

## **Development Control Committee 1 November 2023**

### **Reserved Matters Application DC/21/1294/RM – Land West of Eriswell Road, Eriswell Road, Lakenheath**

**Date registered:** 16 June 2021      **Expiry date:** 15 September 2021

**Case officer:** Britta Heidecke      **Recommendation:** Approve application

**Parish:** Lakenheath      **Ward:** Lakenheath

**Proposal:** Reserved Matters Application - Submission of details approved under Outline Planning Permission F/2013/0394/OUT the access, appearance, landscaping, layout and scale for 139 dwellings and associated works, including details in relation to condition 3 and 11 of F/2013/0394/OUT

**Site:** Land West of Eriswell Road, Eriswell Road, Lakenheath

**Applicant:** Persimmon Homes

**Synopsis:**

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

**Recommendation:**

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

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## **Background:**

**This application follows outline planning permission for the construction of up to 140 dwellings at this site granted in October 2018 and seeks approval of matters reserved by condition 2 of the outline planning permission.**

**The proposal description for this application was amended to include 'access'. This is because only the two access points from the highway into the site had been considered and approved at outline stage, whilst all other access matters remained reserved. There has been no re-consultation on this description change, because there have been no changes to any of the plans or supporting documents as a result, which have been subject to public consultations. The description change is a technical modification only.**

**The application has been submitted within three years as is required by condition 1 of the outline planning permission. This report relates to the requirements of condition 2 of planning permission F/2013/0394/OUT and the details required to be submitted with the reserved matters by condition 3 (additional details) and 11 (travel plan) of the outline permission. The decision notice for the outline permission is attached as Working Paper 1.**

**This application is referred to Development Control Committee following consideration by the Delegation Panel on 4 October 2023.**

## **Proposal:**

1. The application seeks reserved matters consent in relation to access, layout appearance, scale and landscaping for 139 dwellings. All matters reserved are included in this submission. Means of access from the public Highway into the site was already considered and approved at the outline stage.
2. The application for reserved matters has been submitted with the details required in relation to condition 3 and condition 11, which relate directly to and have influenced the reserved matters submission:

### **Condition 3**

- a) Materials details,
- b) Details of bin storage,
- c) Landscaping strategy in accordance with the approved LVIA,
- d) Arboricultural Method Statement,
- e) Ecological Appraisal and updated species survey,
- f) Cycle storage details,
- g) Acoustic Design Statement for external areas,
- h) Sustainable urban drainage scheme,
- i) Public Open Space details in accordance with the Open Space, Sport and Recreation Facilities (October 2011) SPD,
- j) Details of the areas to be provided for manoeuvring and parking,
- k) Affordable Housing scheme to include details of the type, tenure and location on the site of the affordable housing.

**Condition 11:** Submission of a Travel Plan in accordance with the mitigation measures identified in the submitted Transport Assessment dated June 2013.

3. The proposals have been amended since submission and have been subject to public and stakeholder consultation.

### **Application supporting material:**

4. The application is supported by a number of plans and supporting documents, many of which have been amended during the course of the application. Some of the information received overlaps with other conditions of the planning permission:
  - Forms and drawings including site location, layout, elevations and floorplans.
  - Design and Access Statement
  - Planning Statement
  - Material Finishes Schedule
  - Parking Plan LV109-P-140 Rev.F
  - Affordable Housing Plan
  - Adoption plan with Street Hierarchy Layout
  - Ecology Surveys and Mitigation and Enhancement measures
  - Landscaping proposals
  - Landscape Management and Maintenance Plan (JBA, 2023)
  - Landscape strategy
  - Acoustic Design Statement
  - Arboricultural Impact Assessment and Tree Survey
  - Waste Collection Strategy
  - Updated Public Open Space Layout Dated: Feb 2022
  - Updated Planning Layout Dated: Feb 2022
  - Overland Surface Water Flow Route Dated: Nov 2021
  - Surface Water Drainage Strategy
  - Surface Water & Foul Water Drainage Strategy Amended V3
5. The Council has received separate applications seeking approval of details required by some of the other conditions attached to the outline planning permission (see history section below).

### **Site details:**

6. The site is situated to the south of Lakenheath. It is approximately 5.43 hectares in size, is presently dormant agricultural land (Grade 3) and has a 470-metre Pine tree lined frontage onto the highway of Eriswell Road.
7. The application site is allocated for up to 140 dwellings in the Site Allocations Local Plan (2019) and within the settlement boundary of Lakenheath.
8. The site fronts eastward onto Eriswell Road towards a row of existing semi-detached residential properties on the opposite side of the road. An attractive row of mature pine trees marks the site frontage. These are protected by a Tree Preservation Order. Some low-density housing abuts the southern boundary, intersected by a public footpath.
9. The site is relatively flat with a small drop in levels from east to the west. The western (rear) boundary is marked by a steep bank; an Environment Agency flood defence, with a watercourse behind. The site of the sports pavilion is situated to the north of the site, set in large areas of public open space with

sports pitches and a play area in the north-eastern part. The bulk of the settlement and key village amenities is located further north.

10. There are no landscape or heritage asset designations at the site, although the Lakenheath Conservation Area is situated approximately 500 metres to the north (at its closest point). The Environment Agency flood risk maps indicate that the majority of the site is situated within Flood Zone 1 (with little or no risk of flooding) with a small element at the north west corner within flood zones 2 and 3.

**Planning history:**

11.

<b>Reference</b>	<b>Proposal</b>	<b>Status</b>	<b>Decision date</b>
NMA(A)/13/0394	Non material amendment to F/2013/0394/OUT - condition 2 to include access as a reserved matter	Application Granted	19 October 2023
NMA(1)/13/0394	Non-material amendment for F/2013/0394/OUT - to allow use of revised drawing - site location plan dated July 2012	Application Granted	11 December 2018
DC/21/1986/VAR	Planning application - removal of condition 14 part A(ii) and B of F/2013/0394/OUT for 140 dwellings	Pending Decision	
DCON(D)/13/0394	Application to discharge condition 6 - construction method statement; 13 - contamination, 20 - landscaping drawings; 21(A) - written scheme of investigation of application F/2013/0394/OUT	Pending Consideration	
F/2013/0394/OUT	Outline application - residential development of up to 140 dwellings with associated open space provision, landscaping and infrastructure works, as amended. (Major Development, Departure from the Development Plan and Development Affecting a Public Right of Way).	Application Granted	4 October 2018

**Consultations:**

12. The application has been subject to amendments and additional information has been submitted during the application to address concerns raised. The consultation responses set out below represent a summary of the latest responses received.
13. Full copies of consultation responses are available to view online through the Council's public access system using the link below.

[DC/21/1294/RM | Reserved Matters Application - Submission of details under Outline Planning Permission F/2013/0394/OUT \(residential development for 139 dwellings, including details of the appearance, landscaping, layout and scale\) together with details in relation to condition 3 and 11 of the F/2013/0394/OUT | Land West Of Eriswell Road Eriswell Road Lakenheath IP27 9AS \(westsuffolk.gov.uk\)](https://www.westsuffolk.gov.uk/DC/21/1294/RM)

### **Anglian Water Services Limited (September 2021)**

14. No objection to the amended proposals for an alternative connection.

### **Environment Agency (July 2021)**

15. Do not wish to comment on the reserved matters, and suggest that the Local Flood Authority (LLFA) should be consulted regarding surface water drainage and surface water flood risk at this site.
16. The EA have provided information to the applicant that works are adjacent to the flood defence embankment. Under the terms of the Environmental Permitting Regulations (EPR), a permit may be required from the Environment Agency for any proposed works or structures within the floodplain or in, under, over or within 8 metres from the landward side of the bottom of the bank of the Cut-off Channel, which is designated a 'main river'.

### **SCC Flood and Water Management / LLFA (March 2022)**

17. Have reviewed the following submitted documents and recommend approval of the application:
- Updated Public Open Space Layout Dated: Feb 2022 Ref: LV109-P-117 Rev.B
  - Updated Planning Layout Dated: Feb 2022 Ref: LV109-P-100 Rev E
  - Overland Surface Water Flow Route Dated: Nov 2021 Ref: 66201708-MLM-ZZ-XX-DR-C-0120 Rev P04
  - Surface Water Drainage Strategy Dated: Oct 2021 Ref: 230-017 Rev 0
  - Surface Water & Foul Water Drainage Strategy Amended V3 Dated: Aug 2021 Ref: 66201708-MLM-ZZ-XX-RP-C-0003 Rev 03
  - Agent Re Surface & Foul Water Drainage Strategy V3 Dated: Aug 2021 Ref: DC/21/1294/RM 66201708

### **County Archaeologist**

18. The conditions for archaeology (21) applied to F/2013/0394/OUT should be sufficient (or repeated if you see fit) on this site to secure the second phase of archaeological evaluation and any subsequent mitigation.

19. Officer note: An application to formally discharge condition 21 will be required separately.

### **Suffolk Wildlife Trust**

20. No comments received.

### **Suffolk County Council (Travel Plan Officer) 18.10.2021:**

21. After initially requesting a revised Travel Plan or Highways Technical Note to address existing bus services, opportunities to secure bus improvements, provision of bus/cycle vouchers, annual resident questionnaires as part of the travel plan monitoring and a travel plan evaluation and support contribution, confirmed that they are satisfied that the revised travel plan (Issue B – 8th October 2021) is compliant with the Suffolk Travel Plan Guidance and meets the requirements of condition 11 of F/2013/0394.

### **Suffolk County Council (Highways – Development Management) 05 May 2023:**

22. Initially requested further information to include the following:

- Requested that connectivity details are provided
- Design drawings for the internal access roads
- Swept path assessments compliant with the Suffolk Waste Partnership document 'Waste Technical Guidance for Residential and Commercial Developments' and suitable for fire tender.
- Layout with regards to cycling and extensive footway network through the site are acceptable.
- Note that 308 total allocated spaces and 35 unallocated/visitor parking spaces (343 in total) would be required in accordance with Suffolk Guidance for parking.
- The proposals include 320 spaces across allocated, unallocated, visitor and garage spaces, which is considered acceptable to promote a sustainable development and encourage the uptake of sustainable modes of transport.
- Trip generation and distribution for the site was considered as part of outline planning application and do not require further assessment. Junction modelling for the site was also considered as part of outline planning application.
- The applicant has subsequently provided evidence to show that waste and recycling collection vehicles will be able to complete turning maneuvers.

23. Following submission of amended and further details SCC Highways raised no objection to the amended proposals subject to a condition which secures the provision of parking and cycle storage prior to occupation of each dwelling.

- Recommends that any permission which that Planning Authority may give should include the conditions below:
  - Car and cycle parking to be provided prior to first occupation.
  - Construction Management Plan (**Officer note:** this is secured under condition 6 of the outline permission)

### **Natural England:**

24. As originally submitted, the proposals could have potential significant effects on the following designated sites:

- Breckland Special Protection Area (SPA)

- Breckland Farmland Site of Special Scientific Interest (SSSI)
- Breckland Forest SSSI
- Eriswell Low Warren SSSI
- Foxhole Heath, Eriswell SSSI
- Lakenheath Pools Fen SSSI
- Lakenheath Warren SSSI
- Wangford Warren & Carr

25. Natural England required further information in order to determine the significance of these impacts and the scope for offsetting.
26. The applicant provided an Executive Summary (James Blake Associates, dated 14 September 2021) with bird breeding data, a Breeding Bird Survey report (James Blake Associates, revision A, dated October 2021) for species other than Stone Curlew, Stone Curlew records provided to the applicant by the RSPB and carried out a qualitative assessment of areas where survey data was not available, indicating land use and suitability for Stone Curlew, extrapolating existing data to derive an estimate of numbers nesting across the area of interest.
27. In September 2022 NE confirmed no objection subject to Appropriate Offsetting being secured.
28. The Stone Curlew Planning Tool (SCPT) was used to analyse the comprehensive Stone Curlew data. In order to mitigate the adverse effects identified and make the development acceptable, the following offsetting measures should be secured:
- Provision of 2ha offsetting land to be managed for stone curlew, maintained for the life of the development.
  - A management plan for offsetting land.
  - Provision of 3.51 acres of public open space within the site.
29. Natural England advise that an appropriate planning condition or obligation is attached to any planning permission to secure the agreed measures.
30. They add that they offer comments on the appropriateness of these measures, or their likely ecological success, but it is for the Local Authority, in their capacity as the competent authority, to determine the legal status of these measures.

### **Off-setting proposals at Galley Bottom, Eriswell**

31. At the time of report writing a separate planning application for the creation of 2ha off-setting land under reference DC/23/1082/FUL is pending approval subject to Appropriate Assessment. This application is subject to a detailed offsetting land management plan. The implementation of the offsetting land and management in perpetuity in accordance with the mitigation strategy will be secured by condition 3 of the outline permission and separate legal agreement in the form of unilateral undertaking.
32. **Natural England** confirmed on 12 October 2023 that they had no objection to the off-setting proposals. To assist the LPA, as competent authority, in undertaking the appropriate assessment of the proposal in accordance with regulation 63 of the Conservation of Species and Habitats Regulations 2017 (as amended) they provided the following advice:

*'Natural England advises that despite the proximity of the proposed development to Breckland Farmland SSSI and Foxhole Heath, Eriswell SSSI, component parts of Breckland SPA, this development will not have an adverse effect on the integrity of the SPA, provided all mitigation measures, proposed to mitigate for all identified adverse effects, are appropriately secured in any planning permission given, including the works to create the habitat taking place outside of the bird breeding season.'*

### **Ramblers Association**

33.No comments received.

### **Defence Infrastructure Organisation (Planning) July 2021:**

34. Comments were received in response to the Acoustic Design Statement submitted, which included mitigation measures proposed for internal spaces, confirming that the measures were acceptable. However, these details are required for the discharge of condition 14 of the outline permission and will need to be reconsidered at that stage.

### **Defence Infrastructure Organisation (Safeguarding): October 2022:**

35.Provides the following summarised comments:

- No safeguarding concerns with the heights of the development. Recommend that specific glass specification is used throughout the development in accordance with traditional blast hazard mitigation measures. (Informative)
- No objection to the amended landscaping plans which include suitable planting schedules (to minimise risk of bird strikes to passing aircraft)
- Provide comments with respect to the off-site drainage attenuation basin that would serve this development (i.e. needs to be well drained in order to reduce attraction to birds).

36.Require a condition to secure 1) a Construction Management Plan (CMP) that outlines how mounds of topsoil will be managed, 2) Pond (SUDS) maintenance plan and an informative regarding flight noise. (**Officer Note:** this is already required under condition 6 of the outline permission and an amended CMP has been submitted to address the specific concerns)

**Suffolk Constabulary 28.07.2022** Provide comments relating to safety/crime aspects of the layout as follows:

37.There will be 139 dwellings, including 42 affordable dwellings (7 shared ownership and 35 rented and 97 private sale).

38.Note the good general natural surveillance of POS and cycle and footpaths. Make some specific suggestions such as gable windows in active rooms should be designed into all dwellings, paths along the POS and the circular walk should be 3m wide to give room for movement, hedging along boundaries should be kept at 1m high.

39.Are concerned about long rear access paths but appreciate that the number of terraced dwellings has been reduced. Advise that access gates with locks lockable from both sides should be positioned at the front of the entrance and



in line with the house. Recommend where there are terraced houses that a 1.5m close board fence with 300 mm trellis topping is installed.

40. Knee high rail is recommended along the footpath area of the POS and around the Infiltration Basin. This will deter vehicles parking on the area and give a defined boundary. Cycle Storage should be secure.

### **SCC Development Contributions Manager:**

41. The application under reference F/2013/0394/OUT has an associated planning obligation dated 01 October 2018. The planning obligations previously secured under the first planning permission must be binding on this application if West Suffolk Council make a resolution to approve.

### **RSPB Eastern England Regional Office**

42. No comments received.

### **Strategy And Enabling Officer, Housing**

43. Welcome the rounding up from 41.7 homes to 42. Note that the split should be 30% shared ownership and 70% affordable rented and that the proposal did not adhere to this. Request 29 affordable rented and 13 shared ownership and a person per property break down and measurements in sqm so they can confirm the dwellings proposed are sufficient.

44. Reviewed the amended plans 20.10.2021 and support the revised affordable housing mix and 70/30 tenure split but requested some specific dwelling sizes for shared and rented which need to be switched.

45. Support the mix proposed (received March 2022). Note two house types which fall short of the Nationally Described Space Standards (NDSS), but within the 10% of the recommended levels Homes England do not object. Suggest this could be improved by removal of en-suite bathrooms. The amendments were subsequently made.

46. Request that the affordable GF flats are M4(2) compliant for applicants with limited mobility.

47. Raise concern that Arden house type for market housing is below the NDSS. (Officer note: amendments have subsequently been received as set out in the officer section below)

### **Place Services – Ecology response to condition 3 (July 2023)**

48. No objection subject to implementation in full of the ecological measures, provided these can be suitably secured.

### **Place Services – Landscape (March 2022)**

49. No objection subject to conditions to secure landscaping and maintenance as submitted.

- The quality and user experience of the eastern (Pine line walk) and western corridor (Green buffer walk along Cut-off channel) are crucial for this site.

- To meet the objectives of the landscape condition (Condition 3c of F/2013/0394/FUL) attached to the outline:
  - the retention and protection of the TPO pine line is a priority for this site – the amended plans show no development including the circular path within the RPA or crowns spread of the pine trees, to ensure that there is no construction damage or future pressure on the trees.
  - planting along the boundaries of the site will be retained and reinforce, including a hedge line along the western boundary to help mitigate any adverse visual effects from surrounding receptors.
  - legible and permeable movement connections between adjoining areas while respecting important landscape features achieved by corridors through the site following existing desire lines as well as a 1.8m circular paths with access to two tactile crossings on Eriswell Road, linking with the existing PROW along the southern boundary, the cut-off channel and public open space adjoining the site.
  - The POS to be accessible and usable.

### **Ecology And Landscape Officer**

50. Raised no objection to the amended proposals and phasing of the development, as set out in detail the 'Habitat Regulations Assessment' (which forms the appropriate assessment), which is attached to this report as Working Paper 2.

### **Fire And Rescue Service:**

51. No comments received, however condition 17 requires submission of a scheme for fire hydrants to be submitted for approval prior to any occupation.

### **WSC Urban Designer Officer:**

52. Sets out how the design of the scheme has evolved since the reserved matters were first submitted, including a less ridges and more organic layout, which is less suburban at this key gateway to the village. Identified opportunities to improve permeability and to enclose some of mews spaces to create more rural characteristics and create more distinctive spaces. Suggested more definition to the proposed character areas and treatment such as flint and weatherboarding should be considered to reflect more rural characteristics.

### **Representations:**

#### **Lakenheath Parish Council (September 2021):**

53. Lakenheath Parish Council Planning objected to the proposed development at the entrance to the village, which should be of high quality, with a high standard of design. Current plans describe further urbanisation of the countryside without employment or infrastructure, detrimental to the large-scale vista across the fenland. The buildings are of poor visual quality. They should reinforce local distinctiveness and be more sympathetic with local references, including traditional materials such as flint including flint.

54. Adverse impact on the already busy highway and ask that at least one of the access points should be traffic light controlled with a pelican crossing to facilitate safe access and connectivity to the rest of the village; otherwise any prospect of walking or cycling is entirely obviated. Indeed, contrary to common sense and the advice of the Climate Change Committee, new residents will be forced to use cars to meet all their employment, schooling, retail and entertainment needs.

55. The circular path should be wide enough to be used by wheelchairs and buggies, and we are unable to see where this path has any connectivity. It appears to run the circumference of the site and disappears into the grass verge on Eriswell Road.

56. The PC could not locate the following:

- 1 Landscaping Strategy
- 2 Arboricultural Method Statement (although we have seen the plan which appears reasonable)
- 3 Construction Method Statement
- 4 Ecological Appraisal
- 5 Acoustic Design Statement

57. We understand the need to meet the deadline, but the Application is now in; we hope that a fresh Consultation will start when all the information is available.

### **Parish Council (November 2021)**

58. Noting that all documents were available, Lakenheath Parish Council Planning Sub-Committee reiterate their comments.

### **Parish Council comments on re-consultation on amended layout and plans (April 2022):**

59. The PC continues to object on noise grounds and note that DIO activity has increased considerably since they commented.

### **Ward Members:**

60. No comments received.

### **Third Party Representations:**

66. No.91 Eriswell Road Lakenheath Object:

- Highways safety concerns in relation to the access
- Lack of infrastructure
- Off-site flooding issue
- Value of property / loss of view (Officer note: both are not material planning considerations)

67. No.13 Lancewood Walk Raf Lakenheath Representation

- Impact on local highway network
- Visitor parking – 1 bay short from what is required by SCC Parking Guidance
- Electric Vehicle charge points – where will dwellings without garage or wall adjacent parking bay charge (officer note: these details are secured by condition 15 of the outline permission)

## **Policy:**

68. The Development Plan comprises the policies set out in the Core Strategy adopted May 2010, the policies of the Joint Development Management Policies Document (2015), the policies included in the Site Allocations Local Plan (2019) and the 'Single Issue Review' of Core Strategy Policy CS7. The following policies are directly relevant to the determination of this application for approval of reserved matters.

### **69. Forest Heath Core Strategy 2010:**

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 CS13 - Infrastructure and developer contributions

### **70. Joint Development Management Policies Document**

Policy DM2 Creating Places Development Principles and Local Distinctiveness

Policy DM6 Flooding and Sustainable Drainage

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 DM22 Residential Design

Policy DM42 Open Space, Sport and Recreation Facilities

Policy DM45 Transport Assessments and Travel Plans

Policy DM46 Parking Standards

### **71. Site Allocations Local Plan**

SA7/ SA7(b) – Land west of Eriswell Road

## **72. Other planning policy**

### **Supplementary Planning Documents**

73. The following Supplementary Planning Documents are relevant to this planning application:
- Joint Affordable Housing Supplementary Planning Document (September 2013)
  - Open Space, Sport and Recreation Supplementary Planning Document (August 2011)
  - Suffolk Guidance for Parking (2019)
74. National Planning Policy Framework (NPPF), with particular reference to chapter 12 'Achieving Well-Designed Places'.
75. The National Planning Practice Guidance (NPPG) is an on-line Government controlled resource which assists with interpretation about various planning issues and advises on best practice and planning process.

### **Legal Context**

#### **Planning and Compulsory Purchase Act 2004 (as amended)**

76. 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 conformity of the proposal details with key policies is discussed through the rest of this report.

#### **The Town and Country Planning (Environmental Impact Assessment) Regulations 2011 and The Conservation of Habitats and Species Regulations 2017**

77. The application proposals were considered against the Environmental Impact Assessment Regulations and the Habitats Regulations at outline stage. Whilst no Environmental Statement was required, given the location of various designated nature sites in the vicinity of the application site (including the Breckland Special Protection Area and Special Area of Conservation) consideration has been given to the application of these Regulations and various measures were secured to avoid or mitigate recreational impacts to the Breckland Special Protection Area, including 2 hectares of off-setting land at a nearby site called 'Galley Bottom'. This site is being considered under a separate planning permission (DC/23/1082/FUL). The off-setting site will be tied to the reserved matters by a legal agreement.
78. The application proposals include 3.51 acres of public open space including a circular route at the site in accordance with the mitigation requirements identified by Natural England.
79. A copy of the Council's 'Habitat Regulations Assessment' (which forms the appropriate assessment) is attached to this report as Working Paper 2. The assessment concludes the proposals subject to this application alone, and in combination with other projects, would not result in likely adverse effects on

integrity of Breckland Special Protection Area or the Breckland Special Area of Conservation subject to the appropriate off-setting measures being secured at the appropriate time and in perpetuity.

### **Natural Environment and Rural Communities Act 2006**

80. The Natural Environment and Rural Communities (NERC) Act (2006) Section 40(1) places a duty on all public authorities in England to have regard, in the exercise of their functions, to the purpose of conserving and enhancing biodiversity. The duty applies to all local authorities and extends beyond just conserving what is already there to carrying out, supporting and requiring actions that may also restore or enhance biodiversity.
81. The potential impact of the application proposals upon biodiversity interest is discussed later in this report.

### **Equality Act 2010**

82. Consideration has been given to the provisions of Section 149 of the Equality Act 2010 (public sector equality duty) in the assessment of this application. The proposals do not raise any significant issues in this regard.

### **Officer comments:**

83. The application is a submission of reserved matters seeking compliance with the requirements of condition 2 of outline planning permission F/2013/0394/OUT. The outline application was accompanied by a Landscape and Visual Impact Assessment including an illustrative masterplan and layout and details of two vehicular accesses from the highway into the site and the relationship between their visibility splays to existing trees. This established how the development should respond to the existing landscape character of the site and surroundings and set out the key objectives. A S106 agreement associated with the outline approval secured the level and timing of financial contributions for education and library provision, affordable housing and other infrastructure, including an off-site public rights of way contribution, NHS contribution, a strategic green infrastructure contribution, a strategic highways contribution and Public Open Space in accordance with the Councils Supplementary Planning Document Open Space, Sport and Recreation Facilities.
84. Condition 3 of the outline permission required the submission of a number of details which are directly related to and have influenced the reserved matters submission.
85. The Reserved Matters submission is within the parameters and means of access secured by that permission. The principle of development for this site was therefore established through grant of outline planning permission in October 2018 and Policy SA7(b) of the SALP 2019 went on to allocate the 5.35 hectares of land as a strategic housing site.
86. The outline permission established the principle of development, a cap on the number of dwellings (up to 140) and the means of access, which cannot be revisited at reserved matters stage.

87. Furthermore, matters controlled by other conditions of the outline planning permission will be addressed separately and do not fall to be considered at this stage. Accordingly, the issues to be considered with this submission are narrow and are restricted to access, layout, scale, appearance and landscaping.

### **Policy Context**

88. The NPPF states the creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities.

89. It also advises that planning decisions should ensure that developments:

- a) will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;
- b) are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;
- c) are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities);
- d) establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit;
- e) optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks; and
- f) create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.

90. The Framework goes on to reinforce these statements by confirming that planning permission should be refused for development that is not well designed, especially where it fails to reflect local design policies.

91. Core Strategy Spatial Objective H2 aims to provide a sufficient and appropriate mix of housing that is ... designed to a high standard. Design aspirations are also included in Spatial Objectives ENV4 (high standard of design) and ENV5 (community safety and crime reduction through design). The Objectives are supported by policies CS5 and CS13 which require high quality designs which reinforce local distinctiveness and take account of the need for stronger and safer communities. Policy CS5 confirms design that does not demonstrate it has had regard to local context and fails to enhance character will not be acceptable.

92. Policy DM2 of the Joint Development Management Policies Document sets out general design criteria to be applied to all forms of development proposals and DM22 more specifically for residential development.

## **Access**

93. Access is defined in the 2015 General Development Procedure Order as *the accessibility to and within the site, for vehicles, cycles and pedestrians in terms of the positioning and treatment of access and circulation routes and how these fit into the surrounding access network*. Means of vehicular access and egress from Eriswell Road into the site was considered acceptable and already granted with the outline permission.

94. Some trees have already been felled to provide a gap in the pine line for the access connection (approved under the outline permission) and compensatory replacement tree planting proposals are included. Adequate visibility splays will be provided for safe vehicle manoeuvring.

95. The vehicular access and the main internal distributor roads have been designed to adoptable standards and are likely to be adopted by the Highway Authority in due course. The 'private drives' will remain unadopted.

96. Internal access and movement (including turning space and accessibility for large vehicles) is also acceptable. Private drives with bin collection points will be upgraded to be able to accommodate waste collection vehicles. The site is permeable and good opportunities for pedestrian, cyclist and vehicle (road) connections are provided including to the existing PROW south of the site, to the cut-off channel and via two tactile crossings to the footpath on the other side of Eriswell Road to access village facilities and the local PROW network.

97. Car parking, including provision for visitor spaces, accords with the adopted parking standards and the number of spaces provided has been accepted by the highway authority.

98. The development proposes a recreational route for pedestrians around the perimeter of the site, a 1.8m wide Hoggin path with timber edging, and informal mown paths within the main public open space (POS). This is provided in order to facilitate dog walking and general recreational activity in order to avoid and alleviate increased recreational pressure to the Maids Cross Hill Site of Special Scientific Interest to the south and the Breckland Special Protection Area to the east.

99. It is considered that, 'access' to and within the site is safe and suitable in accordance with policies CS2, DM2, DM46 and the NPPF.

## **Layout**

100. Layout is defined in the General Development Procedure Order 2015 as *'the way in which buildings, routes and open spaces within the development are provided, situated and orientated in relation to each other and to buildings and spaces outside the development.'*

101. The application was subject to detailed discussions with the Council's Urban Design Officer who sought to soften the layout and as a consequence of his advice, a less rigid road layout and softer mews court elements have



been provided. This has resulted in a more organic feel of the proposed development, with four distinctive character areas. Whilst the Urban Design Officer recognises that further improvements could be secured to the mews court layout and to further informalise the site layout, officers consider that an acceptable compromise has been reached. There would be a suitable balance between the roads designed to adoptable standards and the softer driveway arrangements which will be managed by a management company.

102. The character areas are defined as follows:

**Pine lines** - The strong frontage line of dwellings facing Eriswell Road is set within the distinctive landscape of the pine lines. Particular use of flint at key gateway locations, as characteristic in Lakenheath.

**Mews Court** - intimate courtyard spaces with distinctive weatherboarding, cart lodges and surface treatment which reflects rural mews characteristics. Use of landscaping to soften the courtyards.

**Village Street** – main spine road with a more continuous built form and raised table treatment to change the characteristic of the street.

**Rural Edge** – lower density arrangements of mainly detached dwellings reflecting rural characteristics and creating a softer edge to the development.

103. Public open space has been provided around the perimeters of the development, to provide a circular walking route suitable for dog walking, and adjacent to the main drainage basin in the north-west corner to provide an overflow SUDS. This area of POS will be accessible but would accommodate water from the development during heavy or prolonged rainfall events. Surface water drainage details have been submitted with the reserved matters as required by condition 3h).

104. The drainage and SUDS strategy has been considered by the LLFA and is acceptable.

105. All proposed dwelling houses will benefit from adequate private amenity space. The proposed flats, albeit with good access to public open space, will have no private external amenity space, which is less desirable. Following amendments and one substitution all but one housetype are now fully compliant with the National Described Space Standards (NDSS), and type Flatford falls within the 10% of the recommended levels Homes England suggest. The Strategic Housing team have therefore confirmed that this is acceptable. The inter-relationship between the proposed dwellings is such that a good standard of amenity would be provided to future occupants.

106. The majority of the matters raised by the police architectural officer have been addressed and officers consider the layout is acceptable with respect to crime prevention, including perception or fear of crime.

107. The layout of the proposed development is considered acceptable, in accordance with policies CS5, SA7, DM13, DM2 and DM22.

## **Scale**

108. Scale is defined in the 2015 General Development Procedure Order as *the height, width and length of each building proposed within the development in relation to its surroundings*. Scale has been assessed as follows:
109. The dwellings proposed are of two-storey scale with the exception of one pair of bungalows within the pine line character area. The scheme includes twelve flats within two-storey properties, eight at second floor above cart lodge parking and four within 2 one-up/one-down properties. Given the scale and character of existing development opposite Eriswell Road and the flat nature of the site, the proposed scale would not give rise to any significantly adverse landscape or other significant visual impacts.
110. Similarly, the lengths and widths of the proposed dwellings would be in proportion to their scale. There are no dwelling types proposed that could be considered to have 'over-sized' footprints that might, for example, give rise to bulky or dominant buildings.
111. The scale of development proposed is what you would expect to find at a development of this type and location.
112. The scale of the proposed development is considered acceptable.

### **Appearance**

113. Appearance is defined in the 2015 General Development Procedure Order as *the aspects of a building or place within the development which determines the visual impression the building or place makes, including the external built form of the development, its architecture, materials, decoration, lighting, colour and texture*.
114. The dwellings proposed by the Reserved Matters submission are standard house types. Notwithstanding this they are of relatively simple, traditional design with symmetrically aligned features, reflective of the local vernacular.
115. The successful use of suitably designed standard house types on large scale developments depends greatly upon how those buildings are configured both individually and collectively in order to create a sense of place, attractive street scenes and character. These elements have been discussed above in the 'layout' section of this report.
116. Condition 3a) of the outline planning permission required details of all materials and colour finishes to be applied to be submitted to and agreed in writing with the Local Planning Authority. The different character areas will use a distinctive mix of materials, including red and red-multi brick, grey cladding, a mixture of the two, a mixture of part brick and white render, with red and grey roof pantiles. In the Mews Courts its proposed to use buff brick with grey roof pantiles and some black weatherboarding. Key gateway plots within the pine character area will be flint with brick quoins and surrounds, others with weatherboarding and cream render. The flint draws on the key characteristics of Lakenheath and creates distinctive wayfinding markers at key gateway locations.
117. The above approach to the treatment of the dwellings is considered appropriate. The appearance of the proposed development, subject to

samples or manufacturer details being secured by condition, is considered acceptable.

## Landscaping

118. Landscaping is defined in the General Development Procedure Order 2015 as *the treatment of land (other than buildings) for the purpose of enhancing or protecting the amenities of the site and the area in which it is situated and includes—*

- (a) screening by fences, walls or other means;*
- (b) the planting of trees, hedges, shrubs or grass;*
- (c) the formation of banks, terraces or other earthworks;*
- (d) the laying out or provision of gardens, courts, squares, water features, sculpture or public art; and*
- (e) the provision of other amenity features;*

119. Policy SA7 of the Site Allocations Plan (SALP) requires:

*'Strategic landscaping and open space must be provided on all sites to address the individual sites requirements and location.'*

*And*

*'A substantial buffer next to the Cut Off Channel, providing semi-natural habitat adjacent to the water course, should be provided where possible in relation to current or future applications.'*

120. Policy CS3 seeks to protect, conserve and where possible enhance the quality, character, diversity and local distinctiveness of the District's landscape and historic environment.

121. The site frontage (east) is characterised by the existing mature pine line. This important landscape feature is to be retained apart from certain specimens that were removed to make way for the access. Satisfactory details for tree protection for the trees to be retained and compensation planting for those that had to be removed have been submitted. The circular Hoggin footpath has been moved outside of the root protection area and tree canopies to provide an attractive route without adverse impacts on the vitality and long-term viability of the protected trees. Alongside the path on the side of the development will be further soft landscaping to soften the appearance of the development.

122. Whilst the overall landscaping strategy is required to be submitted at this stage, the finer detail (for example species, planting densities, boundary fence details and so on) are controlled by a separate condition, condition 4, of the outline planning permission. However, the amended planting details already submitted, together with the amended management and maintenance strategy are considered acceptable by the Council's Landscape and Ecology consultants and MOD Safeguarding, which required reduced fruit bearing species within the soft landscaping scheme.

123. The west boundary of the site will benefit from a semi-natural buffer with a central 1.8m wide Hoggin footpaths. A native hedge will run alongside the

path for most of it (on the development side) for screening, and tree planting along the edge of the boundary will allow for longer views toward the cut-off channel and open countryside. Alongside the central infiltration basin, the hedge stops which will allow longer views into the site. Trees will be planted along the perimeter of the basin. The green buffer then widens towards the POS in the north-west where the Hoggin path swings into the application site and around the POS and infiltration basin. Individual trees will be planted within the POS and trees and soft landscaping within the new housing estate where opportunities present.

124. Along the northern boundary, adjacent to the infiltration basin will be a small, approximately 1m raised earth bank for drainage purposes. This area around the drainage basin and the POS will be a mix of seeded wildflower lawn and seeded grass areas.
125. Rear gardens within the development will be enclosed by 1.8m close-boarded fencing or 1.5m close-boarded fencing with 0.3m trellis, both without gravel boards. Enclosure in prominent locations adjacent to the highway or footpath will be brick walls with soft landscaping.
126. On the basis of the above the overall landscape strategy for the site is considered acceptable. It will provide strategic landscaping and POS in accordance with the requirements of the SPD Open Space, Sport and Recreation Facilities (2011) and accords with policy DM2, DM13, CS5 and SA7 in this respect.

### **Outline Consent Conditions**

127. The application includes the submission of details required to be submitted with the submission of reserved matters by conditions 3 and 11. These are addressed in turn below.

Condition 3a (Materials): as set out in the appearance section above. The proposed materials are considered acceptable subject to samples of bricks and tiles to be secured by condition.

Condition 3b (Refuse/ Recycle bin storage): the details submitted show acceptable bin storage areas for each dwelling.

Condition 3c (Landscape Strategy): As set out in the Landscape section above. The details submitted are considered acceptable. The Landscape and Ecology consultant and MOD safeguarding have no objection.

Condition 3d (Arb Method Statement): As set out in the Landscape section above. Acceptable tree protection measures and compensation planting has been proposed.

Condition 3e (Ecological Surveys): The updated protected species surveys submitted together with mitigation and enhancement proposals were considered by the councils Ecology Consultant and are acceptable in accordance with policies CS2, DM10, DM11 and DM12. The details must be implemented in accordance with the timescales set out within the reports and enhancement measures maintained in the approved form thereafter.

Condition 3f (cycle storage): A cycle storage plan has been submitted which shows cycle storage either in a specific bike shed, a shed for cycle storage or dedicated space within the garage. As such the details are acceptable. County Highways raised no objection.

Condition 3g (Acoustic Design Statement) with regards to layout and external amenity areas. The report acknowledges that flight noise cannot be mitigated from external areas. Dwellings have been sited to front Eriswell Road with their amenity space away from the road, one of the main noise sources.

Condition 3h (SUDS scheme and management in addition to POS): Policy CS4 seeks the implementation of Sustainable Urban Drainage Systems into all new developments where technically feasible and DM6 requires all new development to submit schemes appropriate to the scale of the proposal detailing how on-site drainage will be managed so as not to cause or exacerbate flooding elsewhere. The LLFA has confirmed that the details submitted are acceptable and the POS plans demonstrates that POS will be provided in addition to SUDS. The proposals accord with policy DM6 and CS4 in this regard.

Condition 3i (POS details): The condition requires submission of POS details and the provision to accord with the Councils adopted SPD for Open space, Sport and Recreation. In this case 3.51 acres of POS will be provided on-site, which is an overprovision of informal / natural open space exceeding the minimum requirements of the SPD. However, there would be no on-site provision of children's play as required by the SPD. Instead, the applicant would provide the policy equivalent amount of play space and equipment off-site.

Policy DM42 states that where necessary to the acceptability of the development, the local planning authority will require developers of new housing, office, retail and other commercial and mixed development to provide open space including play areas, formal sport/recreation areas, amenity areas and where appropriate, indoor sports facilities or to provide land and a financial contribution towards the cost and maintenance of existing or new facilities, as appropriate. These facilities will be secured through the use of conditions and /or planning obligations.

Where under provision of a certain type of public open space is agreed as appropriate for a development, the SPD allows for developer contributions to be secured by the Council to be used for open space provision/enhancement off-site. In this case the Council's Parks Officer has advised that the play equipment needs arising from this development would be better served by a contribution to improve and contribute to strategic play provision in the village. Officers have no reason to disagree with this advice. Accordingly, it is considered that off-site provision of the play equipment is the best solution in this case. This will be secured via a Deed of Variation to the existing S106 Agreement completed for the outline planning permission. Whilst not a matter for consideration of this reserved matters application, it is important that the off-site provision is properly secured before any reserved matters approval (which does not secure full provision on site) is issued. The recommendation at the end of this report is reflective of this.

Condition 3j (Parking details): Car parking, including within garages and on driveways and provision for visitor spaces, accords with the adopted parking

standards and the number of spaces provided has been accepted by the highway authority.

Condition 3k (Affordable Housing Scheme): Affordable housing has been provided in accordance the requirements of policy CS9. In fact, 30% would equate to 41.7 homes which the applicant has rounded up to 42; 29 for affordable rent and 13 for shared ownership. The rounding up and amended proposed mix are welcomed by the Strategic Housing team.

Condition 3 also requires the submission of a timetable for the implementation of the measures included in condition 3 and the implementation of the development in full accordance with the approved details and implementation timetable.

### **Conclusion:**

128. The application proposals were considered against the Environmental Impact Assessment Regulations and the Habitats Regulations at outline stage. Whilst no Environmental Statement was required, various measures were secured to avoid or mitigate recreational impacts on the Breckland Special Protection Area. The application proposals, which over-provide informal and natural green public open space at the site is a further benefit in this respect, over and above the measures already secured.

129. In conclusion, the principle and detail of the development is considered to be acceptable and in compliance with relevant development plan policies and the National Planning Policy Framework subject to securing the appropriate off-site provision for children's play space and equipment and the conditions below.

### **Recommendation:**

130. It is recommended that subject to;
- i) completion of a Deed of Variation to the S106 Agreement to secure developer contributions towards off-site provision of children's play space and equipment and
  - ii) a legal agreement to secure in perpetuity the off-setting measures subject to application DC/23/1082/FUL,

the reserved matters are **APPROVED** subject to the following conditions:

1. Approved Plans and documents
2. Materials specifications or samples
3. Affordable GF flats to be M4(2) – Accessible and adaptable dwelling compliant
4. Prior to works above slab level the off-setting measures (application DC/231082/FUL) shall be implemented in full
5. Implementation in accordance with the landscape details and phasing plan
6. If construction commences during the period March to September (the stone curlew nesting season), pre-commencement a stone curlew survey must be undertaken and submitted for approval in writing by the LPA to ensure birds are not nesting within 500m of the development site

**Documents:**

All background documents including application forms, drawings and other supporting documentation relating to this application can be viewed online [DC/21/1294/RM](#)

Working paper 1 – Outline Planning Permission F/2013/0394/OUT

Working paper 2 – Habitats Regulations Appropriate Assessment