reserved for the erection of up to 90 dwellings and an outline application with all matters reserved for 7 self-build homes, the provision of 1.91 hectares of public open space, 1.9 hectares of landscaping and 4.46 hectares of retained agricultural land for potential ecological mitigation.	Pending Decision	
DC/17/0964/FUL	Planning Application - 6 no. dwellings (adjoining development proposed under application DC/14/2047/HYB).	Application Withdrawn	2 May 2018
DC/18/0614/FUL	Planning Application - 46 no. Dwellings (including 14no. affordable dwellings) with the creation of new vehicular access onto Beeches Road	Application Granted	4 April 2019
DCON(A)/18/0614	Application to discharge conditions 3 (Materials), 5 (Boundary Treatment), 6 (Site Levels), 8 (Visibility	Application Withdrawn	18 January 2021

Splays), 9 (Access, parking), 14 (Site Drainage) 15 (Internal Noise Levels), 17 (Construction Management Plan), 18 (Contamination) and 20 (Energy Statement) and partial discharge of Condition 12 (elec vehicle charge points) of application DC/18/0614/FUL

DC/20/0873/VAR	Planning Application - Variation of condition 2 of DC/18/0614/FUL to enable amended site layout and drainage details for the 46 no. Dwellings (including 14no. affordable dwellings) with the creation of new vehicular access onto Beeches Road	Application Granted	15 January 2021
DC/21/1037/VAR	Planning application - variation of condition 2 of DC/20/0873/VAR to use amended plans and materials to improve site details for the 46 no. Dwellings (including 14no. affordable dwellings) with the creation of new vehicular access onto Beeches Road	Application Granted	17 November 2021
DC/22/0749/VAR	Planning Application - variation of condition 2 of DC/21/1037/VAR to enable red line alterations and improvement to plots for the 46 dwellings (including 14 affordable dwellings) with the creation of new vehicular access onto Beeches Road	Pending Decision	

Consultations:

Parish Council

11. Supports the proposal, subject to; the development safely connecting with the Mildenhall Bridleway 1 for pedestrians and cyclists; open space within the site being transferred to the PC so that it can be owned and managed by the community; improvement works to Mildenhall Road/Jarmans Lane are completed prior to main building works taking place.

SCC Highways

12. No objection, subject to conditions. A package of off-site highway improvements has been agreed with the developer that make this proposal acceptable in highway terms. This is in addition to the Public Rights of Way improvements that applicant has agreed to the Footpath Improvement Strategy includes the provision of a new section of footway on the eastern side of Pott Hall Road, to be delivered under a S278 Agreement. The new footway will ensure that a continuous off-carriageway route is available between the development and the Mildenhall Academy. The agreement to provide a new footway means that we can recommend that the development is now in accordance with the NPPF.

MOD (Safeguarding)

13. No objection. As this application is only at the Outline Planning stage with all matters reserved except access precise full detail are not yet known, therefore in order that a full assessment can be undertaken information regarding elevations, landscaping and drainage proposals need to be provided at future planning stages. In principle the MOD has no safeguarding objections to this proposed development but due to the proposed site's location within the technical and birdstrike safeguarding zones, the MOD will need to complete a more detailed assessment.

SCC Fire & Rescue

14. Request that a condition is placed on any approval requiring an appropriate amount of fire hydrants to be installed to serve the development.

Anglian Water

15. No objection - the development site is within 15 metres of a sewage pumping station. This asset requires access for maintenance and will have sewerage infrastructure leading to it. For practical reasons therefore it cannot be easily relocated. Anglian Water consider that dwellings located within 15 metres of the pumping station would place them at risk of nuisance in the form of noise, odour or the general disruption from maintenance work caused by the normal operation of the pumping station. The site layout should take this into account and accommodate this infrastructure type through a necessary cordon sanitaire, through public space or highway infrastructure to ensure that no development within 15 metres from the boundary of a sewage pumping station if the development is potentially sensitive to noise or other disturbance or to ensure future amenity issues are not created.

SCC Flood and Water

16. No objection to the proposed drainage strategy, subject to the submission of detailed drainage scheme concurrent with the submission of reserved matters.

Strategic Housing

17. No objection to the development that will secure 30% affordable housing as per Core Strategy Policy CS9. However, in order to incorporate the NPPF guidance which states at least 10% of the total number of homes should be available for affordable home ownership.

Environment Team

18. The application is supported by a Phase 1 Geoenvironmental Desk Study undertaken by Wood Group UK Limited, reference 43017_WOOD-XX-XX-RP-OC-0001_S0_P01.1, dated November 2021. The report presents a summary of the history and environmental setting of the site and surrounding area and includes the details from a site walkover. The report identifies a number of potential pollutant linkages should the proposed development go ahead and recommends that intrusive investigations are undertaken.
19. This service agrees with the recommendation for intrusive investigations and we recommend that the standard land contamination conditions are attached, should planning be granted, to ensure that the recommended intrusive investigations are carried to an appropriate standard.

PROPOSED CONDITION:

1. No development approved by this planning permission shall commence until the following components to deal with the risks associated with contamination of the site shall each be submitted to and approved, in writing, by the Local Planning Authority: i) A site investigation scheme, ii) The results of a site investigation based on i) and a detailed risk assessment, including a revised Conceptual Site Model (CSM), iii) Based on the risk assessment in ii), a remediation strategy giving full details of the remediation measures required and how they are to be undertaken. The strategy shall include a plan providing details of how the remediation works shall be judged to be complete and arrangements for contingency actions.
2. No occupation of any part of the permitted development shall take place until a verification report demonstrating completion of works as set out in the remediation strategy is submitted to and approved, in writing, by the Local Planning Authority.
3. If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the local planning authority) shall be carried out until the developer has submitted a remediation strategy to the local planning authority detailing how this unsuspected contamination shall be dealt with and obtained written approval from the local planning authority. The remediation strategy shall be implemented as approved.

Reason: To protect and prevent the pollution of controlled waters, future end users of the land, neighbouring land, property and ecological systems from potential pollutants associated with current and previous land uses in line with National Planning Policy Framework (NPPF), paragraphs 174, 183, 184, Environment Agency Groundwater Protection: Principles and

Environment Team (Air Quality)

20. No objection, but recommends the below condition requesting electric vehicle charge points is attached to the planning consent, should planning be granted, to enhance the local air quality through the enabling and encouraging of zero emission vehicles. PROPOSED CONDITION: Prior to first occupation, all dwellings with off street parking shall be provided with an operational electric vehicle charge point at reasonably and practicably accessible locations, with an electric supply to the charge point capable of providing a 7kW charge.

Reason: To promote and facilitate the uptake of electric vehicles on the site in order to minimise emissions and ensure no deterioration to the local air quality, in accordance with Policy DM14 of the Joint Development Management Policies Document, paragraphs 107 and 112 of the National Planning Policy Framework and the Suffolk Parking Standards.

Environment Agency

21. No objection, subject to conditions dealing with contaminated land and surface water disposal.

Public Health and Housing

22. Recommends construction hours condition and the submission of a construction management plan condition.

SCC Planning Obligations

23. Suffolk County Council has requested contributions towards enhanced education facilities based on a development of up to 106 dwellings based on £18,187 per place for pre-school (early years), £18,187 per pupil place for primary school (3 places required) and £25,253 per pupil place for secondary (19 places required) and 6th form (4 places required) provision. A contribution towards enhanced library provision is also proposed.

Place Services (Landscape)

24. Recommends the following:
- that the site provides connections to the wider PRow network
 - some elements of the open space and connectivity are delivered before the first dwellings are occupied
 - Where attenuation areas are proposed the aesthetic appeal will play an important role in ensuring integration and multifunctionality. We would expect consideration of ground contouring, planting and inlet and outlet design to maximise the amenity value to have been considered.
 - Soft landscaping scheme to be submitted and approved (condition)
 - Hard landscaping scheme to be submitted and approved (condition)

- Landscaping management plan to be submitted and approved (condition)
- Arboricultural method statement to be submitted and approved (condition)

CCG (NHS)

25. West Suffolk CCG has identified that the development will give rise to a need for additional primary healthcare provision to mitigate impacts arising from the development. Based on an anticipated population growth of 254 people, 17.41 m² of additional floorspace is required at the Market Cross Surgery is required. A supporting statement has been submitted by the CCG. There is currently an under-provision and therefore a contribution of £63, 600 is requested.

Place Services (Ecology)

26. We have reviewed the Preliminary Ecological Appraisal (Wood, August 2022) relating to the likely impacts of development on designated sites, protected species and Priority species and habitats. We are satisfied that there is sufficient ecological information available for determination. Recommends conditions requiring accordance with ecological appraisal recommendations; the submission of a construction environmental management plan (CEMP); farmland bird mitigation strategy; ecological design strategy; wildlife sensitive lighting design scheme; landscape and ecological management plan (LEMP).

Natural England

27. No objection - Based on the plans submitted, Natural England considers that the proposed development will not have significant adverse impacts on statutorily protected nature conservation sites or landscapes.

Representations:

28. Two letters of objection received stating the following:
- This current application does not provide clear evidence that the additional housing would be sustainable
 - The development would bring increased traffic and the inevitable increase of risk to pedestrians in the village and other road users where roads have not been built to accommodate this level of activity.
 - Character of the Village - the proposed application is out of scale for a small rural village.
 - Health Services including Emergency Services - according to the recent Core Strategy Development plan, high levels of development will have an impact on these services. GP's -none currently serve the village, will this change? Fire/Ambulance - will existing response be adequate? Emergency services - will existing police response be adequate?
 - Education - Current demand on placements at the village school is not sustainable. We are very concerned by the lack of information provided and the piecemeal type of information provided in particular on extending vehicular access and other plans to the rear

of Fengate Farm and on to Chapel Road and strongly object to the proposed development. We would ask that you consider these points and the potential future impact on our village.

- As a village we have a lovely but small local shop and a school that is already oversubscribed. No other shop, school, doctors, pharmacy. To increase the size of the village without increasing the amenities is irresponsible of the council to do so.
- There will be children that cannot attend their local school and it will make people more reliant on using a car, as the local public transport is non-existent.
- Amount of traffic will increase. The road is not safe now with the access to the base, it can cause queuing traffic. With the added traffic from the estate that will be built near the Mildenhall hub it is feared that it will be frustrating to say the least to actually get into the village.

Policy:

29. On 1 April 2019 Forest Heath District Council and St Edmundsbury Borough Council were replaced by a single authority, West Suffolk Council. The development plans for the previous local planning authorities were carried forward to the new Council by regulation. The development plans remain in place for the new West Suffolk Council and, with the exception of the Joint Development Management Policies Document (which had been adopted by both councils), set out policies for defined geographical areas within the new authority. It is therefore necessary to determine this application with reference to policies set out in the plans produced by the now dissolved Forest Heath District Council.

30. The following policies of the Joint Development Management Policies Document and the Forest Heath Core Strategy 2010 have been taken into account in the consideration of this application:

Site Allocations Local Plan 2019 (former Forest Heath area) SA1 - Settlement boundaries

Site Allocations Local Plan 2019 (former Forest Heath area) SA14 - Housing allocation and school expansion in West Row

Core Strategy Policy CS1 – Spatial Strategy

Core Strategy Policy CS2 - Natural Environment

Core Strategy Policy CS3 - Landscape character and the historic environment

Core Strategy Policy CS4 - Reduce emissions, mitigate and adapt to future climate change

Core Strategy Policy CS5 - Design quality and local distinctiveness

Core Strategy Policy CS9 - Affordable Housing Provision

Core Strategy Policy CS12 - Strategic transport improvement and sustainable transport

Core Strategy Policy CS13 - Infrastructure and developer contributions

Policy DM1 Presumption in Favour of Sustainable Development

Policy DM2 Creating Places Development Principles and Local Distinctiveness

Policy DM5 Development in Open Countryside

Policy DM6 Flooding and Sustainable Drainage

Policy DM7 Sustainable Design and Construction

Policy DM8 Low and Zero Carbon Energy Generation

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 DM20 Archaeology

Policy DM22 Residential Design

Policy DM42 Open Space, Sport and Recreation Facilities

Policy DM44 Rights of Way

Policy DM45 Transport Assessments and Travel Plans

Site Allocations Local Plan (SALP)

31. This plan was adopted on September 19th 2019, and the site is allocated for residential development under Policy SA14(a).

Other planning policy:

National Planning Policy Framework (NPPF)

32. The NPPF was revised in July 2021 and is a material consideration in decision making from the day of its publication. Paragraph 219 is clear however, that existing policies should not be considered out-of-date simply

because they were adopted or made prior to the publication of the revised NPPF. Due weight should be given to them according to their degree of consistency with the Framework; the closer the policies in the plan to the policies in the Framework; the greater weight that may be given. The policies set out within the Joint Development Management Policies have been assessed in detail and are considered sufficiently aligned with the provision of the 2021 NPPF that full weight can be attached to them in the decision-making process.

Officer comment:

33. The application is submitted in outline only, with all matters reserved save for access. The issues to be considered in the determination of the application are:

- Principle of Development
- Accordance with the requirements of allocation policy SA14(a)
- Access and highway impact
- Indicative design and layout
- Biodiversity and ecology
- Drainage
- Noise
- Planning obligations

Principle of Development

34. 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 comprises the policies set out in the Joint Development Management Policies Document (adopted February 2015), and the Core Strategy Development Plan Document (adopted May 2010). National planning policies set out in the revised National Planning Policy Framework 2021 are also a key material consideration.

35. Paragraph 11 of the NPPF states that plans and decisions should apply a presumption in favour of sustainable development. For decision taking, development proposals that accord with an up-to-date development plan should be approved without delay. Conversely therefore, development not in accordance with the development plan should be refused unless material considerations indicate otherwise.

36. The majority of the application site is allocated in the Site Allocations Local Plan (SALP) as allocation SA14(a). This allocation provides for an indicative capacity of 152 dwellings with the following requirements:

- (a) The site will be subject of a development brief for the whole site that will be prepared in consultation with the landowner(s) and the public and approved by the council prior to any planning permission being granted. Any application for planning permission should be in accordance with the approved development brief.
- (b) The development must provide measures for influencing recreation in the surrounding area, to avoid a damaging increase in visitors to the Breckland SPA. Measures should include provision of natural

greenspace and the enhancement and promotion of a dog friendly access route in the immediate vicinity of the development and/or other agreed measures. The developer is required to submit information that clearly demonstrates that the measures would result in no adverse effects on the integrity of Breckland SPA. This information will include:

- details of the timetable for implementation of all measures
- availability of measures at the time of occupation of the new dwellings – including any phasing plan if applicable
- details of adoption and future management of measures (as required).

Planning permission will not be granted unless this information is sufficient to allow the local planning authority (as competent authority) to conclude that the requirements of the Habitats Regulations 2017 (or any replacement regulations) are satisfied.

- (c) Strategic landscaping and open space must be provided to address the individual site requirements and location.
 - (d) A programme of archaeological work. Fieldwork for archaeological evaluation has identified Roman remains on the site and there will be a need for archaeological excavation prior to development.
 - (e) Sustainable travel provision including facilities for pedestrians and cyclists should be made to access village amenities. 1ha of land to the south of The Green as identified on the Policies Map is required for expansion of the existing primary school. Proportionate archaeological evaluation will be required to allow archaeological strategies to be designed.
37. The development site is subject to a current hybrid application, DC/14/2047/HYB. This includes a full application for erection of 41 dwellings (including 12 affordable dwellings), creation of new vehicular access onto Beeches Road, and an outline application with all matters reserved for the erection of up to 90 dwellings and 7 self-build homes. The provision of 1.91 hectares of public open space, 1.9 hectares of landscaping and 4.46 hectares of retained agricultural land for potential ecological mitigation is also proposed. It is understood that this application is no longer being pursued, although the application remains undetermined.
38. At the Forest Heath Development Control Committee on the 03.08.2016, members resolved to grant permission for the above development subject to conditions and the completion of a S106 legal agreement to secure the following:
- Proportionate Highway contribution to an altered Queensway Junction
 - SCC Travel Plan evaluation and support officer – £1,000 per year up to 5 years from final occupation
 - Travel Plan Bond - £123,623
 - Rights of Way (footpath improvements) - Between £82,320 and £88,920 depending on the order making process
 - Primary Education £401,973
 - Pre School £73,092

- Public Transport £15,000
- Affordable Housing in perpetuity - 30%
- Library Provision - £2,208
- Health - £45,380.00
- Off-site skylark habitat compensation – Control of land and provisions

39. The additional land for development to the east of the allocation (approx. 1.7 hectares) is located outside the settlement boundary in an area of open countryside (as defined by policy CS1 of the Core Strategy) where development is heavily restricted as set out in Joint Development Management Policy DM5. This element of the scheme is clearly contrary to these policies. The proposal should therefore be refused unless there are material considerations that dictate otherwise.
40. This approach accords with paragraph 12 of the NPPF, which states 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. 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.”
41. In this case it is considered that the additional land is directly related to the site allocation containing open agricultural land that is not sensitive in landscape terms. Its inclusion within the overall development proposal allows for a high-quality master-planned layout that protects the area of archaeological importance within the allocation through locating to the site’s access to the east of the site via Mildenhall Road. In part, this also allows for 2.4 ha of open space, more than double the policy requirement. Locating the vehicular access on to Mildenhall Road avoids the need for traffic to enter the main part of the village, with the key trip attractors to the east of the site. These and other key components of the scheme are considered in more detail below, however overall, the proposed application site including the additional land outside the allocated area allows for an enhanced scheme that better enables the required elements of Policy SA14(a) to be provided.
42. It is noted that requirement (a) of allocation policy SA14(a) is that site should be the subject of a formally adopted development brief. However, previously to this application, and during the determination and member approval of application DC/18/0614/FUL for 46 dwellings on the northern part of the allocation, it was accepted that this requirement could be waived. This position was reached having regard to the masterplans already produced for the site and the high-level survey works undertaken and mitigation proposed. It is also noted that the application is accompanied by a Design and Access statement and basic development brief.
43. The proposed development is therefore capable of being approved, subject to compliance with the criteria of Policy SA14(a) and all other relevant development plan policies and material considerations. Approval of the site including this additional land would be contrary to the current development

plan. Notwithstanding this, Officers are of the view that development of the extended site is acceptable in principle.

Accordance with the requirements of allocation policy SA14(a)

44. With a full application having already been approved for 46 dwellings on adjacent land within the allocation boundary for policy SA14(a), this current outline application comprises the remaining 106 homes to ensure as part of a comprehensive development which realises the policy objectives of SA14(a).
45. Referring back to the requirements of the allocation policy set out at paragraph 18 above, the application responds as follows:
46. SA14(a) Part A - The accompanying Design and Access Statement and Development Brief provides detail on the site and how the development proposals have been informed by pre-application discussions and community consultation. This all sets the parameters for detailed design and reserved matters.
47. SA14(a) Part B - A Habitat Regulations Assessment Screening Assessment accompanies this application which demonstrates and concludes that there are no adverse effects on the Breckland SPA. In fact, the provision of 2.4ha of open space goes significantly beyond the recommendation for a minimum of 0.8ha to be provided for as part of the scheme (identified in the 2017 Accessible Natural Greenspace Study). Having reviewed the proposals and the HRA, Natural England have commented that the proposed development will not have significant adverse impacts on statutorily protected nature conservation sites or landscapes. They have advised that a likely significant effect can be ruled out.
48. SA14(a) Part C – The application proposes a strong landscape framework with a green network of connected open space running through the site, providing accessible amenity space for both residents of the proposed development and also the existing community. Cycle and pedestrian routes will also connect the public open space. Enhancements to existing boundary planting is also proposed as well as new native woodland planting. Overall, the proposals deliver substantial new green infrastructure benefits due to the extensive green framework of the landscape proposals, together with the wildlife benefits.
49. SA14(a) Part D – In line with pre-application advice, archaeological assessments have been undertaken within the site. The area of archaeological importance within the western area of the site has been taken account of, and the illustrative masterplan, shows that open space has been located within this area to ensure there is no built development in this part of the site.
50. SA14(a) Part E – The masterplan and DAS indicates that provision for both cyclists and pedestrians be provided throughout the site, along with connections with the village to enable sustainable access to existing village amenities via links on to Beeches Road and the existing footway along Mildenhall Road. The neighbouring development for 46 dwellings has secured the provision of a new zebra crossing on Beeches Road, which the proposed development can also utilise in terms of a safe route to the

school. Improvements to the existing footpath to the south of the site are also proposed, which will provide for full off-road connections via the existing cycle/footway to Mildenhall Hub and beyond.

51. Acknowledging the fact that the proposal includes additional land outside of the policy allocation boundary, the application, the masterplan and its supporting documents demonstrate that the SA14(a) policy requirements have been met.

Access and highway impact

52. Access to the site will be from a new priority junction on Mildenhall Road to the north-east of the site. This vehicular access has been strategically located on Mildenhall Road to avoid the need for development traffic to enter West Row village centre given that the main destination is towards Mildenhall and the A11 to the east. The application indicates that a 2.4m x 43m visibility splay (MfS standard on 30mph road) can be achieved within the applicants' land and/or within the highway land boundary. Traffic calming, gateway features and enhanced road markings are also proposed on Mildenhall Road to the satisfaction of SCC Highways.
53. Footway provision is as follows:
 - A footway will link from the site access junction to the footway along the northern side of Mildenhall Road, subsequently linking to further footways on Beeches Road and allowing onward travel to West Row village centre (including to West Row Academy School). This will also be able to tie in with the proposed zebra crossing to be delivered on Beeches Road, secured as part of the adjoining permission
 - A footpath is proposed to link the site with the PRow footpath (FP6) located approximately 180m to the east. This is proposed to route east/west along the neighbouring field edge from the northeast corner of the site (close to the access junction).
 - A further shared cycle/footway link is proposed to link between the site and FP6, routing east/west from the southeast corner of the site to join the PRow further south. Upon reaching FP6, an independent cycleway is proposed to route alongside FP6 southwards to join Chapel Road, thereby keeping the existing PRow footpath free of cycle traffic. From Chapel Road, cyclists are able to route east to Pott Hall Road, before heading south to join BR1 (route proposed to be signed) which subsequently allows a traffic-free route to Mildenhall.
 - Three additional footways will also link from the northern/central area of the site to the adjacent development site (DC/18/0614/FUL) whereupon further footways will also allow onward travel to Beeches Road to the west.
54. In response to the requirement of Policy SA14(a) to improve existing pedestrian and cycleway links to amenities, a footpath strategy has been submitted with the application that incorporates the above footpath provisions along with mechanisms for delivery. The footpath enhancements

will ultimately be delivered as a condition of any permission and via Section 278 agreements with SCC Highways. Subject to the above the proposed highway arrangements, SCC Highways raises no objection to the proposal which limits its highway impact on the existing village and provides footpath and cycleway enhancement and is considered to accord with Joint Development Management Policies DM2, DM44, DM45 and the NPPF in this regard.

Indicative design and layout

55. In terms of achieving well-designed places, NPPF paragraph 130 requires development to, amongst other things; function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development; be visually attractive as a result of good architecture, layout and appropriate and effective landscaping; 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, and; create places that are safe, inclusive and accessible and which promote health and well-being. Relevant Joint Development Management Policies such as Policies DM2, DM13, DM22, DM45, and Core Strategy Policy CS5 also echo these requirements.
56. As the application is submitted in outline, with only access for consideration at this stage, only an indicative site layout along with a basic development brief has been submitted to demonstrate that the site is capable of successfully accommodating up to 106 dwellings. The plan indicates a development density of 29 dwellings per hectare, which is a lower density scheme reflecting the rural character of this location. Building heights will be predominantly 2-storey, with some 2.5-storey to denote focal buildings as part of creating a sense of place and character. The south-eastern part of the site has been shown as accommodating lower density and single storey dwellings. This would reflect the character of the adjoining residential area at Mason Gardens, which comprises bungalows.
57. The masterplan supports both traditional and contemporary forms of architecture, but also referencing the Suffolk Residential Design Guide for design features for Suffolk dwellings. Traditional details, materials and proportions can be reflected in new buildings either through authentic reproduction or contemporary reinterpretation, and examples of these are identified within the design and access statement.
58. Key frontages have been identified that include the western part of the development, overlooking the central open space and the eastern boundary where the scheme fronts on the adjoining countryside. An important element of the masterplan for the site will be green infrastructure and landscaping, and these include: footpath/cycle links on to Beeches Road; green space preserving the on-site Roman archaeology (including information boards and benches/seating areas, and a landscaping scheme which is likely to include wildflower meadow grassland and skylark plots. Overall, 2 hectares of green space will be provided across the site, which will provide suitable habitat for a range of different species.
59. In terms of design, scale, appearance and overall sustainability, the proposed development is considered to perform well when assessed against Core Strategy CS5 and Joint Development Management Policies DM1, DM2,

DM13, DM20, DM22 and the NPPF. Subject to the submission of detailed plans in respect of elevation treatments, scale, landscaping, design and layout, the proposal would not harm the wider landscape character or the visual amenities of the area and can accord with Core Strategy Policy CS3 in this regard. The indicative scheme proposed demonstrates that a detailed scheme is capable of being designed in accordance with the requirements of relevant development plan policies and paragraph 130 of the NPPF.

Biodiversity and ecology

60. Core Strategy Policy CS2 and Joint Development Management Policies DM10, DM11, DM12 and DM13 seek to conserve and enhance biodiversity through the assessment of the impact of the development and the provision of mitigation. In line with the requirements of Joint Development Management Policy DM12, there is also the opportunity for ecological enhancements across the proposed development, and these are set out in the ecological survey.
61. Furthermore, the local planning authority, as the competent authority, is responsible for the Habitats Regulation Assessment (HRA) as required by The Conservation of Habitats and Species Regulations 2017. In this case the site is within 3.6km of Breckland Special Protection Area (SPA), in this case Breckland Forest. This is a site of international importance, important for woodlark and Nightjar. The site is sufficiently remote from the boundary of the SPA and its constraint zones for direct impacts to be screened out. However, the potential for the construction of residential dwellings on this site has been considered in relation to the potential to contribute to recreational pressure on the SPA.
62. To enable the LPA to undertake its statutory duty, the application is accompanied by a HRA Screening Report that identifies aspects of the Project that are likely to have a significant effect on European protected sites for nature conservation, either alone or in combination with other plans and projects. It then provides information to support the Appropriate Assessment (AA) stage of HRA, which considers whether likely significant effects on European sites identified through the first screening stage of the HRA may have an adverse effect on the site's integrity.
63. SALP Policy SA14 requires that development must provide measures for influencing recreation in the surrounding area to avoid a damaging increase in visitors to the Breckland SPA. Measures should include provision of suitable alternative natural greenspace and the enhancement and promotion of a dog friendly access route in the immediate vicinity of the development and/or other agreed measures. In addition strategic landscaping and open space must be provided to address the individual site requirements and location. The SIR and SALP have been subject to HRA which takes into account the policy wording and the implementation of the recommendations in the natural greenspace study.
64. As such it is necessary that residential applications within this distance to the SPA provide their own sufficient green infrastructure to allow for recreational activities on site such as dog walking paths, allotments and areas of natural green space. Such on site provision will help to ensure that new residents are not travelling to the adjacent protected sites because there is insufficient quality green space. Of particular concern is ensuring

residents are able to exercise dogs. Mitigation in the form of provision of well-connected open space that will serve as local green space for residents should be provided on this site and connection to the wider network of public rights of way is a priority.

65. For Appropriate Assessment to conclude no adverse effect on integrity of the Breckland SPA from cumulative recreational pressure, measures should be provided that would influence recreation in the surrounding area. These measures could include provision of on-site open space/ green infrastructure, promotion and facilitation of recreational connectivity including connection to the PRow network and potentially a contribution (financial for a defined project or SANG) to mitigate cumulative effects.
66. The neighbouring approved development of 46 dwellings (DC/18/0614/FUL) included a financial contribution of £88k towards PRow footpath improvements, and this outline application now proposes footpath connections to the wider footpath network to the south-west of the site, a footpath improvement strategy and further financial contributions that will enable off-road access to connect with the existing cycleway/footway off Pott Hall Lane heading towards Mildenhall Hub. These works are on land controlled by the applicant and/or the Local Highway Authority and can be required to be implemented by condition of any approval.
67. With the above mitigation in place, as well as the significant on-site open space proposed, it is possible to conclude that there would be no adverse effect on the integrity of Breckland SPA from cumulative recreational pressure in accordance with emerging Policy SA14 and the Conservation of Habitats and Species Regulations 2017.
68. The application is also accompanied by a Phase 1 Habitat Survey and an Ecological Report (amended August 2022) relating to the likely impacts of development on designated sites, protected species and Priority species and habitats. This has been assessed by the Council's Ecology consultants. The report concludes that that the proposed development will result in the loss of some habitat, including; cultivated/disturbed land; Arable; Poor semi-improved grassland; Scrub; Hedgerow, and; trees. However, the proposed development will where possible retain boundary features such as hedgerows and trees, retaining those habitats which currently provide most biodiversity value at the site. In addition to habitat retention the outline masterplan includes provision of over 2ha of green space and connecting green infrastructure which will include a mixture of semi-improved grassland (managed for conservation), scrub and other habitats. The drainage features can also be designed to maximise their value for biodiversity.
69. The application is also accompanied by a Biodiversity Net Gain (BNG) Assessment. Under the Environment Act 2021 most planning permissions granted in England will have to deliver at least 10% biodiversity net gain from an as yet unconfirmed date, expected to be in November 2023. BNG will be measured using Defra's biodiversity metric and habitats will need to be secured for at least 30 years. The assessment indicates that the landscape proposals will provide for wildlife habitat and hedgerow net gains. This includes a 18.45% gain for habitats and a 292.58% gain for hedgerows. The current habitats on site are considered to be low in ecological value and whilst the proposed development will include 3.81ha of

housing and gardens, the inclusion of designated areas as public green space and compensatory habitat for farmland birds such as skylark and corn bunting, and the creation of 275m of hedgerow mean that the loss of habitat is more than adequately compensated.

70. The above biodiversity net gains accord with Joint Development Management Policy DM12 and also help to futureproof the site in terms of 2023 10% BNG requirement.
71. The following ecological mitigation is proposed:
 - Creation of approx. 275 metres of new hedgerow
 - 2ha of green space and connecting green infrastructure
 - Sensitive lighting strategy for bats
 - Formation of Skylark plots as part of a Landscape and Ecological Management Plan (LEMP). The LEMP will include planting plans and grassland mixes for any habitat creation and the specifications for any other enhancements for protected species mitigation or enhancement such as the provision of bird boxes or bat boxes
 - Farmland Bird Mitigation Strategy
72. Subject to the above mitigation and enhancements as set out in the Ecology Report, along with a Wildlife Friendly Lighting Strategy to be submitted and approved by condition, the Council's Ecology consultants are satisfied that the ecological impacts are not significant and that there will be a net gain in biodiversity in accordance with the requirements of Core Strategy Policy CS2 and JDM Policy DM12 and Paragraph 174d of the National Planning Policy Framework (2021).

Drainage

73. SCC Flood and Water Management (LLFA) have reviewed the latest drainage scheme submitted by the applicant, and it has been demonstrated that the site's surface water can be disposed via infiltration type SuDS. Infiltration rates are feasible and the selection of SuDS types are satisfactory. Further detail will be required in respect of the drainage calculations, modelling and management, however subject to an appropriate condition to secure these additional details, the proposal is considered to accord with Joint Development management Policy DM6 in this regard.

Noise

74. Both the NPPF and the Local Plan Policy seek to protect and secure a good standard of amenity for new and existing development. Paragraph 170 of the NPPF provides brief guidance on planning and noise and states that planning decisions should enhance the natural and local environment by preventing new and existing development from contributing to, being put at unacceptable risk from, or being adversely affected by, unacceptable levels of soil, air, water or noise pollution.
75. The Noise Policy Statement for England (NPSE) was published by DEFRA in March 2010 and forms the overarching statement of noise policy for England (and hence is of direct relevance to the assessment of planning applications under the NPPF for developments in England only). It sets out

the long-term vision of the Government, as follows: “[to] Promote good health and a good quality of life through the effective management of noise within the context of Government policy on sustainable development.”

76. Policy DM2 of the JDMF seeks to avoid sensitive development where its users would be significantly and adversely affected by noise, smell vibration, or other forms of pollution from existing sources, unless adequate and appropriate mitigation can be implemented.
77. The site lies close to RAF Mildenhall (a significant noise source), but outside the MOD noise contours where noise could be a significant issue. However, a noise survey has been submitted with the application, which demonstrates that the site has a negligible risk of adverse effect from noise, and therefore internal and external noise levels will not result in any adverse effects due to external transport noise with minimal mitigation. Good design practices have still been suggested and the assessment has demonstrated that the site has no acoustic challenges with no additional mitigation implemented.
78. To meet the WHO guidelines it should be demonstrated that noise levels inside a living room, with the windows closed, shall not exceed a daytime level of 35dB LAeq (16rs) during the daytime, and in the bedrooms at night-time a level of 30 dB LAeq (8hrs) should not be exceeded. The applicant’s noise report suggests that these requirements can be met. An agreed condition can secure this.

Planning Obligations

79. A development of up to 106 dwellings triggers the policy requirement for developer obligations, including the requirement for affordable housing (Policy CS9) and on-site open space (Policies DM42 and CS13). Policy CS9 sets a target of 30% of the new dwellings being affordable. A development of this size also requires an assessment to be made of the impact on local schools and library facilities. The County Council have requested contributions towards enhanced education facilities based on a development of up to 106 dwellings based on £18,187 per place for pre-school (early years), £18,187 per pupil place for primary school (3 places required) and £25,253 per pupil place for secondary (19 places required) and 6th form (4 places required) provision. A contribution towards enhanced library provision is also proposed.
80. In its capacity as the healthcare provider, West Suffolk CCG has identified that the development will give rise to a need for additional primary healthcare provision to mitigate impacts arising from the development. The capital required through developer contribution would form a proportion of the required funding for the provision of capacity to absorb the patient growth generated by this development. Based on an anticipated population growth of 254 people, 17.41 m² of additional floorspace is required at the Market Cross Surgery is required. A supporting statement has been submitted by the CCG demonstrating that there is currently an under-provision and therefore a contribution of £63, 600 is requested.
81. All local planning authorities should have regard to both the Waste Management Plan for England and the National Planning Policy for Waste when discharging their responsibilities to the extent that they are appropriate to waste management. The Waste Management Plan for

England sets out the Government's ambition to work towards a more sustainable and efficient approach to resource use and management. Paragraph 8 of the National Planning Policy for Waste states that when determining planning applications for non-waste development, local planning authorities should, to the extent appropriate to their responsibilities, ensure that: - "New, non-waste development makes sufficient provision for waste management and promotes good design to secure the integration of waste management facilities with the rest of the development and, in less developed areas, with the local landscape. This includes providing adequate storage facilities at residential premises, for example by ensuring that there is sufficient and discrete provision for bins, to facilitate a high quality, comprehensive and frequent household collection service."

82. Suffolk County Council comments that the nearest recycling centre is the Mildenhall Recycling Centre, where there are currently no improvement projects planned and as a result no contributions are sought towards this facility. However, the West Suffolk Operational Hub (WSOH), in Bury St Edmunds, which includes a new Waste Transfer Station requires retrospective developer contributions. This project is listed in Suffolk County Council Infrastructure Funding Statement 2020-21, as a project where borrowings have been used by SCC to forward fund the infrastructure. Waste Transfer Stations are an integral part of reducing vehicle mileage as they provide a facility where waste is efficiently transferred on the most appropriate vehicles to be taken to a reprocessing facility or final disposal (land fill or incineration). A S106 contribution of £45 per dwelling is therefore required from this proposed development ($106 \times £45 = £4,770$).
83. In order to meet the infrastructure requirements of the development in accordance with Core Strategy Policy CS13, and in part the pedestrian and cycle way improvements required by allocation Policy SA14(a), the following planning obligations will be secured through the completion of a S106 legal agreement:
 - Primary Education - £54, 561
 - Secondary Education - £479, 807
 - Sixth form provision - £101, 012
 - Affordable Housing in perpetuity - 30%
 - Library Provision - £24, 592
 - Financial contribution towards enhanced footpath provision - £37,364.40 – (This is to be pooled with s106 funding from adjacent scheme (DC/18/0614/FUL) to create and/or improve sustainable travel links between the application site and Mildenhall Bridleway 1)
 - Primary Healthcare - £63, 600
 - Waste - £4, 770
84. The above planning obligations, unless stated otherwise, meet the test of the Regulation 122 of the Community Infrastructure regulations in that the obligations are necessary to make the development acceptable in planning terms, directly related to the development and fairly and reasonably related in scale and kind to the development.

Other matters

85. **Parish Council Office and Cemetery land** – Early discussions between the applicant and West Row Parish Council identified the need for additional open space, a dedicated parish office to operate from to serve the local population as well as land for a cemetery (an extension to the existing site). The cemetery at St Peter’s Church has experienced a significant increase in demand since the closure of the Baptist Chapel cemetery in 2012 when the final burial plot was occupied, the Baptist Church took the decision to retain some ground for car parking and recreation, leaving no further space for burial plots. At the time of the application submission, the Parish Council advised that there are thirty-five burial plots remaining at St Peter’s Church and based on these figures and the current rate of four new plots required annually the Parish Council understand that there is approximately 8.75 years capacity remaining, this does not however account for any increased demand linked to the village’s growing population.
86. It is also understood that the Parish Council would like to take on ownership and management of open space within the proposed development, they have also requested provision of land in which they would like to establish a new parish office and a small museum.
87. The above proposals are welcome, and indeed the land for the parish office/museum is within the site and is hoped will become an established feature of the development in the future. However, the provision of the above is over and above that required by SALP Policy SA14(a), and therefore cannot be a material consideration in the determination of this application. It is understood that Suffolk County Council as current landowner will enter into separate agreements (outside of the planning process) to allow for the transfer of the required land to the Parish Council.
88. **Energy efficiency** - JDM Policy DM7 states that; “All proposals for new development including the re-use or conversion of existing buildings will be expected to adhere to broad principles of sustainable design and construction and optimise energy efficiency through the use of design, layout, orientation, materials, insulation and construction techniques...In particular, proposals for new residential development will be required to demonstrate that appropriated water efficiency measures will be employed.” All new developments will be expected to include details in the Design and Access statement (or separate energy statement) of how it is proposed that the site will meet the energy standards set out within national Building Regulations. In particular, any areas in which the proposed energy strategy might conflict with other requirements set out in this Plan should be identified and proposals for resolving this conflict outlined.”
89. The applicant has stated that it will seek to provide low carbon sustainable homes, which will be highly energy and heat efficient, use low carbon and renewable energy sources of heat and power in excess of any existing local and national building standards and that sustainability measures including energy efficiency will be dealt with at the reserved matters stage. However, no further details have been submitted to substantiate this, and in order to demonstrate compliance with Policy DM7 then the applicant’s sustainability strategy should be suitably specified, perhaps in an accompanying Energy

Statement, which may then be secured by appropriate conditions. Likewise, there are currently insufficient details in order to ascertain whether or not the approach proposed meets the energy standards set out in national Building Regulations, (in accordance with Policy DM7 requirements).

90. Although the above lack of evidence of energy efficiency is not in itself a reason to refuse the development, the Council has an ambition to encourage the aspirations for energy efficiency levels in buildings as well as the uptake of renewable energy technologies, especially renewable heat and district heating. It is taking an active approach to encourage rather than regulate and may be able to provide technical and financial support, and is available to discuss.
91. In respect of water efficiency, all new residential development should demonstrate a water consumption level of no more than 100 litres per day (including external water use). This is reflective of Part G2 of the Building Regulations. Accordingly, a condition can be applied to any planning permission to ensure that the above water consumption level is achieved.
92. **Air Quality** - EPUK document Land-Use Planning & Development Control: Planning For Air Quality (January 2017(v1.2)) recommends major developments are subject to measures to help reduce the impact on Local Air Quality. All major developments should be targeted as there very few developments which will show a direct impact on local air quality, but all developments will have a cumulative effect.
93. Paragraph 107 of the NPPF states that local parking standards for residential and non-residential development, policies should take into account e) the need to ensure an adequate provision of spaces for charging plug-in and other ultra-low emission vehicles. Paragraph 112 of the NPPF states that applications for development should be designed to enable charging of plug-in and other ultra-low emission vehicles in safe, accessible and convenient locations.
94. Air Quality Planning Policy Guidance lists mitigation measures for reducing the impact of air quality and includes the provision of infrastructure to promote modes of transport with a low impact on air quality (such as electric vehicle charging points).
95. Policy DM14 of the Joint Development Management Policies Document states that proposals for all new developments should minimise all emissions and ensure no deterioration to either air or water quality. Section 3.4.2 of the Suffolk Parking Standards also has requirements for electrical vehicle charging infrastructure, including the installation of a suitable consumer unit capable of providing 7.4kW charge all in new dwellings.
96. It is therefore recommended that prior to first occupation, all dwellings with off street parking shall be provided with an operational electric vehicle charge point at reasonably and practicably accessible locations, with an electric supply to the charge point capable of providing a 7kW charge. This can be required by condition.
97. **Local residents and Parish Council** – the comments of local residents and the Parish Council have been taken into account throughout the consideration of this application. It is considered that the application meets

the requirements of the policy allocating the site for residential development. Subject to conditions requiring such things as footpath and highway improvements, the development is or can be made acceptable.

Conclusion:

98. This report has identified that the proposed development due to part of its location outside the current settlement boundary and policy allocation is contrary to the development plan. 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 application proposes the development of an adopted allocation for residential development as part of a SALP that meets all required elements of the policy. The additional land results in a higher quality development including open space provision in excess of that required
 - The development would contribute 106 dwellings towards the 5-year housing supply, as well as providing for much needed affordable homes and enhanced footpath provision in the local area
 - The development of the site would lead to economic gains realised through the financial investment and employment created. Further benefits would accrue from the increased population that would spend money in the local economy. This can be afforded modest weight.
99. The information submitted with the application, along with the amendments to the proposed development, have demonstrated that a sustainable development of up to 106 dwellings can be achieved that meets the relevant requirements of Local Plan policy, the requirements of allocation Policy SA14(a), and the NPPF 2021 (as set out in this report). It has been demonstrated that the proposal limits its highway impact on the existing village and provides footpath and cycleway enhancement. Where not directly provided for on-site, the application mitigates for ecological and infrastructure impacts through appropriate financial contributions towards education, healthcare provision, off-site highway works, and provision of footpath links.
100. In conclusion, having considered the material considerations raised by the application proposal, Officers consider that the conformity with the requirements of the allocation Policy SA14(a), the collective benefits arising from the development are substantial and are of sufficient weight to allow the development to be approved contrary to the Development Plan.

Recommendation:

101. It is recommended that planning permission be **APPROVED** subject to the completion of a S106 legal agreement to provide for the following planning obligations:

- Primary Education - £54, 561
- Secondary Education - £479, 807
- Sixth form provision - £101, 012
- Affordable Housing in perpetuity - 30%
- Library Provision - £24, 592
- Financial contribution towards enhanced footpath provision - £37,364.40 – (This is to be pooled with s106 funding from adjacent scheme (DC/18/0614/FUL) to create and/or improve sustainable travel links between the application site and Mildenhall Bridleway 1)
- Primary Healthcare - £63, 600
- Waste - £4, 770

and the following conditions:

1. Application for the approval of the matters reserved by conditions of this permission shall be made to the Local Planning Authority before the expiration of three years from the date of this permission. The development hereby permitted shall be begun not later than whichever is the latest of the following dates:-

- i) The expiration of three years from the date of this permission; or
- ii) The expiration of two years from the final approval of the reserved matters; or,

In the case of approval on different dates, the final approval of the last such matter to be approved.

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

2. Prior to commencement of development details of the appearance, landscaping, layout, and scale (hereinafter called "the reserved matters") shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out as approved.

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

3. The development hereby permitted shall not be carried out except in complete accordance with the details shown on the following approved plans and documents, unless otherwise stated below:

Reason: To define the scope and extent of this permission.

4. Prior to commencement of development the following components to deal with the risks associated with contamination of the site shall each be submitted to and approved, in writing, by the Local Planning Authority:
 - a. A site investigation scheme,
 - b. The results of a site investigation based on i) and a detailed risk assessment, including a revised Conceptual Site Model (CSM),
 - c. Based on the risk assessment in ii), a remediation strategy giving full details of the remediation measures required and how they are to be undertaken. The strategy shall include a plan providing details of how the remediation works shall be judged to be complete and arrangements for

contingency actions.

Reason: To protect and prevent the pollution of controlled waters, future end users of the land, neighbouring land, property and ecological systems from potential pollutants associated with current and previous land uses in accordance with policy DM14 of the West Suffolk Joint Development Management Policies Document 2015, paragraphs 170,178 and 179 of the National Planning Policy Framework (NPPF), Environment Agency Groundwater Protection: Principles and Practice (GP3) and all relevant Core Strategy Policies. This condition requires matters to be agreed prior to commencement since it relates to consideration of below ground matters that require resolution prior to further development taking place, to ensure any contaminated material is satisfactorily dealt with.

5. No occupation of any part of the permitted development shall take place until a verification report demonstrating completion of works as set out in the remediation strategy is submitted to and approved, in writing by the Local Planning Authority.

Reason: To protect and prevent the pollution of controlled waters, future end users of the land, neighbouring land, property and ecological systems from potential pollutants associated with current and previous land uses in accordance with policy DM14 of the West Suffolk Joint Development Management Policies Document 2015, paragraphs 170,178 and 179 of the National Planning Policy Framework (NPPF), Environment Agency Groundwater Protection: Principles and Practice (GP3) and all relevant Core Strategy Policies.

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

Reason: To protect and prevent the pollution of controlled waters, future end users of the land, neighbouring land, property and ecological systems from potential pollutants associated with current and previous land uses in accordance with policy DM14 of the West Suffolk Joint Development Management Policies Document 2015, paragraphs 170,178 and 179 of the National Planning Policy Framework (NPPF), Environment Agency Groundwater Protection: Principles and Practice (GP3) and all relevant Core Strategy Policies.

7. Prior to first occupation, all dwellings with off street parking shall be provided with an operational electric vehicle charge point at reasonably and practicably accessible locations, with an electric supply to the charge point capable of providing a 7kW charge.

Reason: To promote and facilitate the uptake of electric vehicles on the site in order to minimise emissions and ensure no deterioration to the local air quality, in accordance with Policy DM14 of the Joint Development Management Policies Document, paragraphs 107 and 112 of the National Planning Policy Framework and the Suffolk Parking Standards.

8. Demolition or construction works shall not take place outside the hours of 08:00-18:00 hours Mondays to Fridays and 08:00-13:00 hours on Saturdays and at no time on Sundays, public holidays or bank holidays.

Reason: To protect the amenity of occupiers of adjacent properties from noise and disturbance, in accordance with policies DM2 and DM14 of the West Suffolk Joint Development Management Policies Document 2015, Chapter 15 of the National Planning Policy Framework and all relevant Core Strategy Policies.

9. Prior to commencement of development, including any works of demolition, a Construction Method Statement shall be submitted to, and approved in writing by, the Local Planning Authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide for:
 - a. The parking of vehicles of site operatives and visitors
 - b. Loading and unloading of plant and materials
 - c. Site set-up including arrangements for the storage of plant and materials used in constructing the development and the provision of temporary offices, plant and machinery
 - d. The erection and maintenance of security hoarding including external safety and information signage, interpretation boards, decorative displays and facilities for public viewing, where appropriate
 - e. Wheel washing facilities
 - f. Measures to control the emission of dust and dirt during construction
 - g. A scheme for recycling/disposing of waste resulting from demolition and construction works
 - h. Hours of construction operations including times for deliveries and the removal of excavated materials and waste
 - i. Noise method statements and noise levels for each construction activity including piling and excavation operations
 - j. Access and protection measures around the construction site for pedestrians, cyclists and other road users including arrangements for diversions during the construction period and for the provision of associated directional signage relating thereto.

Reason: To ensure the satisfactory development of the site and to protect the amenity of occupiers of adjacent properties from noise and disturbance, in accordance with policies DM2 and DM14 of the West Suffolk Joint Development Management Policies Document 2015, Chapter 15 of the National Planning Policy Framework and all relevant Core Strategy Policies. This condition requires matters to be agreed prior to commencement to ensure that appropriate arrangements are put into place before any works take place on site that are likely to impact the area and nearby occupiers.

10. No construction for any dwelling shall commence until details in respect of each of the following has been submitted to and approved in writing by the Local Planning Authority:
 - a. Details of the development that demonstrate that for each unoccupied dwelling and its associated sound insulation that noise levels with windows closed shall not exceed a daytime level of 35 dB (16hrs) within living rooms between 07.00am and 11.00pm, and a night-time level of 30 dB

LAeq (8hrs) within bedrooms between 11.00am and 07.00am, using the methodology advocated within BS 8233:2014 'Guidance on sound insulation and noise reduction for buildings' (2014). The development shall adopt the proposed sound insulation measures as stated, and;

b. Details of a measurement and assessment methodology for demonstrating compliance with the limits set in condition 1) a).

Reason: To protect the amenities of occupiers of properties in the locality, in accordance with policies DM2 and DM14 of the West Suffolk Joint Development Management Policies Document 2015, Chapters 12 and 15 of the National Planning Policy Framework and all relevant Core Strategy Policies.

- 11.No development above ground level shall take place until a scheme of soft landscaping for the site drawn to a scale of not less than 1:200 has been submitted to and approved in writing by the Local Planning Authority. The soft landscaping details shall include planting plans; written specifications (including cultivation and other operations associated with plant and grass establishment); schedules of plants noting species, plant sizes and proposed numbers/densities. The approved scheme of soft landscaping works shall be implemented not later than the first planting season following commencement of the development (or within such extended period as may first be agreed in writing with the Local Planning Authority). Any planting removed, dying or becoming seriously damaged or diseased within five years of planting shall be replaced within the first available planting season thereafter with planting of similar size and species unless the Local Planning Authority gives written consent for any variation.

Reason: To assimilate the development into its surroundings and protect the character and appearance of the area, in accordance with policies DM2, DM12 and DM13 of the West Suffolk Joint Development Management Policies Document 2015, Chapters 12 and 15 of the National Planning Policy Framework and all relevant Core Strategy Policies.

- 12.No development above ground level shall take place until details of a hard landscaping scheme for the site have been submitted to and approved in writing by the Local Planning Authority. These details shall include proposed finished levels and contours showing earthworks and mounding; surfacing materials; means of enclosure; car parking layouts; other vehicle and pedestrian access and circulations areas; hard surfacing materials; minor artefacts and structures (for example furniture, play equipment, refuse and/or other storage units, signs, lighting and similar features); proposed and existing functional services above and below ground (for example drainage, power, communications cables and pipelines, indicating lines, manholes, supports and other technical features); retained historic landscape features and proposals for restoration where relevant. The scheme shall be implemented prior to the occupation of any part of the development (or within such extended period as may first be agreed in writing with the Local Planning Authority).

Reason: To assimilate the development into its surroundings and protect the character and appearance of the area, in accordance with policies DM2 and DM13 of the West Suffolk Joint Development Management Policies

Document 2015, Chapters 12 and 15 of the National Planning Policy Framework and all relevant Core Strategy Policies.

13. No development above ground level shall take place until a landscape management plan, including long term design objectives, management responsibilities and maintenance schedules and periods for all soft landscape areas (other than small privately owned domestic gardens) together with a timetable for the implementation of the landscape management plan, has been submitted to and approved in writing by the Local Planning Authority. The landscape management plan shall be carried out in accordance with the approved details and timetable.

Reason: To ensure the longevity of the landscaping scheme and protect the visual amenity and character of the area, in accordance with policy DM12 and DM13 of the West Suffolk Joint Development Management Policies Document 2015, Chapters 12 and 15 of the National Planning Policy Framework and all relevant Core Strategy Policies.

14. Prior to commencement of development an Arboricultural Method Statement (including any demolition, groundworks and site clearance) shall be submitted to and approved in writing by the Local Planning Authority. The Statement should include details of the following:
 - a. Measures for the protection of those trees and hedges on the application site that are to be retained,
 - b. Details of all construction measures within the 'Root Protection Area' (defined by a radius of $dbh \times 12$ where dbh is the diameter of the trunk measured at a height of 1.5m above ground level) of those trees on the application site which are to be retained specifying the position, depth, and method of construction/installation/excavation of service trenches, building foundations, hardstandings, roads and footpaths,
 - c. A schedule of proposed surgery works to be undertaken to those trees and hedges on the application site which are to be retained.

The development shall be carried out in accordance with the approved Method Statement unless agreed in writing by the Local Planning Authority.

Reason: To ensure that the trees and hedges on site are adequately protected, to safeguard the character and visual amenity of the area, in accordance with policies DM12 and DM13 of the West Suffolk Joint Development Management Policies Document 2015, Chapter 15 of the National Planning Policy Framework and all relevant Core Strategy Policies. This condition requires matters to be agreed prior to commencement of development to ensure that existing trees are adequately protected prior to any ground disturbance.

15. All mitigation and enhancement measures and/or works shall be carried out in accordance with the details contained in the Preliminary Ecological Appraisal (Wood, August 2022) and the Breeding Bird Survey Report (Wood, 2021) as already submitted with the planning application and agreed in principle with the local planning authority prior to determination. This may include the appointment of an appropriately competent person e.g. an ecological clerk of works (ECoW) to provide on-site ecological expertise during construction. The appointed person shall undertake all

activities, and works shall be carried out, in accordance with the approved details.

Reason: To conserve and enhance protected and Priority species and allow the LPA to discharge its duties under the Conservation of Habitats and Species Regulations 2017 (as amended), the Wildlife & Countryside Act 1981 as amended and s40 of the NERC Act 2006 (Priority habitats & species) as updated by the Environment Act 2021.

16. Concurrent with the submission of reserved matters, a construction environmental management plan (CEMP: Biodiversity) shall be submitted to and approved in writing by the local planning authority. The CEMP (Biodiversity) shall include the following.

- a) Risk assessment of potentially damaging construction activities.
- b) Identification of "biodiversity protection zones".
- c) Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction (may be provided as a set of method statements).
- d) The location and timing of sensitive works to avoid harm to biodiversity features.
- e) The times during construction when specialist ecologists need to be present on site to oversee works.
- f) Responsible persons and lines of communication.
- g) The role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person.
- h) Use of protective fences, exclusion barriers and warning signs.
- i) Containment, control and removal of any Invasive non-native species present on site

The approved CEMP shall be adhered to and implemented throughout the construction period strictly in accordance with the approved details, unless otherwise agreed in writing by the local planning authority

Reason: To conserve protected and Priority species and allow the LPA to discharge its duties under the Conservation of Habitats and Species Regulations 2017 (as amended), the Wildlife & Countryside Act 1981 (as amended) and s40 of the NERC Act 2006 (Priority habitats & species) as updated by the Environment Act 2021.

17. Concurrent with the submission of reserved matters, a Farmland Bird Mitigation Strategy shall be submitted to and approved by the local planning authority to compensate the loss or displacement of any Farmland Bird territories identified as lost or displaced. This shall include provision of offsite compensation measures to be secured by legal agreement, in nearby agricultural land, prior to commencement. The content of the Farmland Bird Mitigation Strategy shall include the following:

- a) Purpose and conservation objectives for the proposed compensation measure e.g. Skylark nest plots;
- b) detailed methodology for the compensation measures e.g. Skylark plots must follow Agri-Environment Scheme option: 'AB4 Skylark Plots';
- c) locations of the compensation measures by appropriate maps and/or plans;
- d) persons responsible for implementing the compensation measure.

The Farmland Bird Mitigation Strategy shall be implemented in accordance with the approved details and all features shall be retained for a minimum period of 10 years.

Reason: To allow the LPA to discharge its duties under the NERC Act 2006 (Priority habitats & species).

18. No development shall take place until an ecological design strategy (EDS) addressing the mitigation, compensation and enhancement measures for bats, birds, and hedgehogs has been submitted to and approved in writing by the local planning authority.

The EDS shall include the following.

- a) Purpose and conservation objectives for the proposed works.
- b) Review of site potential and constraints.
- c) Detailed design(s) and/or working method(s) to achieve stated objectives.
- d) Extent and location/area of proposed works on appropriate scale maps and plans.
- e) Type and source of materials to be used where appropriate, e.g. native species of local provenance.
- f) Timetable for implementation demonstrating that works are aligned with the proposed phasing of development.
- g) Persons responsible for implementing the works.
- h) Details of initial aftercare and long-term maintenance.
- i) Details for monitoring and remedial measures.
- j) Details for disposal of any wastes arising from works.

The EDS shall be implemented in accordance with the approved details and all features shall be retained in that manner thereafter.

Reason: To allow the LPA to discharge its duties under the Conservation of Habitats and Species Regulations 2017 (as amended), the Wildlife & Countryside Act 1981 (as amended) and s40 of the NERC Act 2006 (Priority habitats & species) as updated by the Environment Act 2021.

19. Concurrent with the submission of reserved matters, a lighting design scheme for biodiversity shall be submitted to and approved in writing by the local planning authority. The scheme shall identify those features on site that are particularly sensitive for bats and that are likely to cause disturbance along important routes used for foraging; and show how and where external lighting will be installed (through the provision of appropriate lighting contour plans, Isolux drawings and technical specifications) so that it can be clearly demonstrated that areas to be lit will not disturb or prevent bats using their territory. All external lighting shall be installed in accordance with the specifications and locations set out in the scheme and maintained thereafter in accordance with the scheme. Under no circumstances should any other external lighting be installed without prior consent from the local planning authority.

Reason: To allow the LPA to discharge its duties under the Conservation of Habitats and Species Regulations 2017 (as amended), the Wildlife & Countryside Act 1981 as amended and s40 of the NERC Act 2006 (Priority habitats & species) as updated by the Environment Act 2021.

20. Concurrent with the submission of reserved matters, a Landscape and Ecological Management Plan (LEMP) shall be submitted to, and be approved in writing by, the local planning authority. The content of the LEMP shall include the following:
- a) Description and evaluation of features to be managed.
 - b) Ecological trends and constraints on site that might influence management.
 - c) Aims and objectives of management.
 - d) Appropriate management options for achieving aims and objectives.
 - e) Prescriptions for management actions.
 - f) Preparation of a work schedule (including an annual work plan capable of being rolled forward over a five-year period).
 - g) Details of the body or organisation responsible for implementation of the plan.
 - h) Ongoing monitoring and remedial measures.

The LEMP shall also include details of the legal and funding mechanism(s) by which the long-term implementation of the plan will be secured by the developer with the management body(ies) responsible for its delivery. The plan shall also set out (where the results from monitoring show that conservation aims and objectives of the LEMP are not being met) how contingencies and/or remedial action will be identified, agreed and implemented so that the development still delivers the fully functioning biodiversity objectives of the originally approved scheme. The approved plan will be implemented in accordance with the approved details.

Reason: To allow the LPA to discharge its duties under the Conservation of Habitats and Species Regulations 2017 (as amended), the Wildlife & Countryside Act 1981 (as amended) and s40 of the NERC Act 2006 (Priority habitats & species).

21. Prior to commencement of development above ground level a scheme for the provision of fire hydrants within the application site shall be submitted to and approved in writing by the Local Planning Authority. No part of the development shall be occupied or brought into use until the fire hydrants have been provided in accordance with the approved scheme. Thereafter the hydrants shall be retained in their approved form unless the prior written consent of the Local Planning Authority is obtained for any variation.

Reason: To ensure the adequate supply of water for firefighting and community safety, in accordance with policy DM2 of the West Suffolk Joint Development Management Policies Document 2015, Chapters 8 and 12 of the National Planning Policy Framework and all relevant Core Strategy Policies.

22. Before the development is first occupied the off-site highway improvements shown in the Footpath Improvement Strategy shall be constructed in its entirety and made available for use by the public.

Reason: To ensure that the necessary highway improvements are designed and constructed to an appropriate specification and made available for use at an appropriate time in the interests of highway safety and sustainable travel.

23. Before the access is first used visibility splays shall be provided as shown on Drawing No. 43017-WOOD-XX-XX-FG-OT-0002_S0_P01.1C with an X dimension of 2.4 metres and a Y dimension of 43m metres in each direction [tangential to the nearside edge of the carriageway] and thereafter retained in the specified form. Notwithstanding the provisions of Part 2 Class A of the Town & Country Planning (General Permitted Development) Order 2015 (or any Order revoking and re-enacting that Order with or without modification) no obstruction to visibility shall be erected, constructed, planted or permitted to grow over 0.6 metres high within the areas of the visibility splays.

Reason: To ensure drivers of vehicles entering the highway have sufficient visibility to manoeuvre safely including giving way to approaching users of the highway without them having to take avoiding action and to ensure drivers of vehicles on the public highway have sufficient warning of a vehicle emerging in order to take avoiding action, if necessary.

24. Construction Management Plan shall be submitted to and approved in writing by the Local Planning Authority prior to work commencing on site. The plan shall include access and parking arrangements for contractor's vehicles and delivery vehicles (locations and times) and a methodology for avoiding soil from the site tracking onto the highway together with a strategy for remedy of this should it occur. The development shall only take place in accordance with the approved strategy.

Reason: In the interest of highway safety to avoid the hazard caused by mud on the highway and to ensure minimal adverse impact on the public highway during the construction phase. This is a pre-commencement condition because an approved Management Strategy must be in place at the outset of the development.

25. Before the development is commenced, details of the estate roads and footpaths, (including layout, levels, gradients, surfacing, lighting, traffic calming and means of surface water drainage), shall be submitted to and approved in writing by the Local Planning Authority.

Reason: In the interests of highway safety to ensure that roads/footways are constructed to an acceptable standard. This condition requires matters to be agreed prior to commencement since it relates to highway safety and it is necessary to secure details prior to any other works taking place.

26. The new estate road junction, footpath and pedestrian crossing dropped kerbs as shown on Drawing No. 43017-WOOD-XX-XX-FG-OT-0002_S0_P01.1C inclusive of cleared land within the visibility splays to this junction must be formed prior to any other works commencing or delivery of any other materials (i.e not for the purpose of constructing the new estate road/junctions.)

Reason: In the interests of highway safety, to ensure a safe access to the site for pedestrian and vehicles is provided before other works commence. This condition requires matters to be agreed prior to commencement since it relates to highway safety and it is necessary to secure details prior to any other works taking place.

27.No development shall be commenced until an estate road phasing and completion plan has been submitted to and approved in writing by the local planning authority. The estate road phasing and completion plan shall set out the development phases and the standards of construction that the estate roads serving each phase of the development will be completed to and maintained at. Development shall only take place in accordance with the approved estate road phasing and completion plan.

Reason: In the interests of highway safety, to ensure that the estate roads serving the development are completed and thereafter maintained during the construction phase to an acceptable standard. This is a pre-commencement condition because the estate road planning, phasing and delivery is essential to be able to safely access and deliver the remainder of the development.

28.Before the development is commenced details of the areas and infrastructure to be provided for the loading, unloading, manoeuvring and parking of vehicles including powered two-wheeled vehicles and electric vehicle charging points shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be carried out in its entirety before the development is brought into use and shall be retained thereafter and used for no other purpose (or for dwellings) The approved scheme shall be implemented for each dwelling prior to its first occupation and retained as such thereafter.

Reason: To ensure the provision and long-term maintenance of adequate on-site space for the parking and manoeuvring of vehicles in accordance with the current Suffolk Guidance for Parking where on-street parking and or loading, unloading and manoeuvring would be detrimental to highway safety. This is a pre-commencement condition because it must be demonstrated that the development can accommodate sufficient parking spaces before construction works may make this prohibitive and in the interests of ensuring highway safety.

29.Before the development is commenced details of the areas to be provided for the secure, covered and lit cycle storage including electric assisted cycles shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be carried out in its entirety before the development is brought into use and shall be retained thereafter and used for no other purpose. The approved scheme shall be implemented for each dwelling prior to its first occupation and retained as such thereafter.

Reason: To promote sustainable travel by ensuring the provision at an appropriate time and long-term maintenance of adequate on-site areas and infrastructure for the storage of cycles and charging of electrically assisted cycles in accordance with Suffolk Guidance for Parking (2019). This is a pre-commencement condition because it must be demonstrated that the development can accommodate sufficient cycle storage before construction works may make this prohibitive and in the interests of ensuring that sustainable transport options are provided.

30.Before the development is commenced details of the areas to be provided for the storage and presentation for collection/emptying of refuse and recycling bins shall be submitted to and approved in writing by the Local Planning Authority. The approved bin storage and presentation/collection

areas shall be provided for each dwelling prior to its first occupation and shall be retained thereafter for no other purpose.

Reason: To ensure that space is provided for refuse and recycling bins to be stored and presented for emptying and left by operatives after emptying clear of the highway and access to avoid causing obstruction and dangers for the public using the highway.

31.No development above ground level shall take place until a scheme for the provision and implementation of water, energy and resource efficiency measures during the construction and occupational phases of the development has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include a clear timetable for the implementation of the measures in relation to the construction and occupancy of the development. The scheme shall be constructed in accordance with the approved details and the measures provided and made available for use in accordance with the approved timetable.

Reason: To ensure that the proposal meets with the requirements of sustainability, in accordance with policy DM7 of the West Suffolk Joint Development Management Policies Document 2015, Chapter 14 of the National Planning Policy Framework and all relevant Core Strategy Policies.

32.No development above ground level shall take place until a Public Open Space landscaping management plan, including long term design objectives, management responsibilities and maintenance schedules and periods for all soft landscape areas (other than small privately owned domestic gardens) together with a timetable for the implementation of the management plan, has been submitted to and approved in writing by the Local Planning Authority. The landscape management plan shall be carried out in accordance with the approved details and timetable.

Reason: To ensure the longevity of the public open space and landscaping to protect the visual amenity and character of the area, in accordance with policy DM12 and DM13 of the West Suffolk Joint Development Management Policies Document 2015, Chapters 12 and 15 of the National Planning Policy Framework and all relevant Core Strategy Policies.

Documents:

All background documents including application forms, drawings and other supporting documentation relating to this application can be viewed online [DC/21/2337/OUT](#)