

Forest Heath District Council

**DEVELOPMENT
CONTROL COMMITTEE**

2 SEPTEMBER 2015

DEV/FH/15/034

Report of the Head of Planning and Growth

**PLANNING APPLICATION DC/15/0922/OUT – LAND ADJACENT 1 ST JOHN'S
STREET, BECK ROW**

Synopsis:

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

Recommendation:

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

CONTACT OFFICER

Case Officer: Philippa Kelly
Tel. No: 01284 757382

Committee Report

App. No:	DC/15/0922/OUT	Committee Date:	05 August 2015
Date Registered:	20 May 2015	Expiry Date:	30 September 2015 (with agreement)
Case Officer:	Philippa Kelly	Recommendation:	APPROVE planning permission, subject to S106 agreement and planning conditions
Parish:	Beck Row	Ward:	Eriswell And The Rows
Proposal:	Outline Planning Application (Means of Access to be considered) – Residential development of up to 60 dwellings with new vehicular access from St. Johns Street.		
Site:	Land Adj. 1 St John’s Street, Beck Row.		
Applicant:	Mr R Palmer		

BACKGROUND:

This application is referred to Development Control Committee by Cllr Bowman, given the local community interest.

The application is recommended for conditional APPROVAL following completion of a Section 106 agreement.

APPLICATION DETAILS:

1. The application is in outline form, and seeks planning permission for the principle of residential development (up to 60 dwellings). Only the means of access forms a detail to be considered as part of the application proposals. Matters of layout, scale and landscaping are reserved for future detailed planning applications.
2. Whilst planning permission is sought only for the principle of the residential development and access to the site, the application supporting material includes

a proposed site layout plan. The site layout plan is for illustrative purposes only, although does give an indication of how up to 60 residential units could be accommodated on the site.

3. Based on a maximum of 60 dwellings and a total site area of approximately 2 hectares, the density of the proposed development will be approximately 30 dwellings per hectare.
4. The indicative site layout shows residential development fronting St John's Street, with dwellings set back from the road and served by private driveways. A proposed access road into the site from St John's Street would serve residential development arranged around two cul-de-sacs. An area of public open space is provided centrally within the development site.

AMENDMENTS:

5. During the course of the application, the indicative proposed layout plan was amended a number of times.

First amended layout plan - received 24 June 2015:

6. The purpose of the first amendment was to overcome concerns raised by officers, local residents and the Parish Council during the initial consultation process. Updated documents were received on 24 June 2015 and a re-consultation exercise carried out.
7. The amendments relate to the overall layout, with slight revisions to road layout and the positioning of plots. The main changes are summarised as follows:
 - North-east corner of the site re-configured to provide parking along the eastern boundary.
 - Plots 34 – 36 amended to bungalows.
 - Plots 4 and 5 shown as a pair off semi detached dwellings with parking to the rear.
 - Centre of the development reconfigured.
 - Plot 58 moved away from site boundary.
8. In addition, the description of the development was amended to include the words 'up to' in relation to the total number of dwellings proposed.

Second amended layout plan received 02 July 2015:

9. A second amended layout plan was received on 02 July 2015 in respect of consultation comments received on behalf of the Local Highway Authority. The second amendment relates only to the provision of a link through from the northern side of the site to Beverley Close. Only the Local Highway Authority was re-consulted in respect of this change.

Third amended layout plan received 20 July 2015:

10. A third amended layout plan was received on 20 July 2015. The amendment relates to the retention of two trees. Only the Council's Ecology, Tree and Landscape Officer was consulted in respect of this change.

APPLICATION SUPPORTING MATERIAL:

11. The application is accompanied by the following documents:
 - i. Application forms and drawings – including Location Plan and Indicative Proposed Layout Plan.
 - ii. Planning Statement/Design and Access Statement.
 - iii. Extended Phase 1 Habitat Survey, Reptile Survey and Botanical Survey.
 - iv. Flood Risk Assessment.
 - v. Phase 1 Geo-Environmental Desk Study.
 - vi. Transport Statement.
 - vii. Arboricultural Implications Assessment.
 - viii. Archaeological Evaluation Report.

SITE DETAILS:

12. The application site is located in the village of Beck Row, within the defined settlement boundary. Beck Row is designated as a Primary Village in the Core Strategy Policy CS1. At 2009 it had an existing population of approximately 3750.
13. The site lies to the north of St John's Street and covers an area of just over 2 hectares. It has previously been used for agricultural purposes in association with a farmhouse that until recently occupied the site at No. 1 St John's Street. A replacement four bedroom dwelling is currently under construction.
14. The site is currently maintained as rough grassland and is divided by temporary fencing with geese grazing the southern part of the site nearest St John's Street. A number of single storey agricultural buildings lie to the south-east.
15. The site is bounded by St John's Street along its southern side. Existing residential properties border the site to the north, east and west. Rear gardens of dwellings within Lambie Close back onto the site boundary to the east and north-east. Bungalows within Beverley Close front onto the site to the north-west and are set back from the site boundary by an access road which leads from Lambie Close. Rear gardens of dwellings along The Street back onto the site boundary to the west.
16. Whilst the site is generally flat, ground levels do vary across the site, with a general fall from the boundaries to the centre. There is also a slight fall from St John's Street towards the site. Levels within the site range from approximately 4.6m to 6.3 metres.
17. Along the eastern boundary of the site is an earth bank, with ground levels of the rear gardens of adjoining properties on Lambie Close approximately one metre lower than the levels of the site.

18. The site contains a number of trees along its boundaries. This includes a mature Sycamore in the south-west corner to the rear of No. 1 St John's Street, and which is covered by a Tree Preservation Order (TPO). Rows of Scots Pine within the north-west corner and northern boundary of the site, and an Ash tree along the eastern boundary are also covered by TPO's.
19. The Environment Agency flood risk maps indicate that the site is situated within Flood Zone 1 ('little or no risk of flooding').
20. The application site is allocated for residential development within the context of the retained Forest Heath Local Plan Policy 4.12. It is also identified as BR/01 in the Joint Council's Draft Strategic Housing Land Availability Assessment (SHLAA). This document identifies the site as being developable in terms of suitability, availability and achievability. The consultation period for the draft SHLAA ended on 21 May 2015. Responses have informed the 'Issues and Options' Sites Allocation document, which is currently on consultation.

PLANNING HISTORY:

21. There is no planning history relevant to the application site.

CONSULTATIONS:

22. Members of the public and statutory consultees were consulted in respect of the scheme as submitted. The following is a summary of statutory comments received in relation to the scheme as originally submitted and as amended.

Scheme submitted with the planning application (May 2015):

23. **West Suffolk Strategic Housing – No objection. Comments.** The Strategic Housing Team supports the planning application in principle, as it accords with Forest Heath's Core Strategy CS9 Policy which requires 30% affordable housing. The overall scheme provides a good mix of dwelling types and the affordable housing provision is based on discussions with the Strategic Housing Team addressing the housing needs of Beck Row and the tenure and mix required.
24. **West Suffolk Planning Policy – No objection. Comments.** It is considered that the proposal accords with paragraphs 2, 11 and 14 of the NPPF in addition to saved policy 4.12 of the Forest Heath Local Plan, (1995), and is therefore acceptable in policy terms, subject to the impact of the proposal on infrastructure provision within the settlement of Beck Row, (in isolation and cumulatively), being considered acceptable. A development brief approved by the LPA will also be required by condition and prior to the determination of a full planning application.
25. **West Suffolk Public Health and Housing - No objection.** Recommends planning conditions relating to construction methods and hours of construction work. Recommends the applicant undertakes an assessment of the likely noise impact from the aircraft from RAF Mildenhall on the proposed development.
26. **West Suffolk Environment Officer – No objection** subject to planning condition relating to contaminated land.

27. **Suffolk County Council Highways – No objection.** Recommends planning conditions.
28. **Suffolk County Council Travel Planner – No objection.** Recommends planning condition relating to the provision of a Sustainable Travel Information Pack (STIP).
29. **Suffolk County Council Planning Obligations – No objection. Comments.** Detailed advice received on a range of planning matters, including S106 developer contributions.
30. **Suffolk County Council Archaeological Services – No objection.** Recommends planning conditions relating to the implementation of an agreed programme of archaeological investigation.
31. **Suffolk County Council, Flood and Water Manager – No objection. Comments.** Prior to any approval there needs to be a suitable scheme implemented for the disposal of surface water. This is to prevent increased risk of flooding, both on and off site due to the increase in impermeable areas post development.
32. **Anglian Water- No objection.** Comments. Recommends planning condition relating to foul water drainage strategy.
33. **Environment Agency – No objection.** Comments.
34. **Natural England – No objection.** Comments. The proposal is not likely to have a significant effect on the interest features for which the Breckland SPA has been classified. Natural England therefore advises that your Authority is not required to undertake an Appropriate Assessment to assess the implications of this proposal on the sites conservation objectives.
35. **Lawson Planning Partnership on behalf of NHS England - Comments.** In this instance, NHS England has no comment to make on the proposed development.

Amended indicative layout plan received June 2015:

36. **West Suffolk Strategic Housing – No further comments to add.**
37. **West Suffolk Public Health and Housing – No further comments to make.**
38. **SCC Highways – Comments.** It appears that the amended plan has removed the proposed route into Beverley Close. It is felt that this is essential in order for this to be a sustainable development. Unless such a link is provided, the Highway Authority may recommend refusal.
39. **Environment Agency – No further comments to make.**
40. **Natural England – No further comments to make.**

41. **Suffolk Wildlife Trust - No objection.** Detailed comments provided. Requests that recommendations contained in ecological reports (including ecological enhancements) are implemented in full.

Further amended layout plan received 02 July 2015:

42. **SCC Highways - No objection. Comments.** Following my previous response dated 01 July 2015, I have now received an amended plan and can recommend conditions.

Further amended layout plan received 20 July 2015:

43. **West Suffolk Ecology, Tree and Landscape Officer** – No objection in principle. Detailed comments provided. Recommends conditions.

REPRESENTATIONS:

44. **Beck Row Parish Council – Support.** The Parish Council supports the principle of development on this site, but feels that both the Planners and Developers should take notice of the concerns of local residents. The Parish Council welcomes the assurance from the developers to keep them fully informed before the Reserved Matters stage.

45. **Third party representations** have been received from residents of the following properties:

24, 46, 49 and 49 and 70 Lamble Close
3, 5 and 7A St John's Street

46. The following is a summary of the issues raised:

- Impact on residential amenity: Overlooking. Loss of outlook. Loss of light. Noise. Differences in ground levels.
- Visual Impact
- Highway Issues: Visibility, Increased traffic, Speeding, Parking, Road safety.
- Flood Risk: Soakaways placed close to existing gardens will be a flood risk given the levels differences. Will the drainage system cope?
- Need for suitable boundary treatment
- Type of properties proposed
- Other issues: Extensions of existing properties not shown on plans. Beck Row does not have the infrastructure to accommodate the housing. Lack of facilities in the village. Cramped development. Boundary line issues with No. 48 Lamble Close.

POLICIES:

DEVELOPMENT PLAN

47. The Development Plan for Forest Heath comprises the following:
- The Forest Heath Local Plan (1995) as 'saved' by the Secretary of State in September 2007 and as subsequently amended by the adoption of the Forest Heath Core Strategy in May 2010, and the Joint Development Management Policies in February 2015.
 - The Forest Heath Core Strategy adopted in May 2010, as amended following the High Court Order which quashed the majority of Policy CS7 and made consequential amendments to Policies CS1 and CS13.
 - The adopted policies of the Joint Development Management Policies Document (JDMP) Local Plan Document (February 2015).
48. The following Development Plan policies are applicable to the application proposal:

Forest Heath Local Plan (1995) Saved Policies

Inset Map No.6 - Beck Row Development Boundary
Policy 4.12 – New residential allocations (Beck Row)

Forest Heath Core Strategy 2010

Visions:

- **Vision 1** – Forest Heath
- **Vision 7** – Beck Row, Exning, Kentford, West Row

Spatial Objectives:

- **H1** – Housing provision
- **H2** – Housing mix and design standard
- **H3** – Suitable housing and facilities
- **C1** – Retention and enhancement of key community facilities
- **C2** – Provision and maintenance of open space, play and sports facilities and access to the countryside
- **ENV1** – Habitats and landscapes and improving biodiversity
- **ENV2** – Climate change and reduction of carbon emissions
- **ENV3** – Promotion of renewable energy and energy efficiency
- **ENV4** – Design and architectural quality respecting local distinctiveness
- **ENV5** – Designing out crime and anti-social behaviour
- **ENV6** – Reduction of waste to landfill
- **ENV7** – Achievement of sustainable communities by ensuring services and infrastructure are commensurate with new development
- **T1** – Location of new development where there are opportunities for sustainable travel

Policies

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

Joint Development Management Policies Document 2015

- **DM1** – Presumption in Favour of Sustainable Development.
- **DM2** – Creating Places – Development Principles and Local Distinctiveness.
- **DM3** – Masterplans.
- **DM4** – Development Briefs.
- **DM5** – Development in the Countryside.
- **DM6** – Flooding and Sustainable Drainage.
- **DM7** – Sustainable Design and Construction.
- **DM10** – Impact of Development on Sites of Biodiversity and Geodiversity Interest.
- **DM11** – Protected Species.
- **DM12** – Mitigation, Enhancement, Management and Monitoring of Biodiversity.
- **DM13** – Landscape Features.
- **DM14** – Protecting and Enhancing Natural Resources, Minimising Pollution and Safeguarding from Hazards.
- **DM17** – Conservation Areas.
- **DM20** – Archaeology.
- **DM22** – Residential Design.
- **DM41** – Community Facilities and Services.
- **DM42** – Open Space, Sport and Recreation Facilities.
- **DM44** – Rights of Way.
- **DM45** – Transport Assessments and Travel Plans.
- **DM46** – Parking Standards.

Other Planning Policy

Supplementary Planning Documents

49. The following Supplementary Planning Documents are relevant to this planning application:
- Joint Affordable Housing Supplementary Planning Document (October 2013)
 - Open Space, Sport and Recreation Supplementary Planning Document (October 2011)

Emerging Development Plan Policy

50. **Single Issues Review and Site Allocations Development Plan Document:** The Core Strategy Single Issue Review (SIR) Local Plan Document reached the Issues and Options stage in July 2012. An 8 week consultation was undertaken. The proposed submission draft document was approved for consultation in early 2014. The consultation was subsequently postponed to enable further SA and SEA work.
51. Members have subsequently resolved to prepare the Core Strategy SIR in tandem with the Site Specifics Allocations Document. A joint consultation commenced on 11 August 2015 and will run for 8 weeks. Adoption is anticipated by the end of 2017.
52. For the site document this is the very first stage in the plan process 'Issues and Options' and includes all potential sites, many of which will not be taken forward to the next stage.
53. At the present time, the Single Issue Review and the Site Specific Allocations Document carry limited weight in the decision making process, although the published evidence underlying the SIR still has weight.

National Planning Policy and Guidance

54. Planning law requires that applications for planning permission must be determined in accordance with the Development Plan, unless material considerations indicate otherwise. The National Planning Policy Framework (NPPF) is a material consideration for planning decisions and is relevant to the consideration of this application.
55. Paragraph 14 of the NPPF identifies the principle objective of the Framework:
- 'At the heart of the National Planning Policy Framework is a presumption in favour of sustainable development, which should be seen as a golden thread running through both plan-making and decision-taking. For decision taking this means:*
- *Approving development proposals that accord with the development plan without delay; and*
 - *Where the development plan is absent, silent or relevant policies out-of-date, granting permission unless:*
 - any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this framework taken as a whole;*
 - Or specific policies in this framework indicate development should be restricted'.*
56. This presumption in favour of sustainable development is further reinforced by advice within the Framework relating to decision-taking. Paragraph 186 requires Local Planning Authorities to 'approach decision taking in a positive

way to foster the delivery of sustainable development'. Paragraph 187 states that Local Planning Authorities 'should look for solutions rather than problems, and decision takers at every level should seek to approve applications for sustainable development where possible'.

57. The relevant parts of the NPPF are discussed below in the officer comment section of this report.
58. The Government published its National Planning Practice Guidance in March 2014 following a comprehensive exercise to view and consolidate all existing planning guidance into one accessible, web-based resource. The guidance assists with interpretation about various planning issues, and advises on best practice and planning process. Relevant parts of the NPPF are discussed below in the officer comment section of this report.
59. Paragraph 215 of the NPPF states that due weight should be given to relevant policies in existing plans 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).
60. Paragraph 14 of the NPPF states that where the Development Plan is absent, silent or relevant policies are out of date, development proposals should be determined in accordance with the relevant test - that is whether *'any adverse impacts...would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole'*.

OFFICER COMMENT

61. The subsequent section of the report discusses whether the development proposed by this application can be considered acceptable in principle, in the light of extant national and local planning policies. It then goes on to analyse other relevant material planning considerations, (including site specific considerations) before concluding by balancing the benefit of the development proposals against the dis-benefits.

Principle of Development

National Policy Context

62. Paragraph 47 of the Frameworks states that to boost significantly the supply of housing, local planning authorities should use their evidence base to ensure that their Local Plan meets the full, objectively assessed needs for market and affordable housing in the housing market area (as far as is consistent with policy), including identifying key sites which are critical to the delivery of the housing strategy over the plan period.
63. In addition, the Framework requires authorities to identify and update annually a supply of specific deliverable sites, sufficient to provide five-years worth of housing against their housing requirements, with an additional buffer of 5% (or a 20% buffer if there is evidence of a persistent under delivery of new housing) to ensure choice and competition in the market for land.

64. The latest assessment of the District's five year supply of housing land was published in February 2015. This confirms that the Council is able to demonstrate a five-year supply of housing.
65. In terms of housing provision in the District, the saved settlement boundary plans are out of date, pre-dating the NPPF by some time. Most of the sites allocated within the 1995 Local Plan have either been built out or are considered undeliverable. On this basis, and in accordance with the advice offered in the NPPF, the saved settlement boundary plans are considered to carry limited weight.
66. In such circumstances, planning applications for new housing development fall to be considered against the provisions of the NPPF and any Development Plan policies which do not relate to the supply of housing. The Framework places a strong presumption in favour of sustainable development, and where Development Plans are out of date, advises in Paragraph 14 that planning permission should be granted unless *'any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole...'*
67. The NPPF does not equate to a blanket approval for residential development in locations that would otherwise conflict with Local Plan policies. If the adverse impacts of the proposals significantly and demonstrably outweigh the benefits, then planning permission should still be refused. The fundamental planning principle is that each case must be considered on its own merits.

Development Plan Policy Context

68. Beck Row is designated as a Primary Village within the Forest Heath Core Strategy (Policy CS1). Under this policy, limited housing growth to meet housing needs is generally supported in principle.
69. The application site is allocated for residential development under saved Policy 4.12 of the 1995 Local Plan. The principle of the development of this site for residential purposes is therefore acceptable. This would suggest that the development proposals should be approved if there are no overriding material considerations which suggest that this should not be the case.
70. In terms of the potential environmental capacity of infrastructure in Beck Row, it has been held at planning appeal that the 2009 Infrastructure and Environmental Capacity Assessment ('IECA report') represents the best available evidence.
71. The IECA report considers the environmental capacity of settlements in the District, and recognises the need for a mechanism to provide social, physical and environmental infrastructure to support growth. The report also considers settlement infrastructure tipping points which are utilised to evaluate potential impacts on infrastructure.
72. The IECA report identifies a range of capacity in Beck Row of some 240-420 new dwellings in the plan period to 2031 (although this would be subject to significant infrastructure improvements in line with growth). This would suggest that there is environmental capacity to facilitate not only the quantum

of development that is proposed by this planning application, but also other major residential developments in Beck Row that the planning authority has already permitted, including up to 117 dwellings on land at Aspal Lane (planning reference DC/13/0123/OUT) and up to 24 dwellings on land at Beck Lodge Farm (planning reference DC/14/1745/OUT).

73. Officers acknowledge that the IECA report has been held at planning appeal to contain the most up-to-date information relating to infrastructure and capacity in the District. However, given that the IECA report was written approximately 5 years ago, officers are of the opinion that it can no longer be considered an accurate reflection of infrastructure provision within settlements. In the context of the subject planning application, officers have evaluated the IECA evidence against the advice contained in consultation responses received.

Summary

74. Notwithstanding that the Council now has a five year land supply in place, officers consider that Paragraph 215 of the NPPF (which states that the weight that can be given to a plan is dependent on the degree of consistency with the Framework) and Paragraph 14 of the NPPF are of relevance, in that:
- The provision of housing as set out in the saved local plan maps contained within the 1995 Forest Heath Local Plan are based on housing provision contained in the since abolished Suffolk Structure Plan. This pre dates the NPPF and is out of date. Little or no weight can therefore be attributed.
 - The Core Strategy is up to date in terms of its settlement strategy which focuses development in the market towns. The quashing of the majority of Policy CS7 and consequential amendments to Policies CS1 and CS13 means that it is silent on housing distribution within the District.
 - The new Local Plan will address these issues, but has not been published at its Issues and Options Stage. It is currently within its Issues and Options Regulations 18 stage. It is therefore absent.
75. Given that the Development Plan is '*absent; silent or relevant policies are out of date*' the Council's approach, based on Paragraph 14 of the NPPF, is therefore to determine whether the development proposal is sustainable development by reference to the relevant test in Paragraph 14 – that is, whether '*any adverse impacts.....would significantly and demonstrably outweigh the benefits, when assed against the policies in this Framework taken as a whole*'.
76. A key determining factor will be whether the proposed development can be deemed 'sustainable' in the context of the policies contained in the Framework (as a whole). Even if it is concluded that the proposals would not be 'unsustainable' following analysis, further consideration must be given to whether the benefits of development outweigh its dis-benefits, as required by the Framework.
77. A balancing exercise is carried out towards the end of this section of the report as part of concluding comments. An officer evaluation to assist with Members consideration of whether the development proposed by this planning application is 'sustainable development' is set out below on an issue by issue basis.

Sustainable Transport/Impact upon the Highway Network

78. National planning policy in relation to the transport planning of developments is set out in the Framework. Section 4, paragraphs 29 to 41 deal specifically with transport planning and the promotion of sustainable transport.
79. The Framework confirms that the transport system needs to be balanced in favour of sustainable transport modes, giving people a real choice about how they travel. Paragraph 32 of the Framework requires all developments that generate significant amounts of movements to be supported by a Transport Statement or Transport Assessment. It goes on to advise that development should not be prevented or refused on transport grounds, unless the residual cumulative impacts of development are severe.
80. Paragraph 34 of the Framework states that planning decisions should ensure developments that generate significant movement are located where the need to travel will be minimised and the use of sustainable modes of transport can be maximised. However the Framework recognises that different policies and measures will be required in different communities, and opportunities to maximise sustainable transport solutions will vary from urban to rural areas.
81. Core Strategy Spatial Policy T1 aims to ensure that new development is located where there are the best opportunities for sustainable travel and the least dependency on car travel. This is reflected in Policies CS12 and CS13 which confirms the District Council will work with the partners (including developers) to secure necessary transport infrastructure and sustainable transport measures, and ensure that access and safety concerns are resolved in all developments.
82. In the specific context of Beck Row, the IECA report recognizes that the local transport network as a potential constraining factor to development.
83. The application site would be served by a new vehicular access from St John's Street, with an internal road continuing through the site leading to private roads, private driveways, and parking areas. St John's Street is subject to a 30mph speed limit, and connects to The Street (A1101) at a junction approximately 45metres to the south-west of the site.

Access Arrangements

84. The application would provide a new access into the site from St John's Street. Existing visibility along this side of St John's Street is good. A visibility splay would be provided in both directions in accordance with the advice of the County Engineer. Relevant conditions can be recommended to secure this, should approval be forthcoming

Pedestrian and cycle linkages

85. The indicative layout provides a pedestrian and cycle route connection from the north of the site, linking it to the existing footpath network in Lambie Close. This would provide links to nearby amenities such as the primary school and community centre. The provision of a shared use footway can be secured by planning condition.

86. The frontage of the site along St John's Street does not have a footway along its northern side. The application proposes to provide a new footway on St John's Street which would link the existing footways on the northern side of St John's Street. In accordance with the advice offered by the County Highways Engineer, this can be secured by way of planning condition.
87. The development of this site offers potential for additional cycle and pedestrian linkages with Lamble Close through existing open space which appears to be in Council ownership, to Aspal Park Nature Reserve to the east. This is not shown on the submitted indicative layout plan, and it is not considered reasonable to request that the applicant amends the indicative layout to incorporate such a link, given that this is an outline planning application. However, officers consider that there is scope to explore the provision of such linkage at the detailed reserved matters planning stage. A relevant informative can be included on the planning decision notice, should planning permission be forthcoming.

Parking

88. Parking within the site would be provided in accordance with the standards provided within the Suffolk Guidance for Parking (2014). The submitted Planning, Design and Access Statement confirms that there would be sufficient space within the curtilage for each dwelling for safe and secure cycle storage. This can be secured by way of planning condition should approval be forthcoming.

Traffic Generation

89. The likely traffic volumes generated by the development are set out in the Transport Statement. This indicates that the development would generate 35 two-way trips in the morning peak hour, and 38 two way trips in the afternoon peak hour. Officers consider that the additional traffic movements that would be likely as a result of this development could be accommodated by the existing highway network,
90. In accordance with the advice of the County Travel Planner, a planning condition can secure the provision of a Sustainable Travel Information Packs, in the interests of encouraging sustainable travel.

Public Transport

91. The site is situated some distance from existing bus stops on St John's Street. A contribution has been sought by Suffolk County Council to secure new bus stops with Equality Act compliant kerbs. This issue is discussed in further detail in the S106 Planning Obligation section.

Other Issues

92. Third party representations have raised the issue of the safety of the junction of St John's Street and the A1101. The applicant has provided accident data for this location. There have been four recorded accidents recorded at this junction since 2005. These comprise of three collisions categorized as 'slight' in

severity, and one categorized as 'serious'. This does not suggest that there are significant road safety issues at the junction, or in the immediate vicinity of the site.

Summary

93. The Framework directs that applications should only be refused on transport grounds if the residential cumulative impacts of the development are severe. Officers are satisfied that the proposed development can be accommodated in highways terms, and will bring about local transport improvements which can be secured through the Section 106 process. In reaching this decision, it is material that the County Highways Engineer has raised no objection to the proposals.

Flood Risk, Drainage and Pollution

94. Policies for flood risk set out in the Framework aim to steer new development to areas with the lowest probability of flooding. The Framework policies also seek to ensure that new development does not increase the risk of flooding elsewhere.
95. The Framework also offers advice in respect of pollution and land instability, and states that planning decisions should ensure that new development is appropriate for its location. It also confirms that, where a site is affected by contamination or land stability issues, responsibility for securing a safe development rests with the developer and/or landowner.
96. Core Strategy Policy CS4 states the Council will support development proposals that avoid areas of current and future flood risk and which do not increase the risk of flooding elsewhere. The policy confirms sites for new development will be allocated in locations with the lowest risk of flooding (Environment Agency Zone 1 flood category) and will seek the implementation of Sustainable Urban Drainage Schemes (SUDS) into all new development proposals, where technically feasible.

Flood Risk/Sustainable Drainage Systems (SuDS)

97. The application site lies within Flood Zone 1 on the Environment Agency Flood Risk maps, representing an area at low risk of flooding and suitable for all forms of development.
98. The application documentation includes a Flood Risk Assessment (FRA). The FRA considers the impact of the development on third parties, particularly with regard to surface water run off. It concludes that by using sustainable drainage systems as the method of surface water disposal, it is anticipated that all water will be dealt with at source, and there would be no run off from the site.
99. The indicative layout plan is for illustrative purposes only, and the design of the final layout would need to ensure that adequate space is provided to accommodate the necessary infiltration systems within the site.
100. Suffolk County Council, in consultation correspondence, has advised that there needs to be a suitable scheme implemented for the disposal of water, and has

requested that such details are submitted prior to the determination of the application. The application is in outline form, with all matters except access reserved for future applications. Officers consider that it would not be reasonable to require such a level of detail when the final layout is not known. On this basis, it is therefore considered appropriate to require additional details relating to surface water discharge by way of planning condition, should approval be forthcoming.

Foul Drainage

101. The application site is located in an area which is served by the public foul sewer. Foul drainage from the development is in the catchment of Mildenhall Water Recycling Centre. Anglian Water, in consultation correspondence, has confirmed that there is available capacity to treat the flows from the proposed site.

Contamination

102. The information submitted with the application does not indicate a high likelihood of contamination. In accordance with the advice offered by the Council's Environment Officer, a condition in respect of the reporting of unexpected contamination can be secured should planning approval be forthcoming.

Summary

103. The Environment Agency, Anglian Water Services, Suffolk County Council and the Council's Environmental Health team have not objected to or raised concerns about the application proposals in respect of flood risk, drainage and pollution. All have recommended the imposition of reasonable conditions upon any potential planning permission to secure appropriate mitigation. On this basis, the proposals are considered acceptable with regard to flood risk, surface water/foul drainage, potable water supply, SuDS and ground contamination.

Impact upon Landscape

104. The Framework confirms the planning system should *inter alia* protect and enhance 'valued landscapes' and promotes development of previously used land, other than continuing the protection of formal Greenbelt designations (of which there are none in the District) and recognising the hierarchy of graded agricultural land. National policy stops short of seeking to protect the 'countryside' from new development in a general sense.
105. Core Strategy Policies CS2 and CS3 seek to protect, conserve and (where possible) enhance the quality, character and local distinctiveness of the landscape, and refer to the Forest Heath Landscape Character Assessment to inform detailed assessment of individual proposals.
106. The application site is undeveloped land within the built up area of Beck Row. The site is visible from public viewpoints along St Johns Street, Lamble Close and Beverley Close. The site contains a number of important trees.

107. The residential development of this parcel of land is not considered to be out of context, given existing residential development which surrounds the site. It is acknowledged that the landscape character will change irreversibly in the long term as a result of the development proposals. The extent of the visual impact of the proposed development on the landscape is considered acceptable given the context.
108. The principle of development along St John's Street is already established, and it would not be reasonable to refuse the application on these grounds alone. It is an expectation that the impact of the development on the street-scene will be evaluated as part of subsequent detailed planning applications.

Summary

109. Officers have considered the submitted documentation, and visited the application site and surrounding area. Whilst the proposals would irreversibly change the character of the immediate locality, the wider impact of the development proposals upon landscape quality and character are considered to be acceptable.

Impact upon the Natural Environment

110. The Framework confirms the planning system should contribute to and enhance the natural environment by inter alia minimising impacts on biodiversity and providing net gains where possible. The Framework states that protection of designated sites should be commensurate with the status of the site, recognising the hierarchy of international, national and local designations. The presumption in favour of sustainable development set out at Paragraph 14 of the Framework does not apply where development requires appropriate assessment under the Birds or Habitats Directives.
111. Spatial Objective ENV1 of the Core Strategy aims to conserve and enhance the habitats and landscapes of international, national and local importance and improve the rich biodiversity of the District. This objective forms the basis of Core Strategy Policy CS2 which sets out in greater detail how this objective will be implemented. Saved Local Plan Policy 4.15 sets out criteria against which proposals for new housing development are considered. One of the criteria requires that such proposals are not detrimental to significant nature conservation interests.
112. The application site is located in close proximity to Breckland Forest Site of Special Scientific Interest (SSSI). The Breckland Forest SSSI forms part of the Breckland Special Protection Area (SPA).
113. There are no designated sites within the application site. However, Aspal Close Local Nature Reserve (LNR) is situated to the north and east of the proposed development, and is also a County Wildlife Site (CWS).

Habitats Regulations Assessment

114. 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 2010 (as amended). Natural England, in

consultation correspondence, has advised that the proposed development is not likely to have significant effects on the interest features for which Breckland SPA has been designated, and an Appropriate Assessment is not required.

115. The HRA screening process was undertaken by the Council's Ecology, Tree and Landscape Officer, as part of the consultation response. This confirms that the proposal will not have a likely significant effect on any European site, and can therefore be screened out from any requirement for further assessment.

Ecology

116. The Council's Ecology, Tree and Landscape Officer has confirmed that the proposals are unlikely to have direct or indirect effects on Aspal Close Local Nature Reserve.
117. An extended Phase 1 Habitat Survey was submitted to support the planning application. The Habitat Survey provides an overview of the likelihood of protected species occurring on the site. This recommends additional reptile and botanical surveys to inform the development.
118. A Reptile Survey was undertaken in April 2015. This found no reptiles on the site. In accordance with the specialist consultation advice received, the recommendations for reptile enhancement can be implemented by way of planning condition, should approval be forthcoming.
119. A Botanical Survey was requested by officers during the course of the application. This was undertaken in July 2015 and a Botanical Survey Report was submitted on 23 July 2015. The survey identifies some remnant Breckland habitat to the north of the application site, and the presence of a number of plant species listed on the Suffolk Rare Plants Register.
120. The botanical report recommends that the soil from the northern part of the site could be relocated into the landscaping areas and a management regime imposed to encourage establishment of grassland, including the rare plant species. This procedure is in accordance with Joint Development Management Policies, which require the protection of species and habitats and encourage implementation of the mitigation hierarchy. It is also an approach which is encouraged by Suffolk Wildlife Trust in their consultation response of 05.08.15.
121. In accordance with the advice offered by the Suffolk Wildlife Trust and the Council's Ecology, Tree and Landscape Officer, planning conditions can be secured which require that an additional survey of the site is undertaken to identify the extent of the botanically diverse grassland and the species present; the layout for the site (at reserved matters stage) includes for the retention of this grassland on site; and a long term management plan for the site is submitted and its implementation facilitated.
122. The Habitat Survey identifies a number of trees on the site to be suitable for roosting bats. During the course of the application, the indicative site plan was amended to show the retention of these trees. Their retention can be secured by way of planning conditions.

123. The recommendations contained in the Habitat Survey, Reptile Survey and Botanical Survey can all be secured by way of planning condition. In accordance with consultation advice received, conditions can also be recommended to ensure protected species are safeguarded.

Trees

124. The application site contains a number of trees, several of which are subject to Tree Preservation Orders (TPO's). The majority of trees are located around the boundary, with relatively few trees within the central area. The exception is a large mature protected sycamore, which is situated in an open position within the site.
125. A collection of protected mature Scots pine trees form an attractive landscape feature along the northern and western boundaries of the site. The retention of these trees as part of the development is highly desirable for both amenity and diversity reasons.
126. A Tree Survey report and an Arboricultural Impact Assessment (AIA) were submitted as part of the application documentation. The indicative site layout plan has been amended during the course of the application and confirms the retention of two trees (T14 and T15) which were indicated as to be removed. The AIA will need to be updated once the final site layout is confirmed: this can be secured by planning condition, should approval be forthcoming.
127. Subject to the above conditions, and planning conditions to ensure appropriate replacement tree planting as part of a landscaping scheme, the impact of the development proposals on arboricultural issues is considered acceptable.

Summary

128. Subject to the implementation in full of recommended mitigation and enhancement measures (which can be secured through relevant planning conditions), the proposed development is considered to satisfactorily address ecological issues.
129. On the basis of the above evaluation, officers are of the opinion that the development proposals would not have an unacceptable impact on the nature conservation value of the application site, or impact on Aspal Close Nature Reserve.

Impact upon the Historic Environment

130. The Framework recognises that heritage assets are an irreplaceable resource which should be conserved in a manner appropriate to their significance. When considering the impact of proposed development upon the significance of a designated heritage asset, great weight should be given to the asset's conservation. The term 'heritage asset' used in the Framework includes designated assets such as Listed Buildings, Scheduled Ancient Monuments, Registered Parks and Gardens and Conservation Areas, and also various undesignated assets including archaeological sites and unlisted buildings which are of local interest.

131. The Framework advises that local planning authority's should require an applicant to describe the significance of any heritage assets affected, the level of detail being proportionate to the importance of the asset and sufficient to understand the potential impact upon their significance. Core Strategy Spatial Objective aims to protect and enhance the Historic Environment. This objective is implemented through Policy CS3.

Archaeology

132. The proposed development is located within an area of archaeological interest. An Archaeological Evaluation Report was submitted as part of the application documentation. This detected a number of archaeological features. As a result, there is high potential for encountering further heritage assets of archaeological interest in this area.
133. In accordance with the advice offered by the County Archaeological Officer, a condition can be secured to ensure a scheme of archaeological investigation. This would accord with Core Strategy Policy CS3 and the advice offered in the Framework with regard to the conservation of heritage assets of archaeological interest.

Summary

134. Officers have considered the application proposals in the context of the impact on the historic environment. Subject to the recommendation of appropriate archaeological conditions as described above, the proposal would not cause significant harm to the historic environment.

Design of the Built Environment

135. The Framework states the Government attaches great importance to the design of the built environment and confirms good design is a key aspect of sustainable development and is indivisible from good planning. The Framework goes on to reinforce these statements by confirming that planning permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions.
136. 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.
137. The application site is situated within the centre of the village of Beck Row. Officers consider that the residential development of this parcel of land would not be out of context, given that it is adjoined by existing residential development on all sides.

138. To ensure that the future residential development of this site is of a high quality design which respects its surroundings, a planning condition is recommended which requires a development brief to be agreed prior to the submission of any reserved matters application.
139. Whilst matters of appearance, landscaping, layout and scale are to be reserved for future detailed applications, the accompanying documentation includes an indicative site layout drawing. The scheme is in outline form only, and the submitted layout is indicative only. Whilst third party comments have been received relating to the type of buildings on the site, this is a matter of detail which can be addressed at the detailed planning stage.

Summary

140. Subject to planning conditions as described above, the proposals are considered to comply with relevant Development Plan policies in respect of design and layout.

Impact upon Local Infrastructure (Utilities)

141. The 'economic' dimension of the definition of sustainable development set out in the Framework confirms the planning system should inter alia identify and co-ordinate development requirements, including infrastructure. Furthermore, one of the core planning principles set out in the document states that planning should 'proactively drive and support sustainable economic development to deliver the homes, business and industrial units, infrastructure and thriving local places that the country needs'.
142. Core Strategy Policy CS13 sets out infrastructure requirements and developer contributions. The policy opens with the following statement:
- 'The release of land for development will be dependent on there being sufficient capacity in the existing local infrastructure to meet the additional requirements arising from new development'.*
143. Policy CS13 lists the main areas as health and social care facilities, educational requirements, strategic transport improvements, waste water treatment capacity, energy supply (electricity), access and safety, open space, sport and recreation. The policy confirms arrangements for the provision or improvement of infrastructure will be secured by planning obligation or (where appropriate) conditions attached to planning permission to ensure infrastructure is provided at the appropriate time). It concludes that all development will be accompanied by appropriate infrastructure to meet site specific requirements and create sustainable communities.
144. Matters relating to highways, education, health and open space infrastructure are addressed later in this report when potential planning obligations are discussed. This particular section assesses the impact of the proposals upon utilities infrastructure.

Waste Water Treatment

145. The Flood Risk Assessment (FRA) which accompanies the planning application advises that foul flows from the development will be connected to the Anglian Water public sewer network. Anglian Water has confirmed that there is capacity within Mildenhall Water Recycling Centre to cater for flows from the development.

Summary

146. On the basis of the available evidence, the development proposal is considered acceptable with regard to impact on infrastructure (utilities).

Impact upon Residential Amenity

147. The protection of residential amenity is a key component of good design. The Framework states (as part of its design policies) that good planning should contribute positively to making places better for people. The Framework also states that planning decisions should aim inter alia to avoid noise from giving rise to significant adverse effects on health and quality of life as a result of new development.
148. The application site is surrounded by existing residential properties. The indicative layout plan has shown that a residential development of up to 60 dwellings can be accommodated on the site. It is an expectation that a full assessment of the potential impacts of the scheme on residential amenity will be carried out at the detailed planning stage, when parameters such as building scale and layout are formalised. Officers consider that sufficient safeguards exist within the Development Plan and the NPPF to protect the interest of occupiers of existing residential properties.

Noise

149. The Council's Public Health and Housing Officer has advised in consultation correspondence that a Construction Method Statement be submitted which includes details of noise management responsibility and measures. This can be secured by way of planning condition. Conditions can also be secured relating to hours of site preparation and construction.
150. The application site is situated in close proximity to RAF Mildenhall. The Council's Public Health and Housing Officer has recommended that the applicant undertake an assessment of the likely noise impact from the aircraft on the proposed development when the aircraft is in use. Further clarification on this matter has been sought, and the Council's Public Health and Housing Officer has confirmed that the noise impact assessment can take the form of a planning condition, should approval be forthcoming.

Ground Levels

151. There are differences in ground levels between the application site and abutting gardens of properties in Lamble Close – specifically along the eastern side of the site. Officers have visited the site and residential properties to fully appreciate the differences in levels.

152. The relationship of the new development with existing properties has raised concern locally, given the differences in levels between the site and existing properties. It is an expectation that further work would be carried out at the detailed design stage in relation to the levels of the site, to inform the future layout and detailed design of the development.
153. Given the differences in site levels, officers consider it appropriate for a planning condition to be secured which requires details of ground level and finished floor levels of buildings on the site.

Overlooking

154. Third party representations have raised concern regarding the potential overlooking of existing properties. This is an outline planning application and as such details of plot layout and design are not known at this stage. It is an expectation that this issue would be considered in full at the detailed planning application stage.

Boundary Treatment

155. Given the relationship of the application site to existing gardens, it is considered important that appropriate boundary treatment is provided and maintained. This will be a matter for the detailed planning application stage. Relevant conditions have been recommended.

Summary

156. On the basis of the above evaluation, officers are satisfied that the residential amenity of the occupants of existing dwellings will not be compromised by what is proposed.

Sustainable Construction and Operation

157. Section 19 (1A) of the Planning and Compulsory Purchase Act 2004 requires local planning authorities to include in their Local Plans 'policies designed to secure that the development and use of land in the local planning authority's area contribute to the mitigation of, and adaptation to, climate change'.
158. The NPPF confirms planning has a key role in helping shape and secure radical reductions in greenhouse gas emissions whilst supporting the delivery of renewable and low carbon energy. The Government places this central to the economic, social and environmental dimensions of sustainable development. The document expands on this role with the following advice:
159. In determining planning applications, local planning authorities should expect new development to:
- Comply with adopted Local Plan policies on local requirements for decentralised energy supply unless it can be demonstrated by the applicant, having regard to the type of development involved and its design, that this is not feasible or viable; and

- Take account of landform, layout, building orientation, massing and landscaping to minimise energy consumption

160. The importance the Government places on addressing climate change is reflected in the Core Strategy Visions (Vision 1) and Spatial Objectives (ENV2 and ENV3). Core Strategy Policies CS4 and CS5 set out the requirement for sustainable construction methods, and a range of expectations of new sites.
161. Waste arising from the construction process will be managed in accordance with a Site Waste Management Plan. This can be secured by way of planning condition.
162. On the basis of the above evaluation, officers are satisfied that the proposal is generally acceptable in terms of sustainable construction and operation.
163. Waste – A waste minimisation and recycling strategy should be secured by planning condition.
164. Sustainable Drainage Systems (SUDs) –SuDS should be incorporated into the development, in the interests of reducing flood risk, improving water quality and biodiversity/amenity benefits.

Cumulative Impacts

165. Members will be aware that there have been a number of major planning applications for residential development in Beck Row in the last 18 months. A residential development scheme for up to 117 units on land at Aspal Lane was approved earlier this year. At the July 2015 meeting of Development Control Committee, Members resolved to approve up to 24 units on land at Beck Lodge Farm (subject to completion of Section 106 agreement). In total, these schemes will provide 201 residential units.
166. The evidence base behind the Development Plan documents will assess potential cumulative impacts of any formal site allocations. No such assessments have been carried out with regard to the potential cumulative impacts of 'developer led' planning applications.
167. This sub-section of the officer assessment considers potential cumulative impacts upon village infrastructure of the current planning application, and the previously approved schemes at Aspal Lane and Beck Lodge Farm (planning reference DC/13/0123/OUT and DC/14/1745/OUT respectively).

Primary Education

168. The current planning application would generate approximately 14 children of primary school age, once all dwellings have been built and occupied. The planning applications which have previously been approved would provide up to an additional 141 dwellings, which would generate additional children of primary school age.
169. It is understood that the existing catchment primary school (Beck Row Primary School) has reached capacity. By the time the construction of these developments is underway (if all are granted and commence early), the school

will have filled its pupil place capacity, and there will be no surplus places available

170. Suffolk County Council, in consultation correspondence, has raised no objection to the development proposals. The County Council has advised that, in view of there being no surplus spaces available at Beck Row Primary School, a financial contribution will be sought to provide additional facilities.
171. The third party comments raising concern regarding primary school education provision are noted. The application proposals would provide funding to mitigate the impacts of the development on primary school provision, in accordance with the consultation advice offered on behalf of Suffolk County Council. Accordingly, the applicants have done all they can do (and that they have been asked to do), to mitigate the impact of their developments upon primary school provision.

Highways

172. Third party comments have raised concern regarding the highway impacts of the development proposals upon Beck Row. The Local Highway Authority has raised no objection to any of the individual planning applications (subject to the imposition of planning conditions as referred to in the relevant section above).
173. The third party concerns are not supported by evidence, or a considered analysis of the nature of the possible impacts. In this context, Members are reminded that the Framework advises that new development should only be prevented or refused on transport grounds, if the residual cumulative impacts of development are severe.
174. Officers are satisfied that the application proposals would mitigate the impacts of the development on the highways network, by way of both planning conditions and developer contributions, which can be secured through the Section 106 process. Accordingly, the applications will mitigate the impact of the development upon the highways network.

Healthcare

175. NHS healthcare services in the Beck Row area is organised by the West Suffolk Clinical Commissioning Group (CCG). The IECA report identified that Beck Row could support a 2 GP surgery.
176. In terms of existing GP facilities in the Beck Row area, it is understood that Beck Row is currently served by two GP practices in Mildenhall. Furthermore, Market Cross Surgery has capacity to serve the increased population arising from the development scheme. This would imply that there is capacity in existing GP provision to accommodate not only the residents arising from the proposed development, but the cumulative number of residents arising from other residential development schemes in Beck Row.

Open Space

177. All of the development schemes incorporate provision for open space – both in terms of on-site provision, and contributions in respect of off-site provision

(secured through the Section 106 process). In this regard, the proposals are considered in accordance with Council's Supplementary Planning Document in respect of Open Space.

Landscape

178. Given the locations of the three housing development schemes around Beck Row, no cumulative landscape impacts are anticipated.

Utilities

179. Anglian Water Services did not object raise objection to the development proposals, and has confirmed that there is adequate capacity within the system to accommodate the increased flows arising from the development proposal. Officers are satisfied that the development proposals would not have adverse cumulative impacts upon the sewerage systems serving Beck Row.
180. There is no evidence to suggest that there would be significant cumulative impacts upon water and energy (electricity) supplies to the village, given the respective capacities identified in the IECA report.

Summary

181. On the basis of the above evaluation, officers are satisfied that the cumulative infrastructure impacts of the proposed residential development (in terms of utilities, landscape, open space, healthcare, transport and education) would be acceptable. There is no evidence to demonstrate that the development proposal should be refused on these grounds.

Section 106 Planning Obligation Issues

182. Planning obligations secured must be in accordance with the Community Infrastructure Levy Regulations 2010, which came into force on 06 April 2010. In particular, Regulation 122 states that a planning obligation may only constitute a reason for approval if it is:

- (a) Necessary to make the development acceptable in planning terms;
- (b) Directly related to the development; and
- (c) Fairly and reasonably related in scale and kind to the development.

183. These are the three principal tests set out in Paragraph 204 of the Framework and are of relevance in guiding the negotiation of planning obligations sought prior to the coming into force of the CIL Regulations. In assessing potential S106 contributions, officers have also been mindful of Core Strategy Policy CS13 and the Suffolk County Council guidance in respect of Section 106 matters, 'A Developers Guide to Infrastructure Contributions in Suffolk'.

Affordable Housing

184. The application proposes 18 of the dwellings as 'affordable', which represents 30% of the total number of units for the site. The Council's Housing Officer, in consultation advice, as confirmed support for the scheme and the provision of affordable housing on the site. In terms of housing tenure, the adopted SPD

seeks a tenure split of 70% rented and 30% intermediate in Forest Heath, based on current housing needs evidence. The precise detail of the affordable housing scheme, including tenure mix and their transfer to a registered provider can be secured through the S106 planning obligation.

Education

185. Education provision in Suffolk is currently in the process of a major restructuring: middle schools are being phased out and their functions are transferring to primary and secondary schools. The local catchment schools are Beck Row Primary School and Mildenhall College Academy. There are currently forecast to be surplus places available at the catchment secondary school serving the proposed development, and no secondary school contributions are sought.
186. Beck Row Primary School will not have any surplus places available, and Suffolk County Council is seeking full capital contributions for the additional primary school children forecast to arise to spend on enhancing local provision.
187. In terms of pre-school provision, it is understood that there are two early education providers in Beck Row (Beck Row Pre School and Busy Bees Montessori), offering 270 places. With the level of housing growth coming forward in Beck Row, a developer contribution is sought to mitigate local impacts. Contributions sought will be invested at a local level to enhance service provision.

Libraries

188. Beck Row is not currently served by a library. Suffolk County Council has identified a need to enhance service provision at the local library, and has requested a capital contribution. The County Council is yet to confirm how and where the contribution they have requested would be used, in order to meet the tests set out in Regulation 122 of the CIL Regulations.
189. The recommendation at the end of this report makes provision to secure this contribution from the development should it subsequently be justified to do so.

Healthcare

190. A consultation response has been received from Lawson Planning Partnership on behalf of NHS England. This advises that NHS England has no comment to make on the proposed development. Clarification was sought on this matter. It is understood that Market Cross Surgery in Mildenhall is the nearest GP surgery to the application site, and has existing capacity to accommodate the proposed development. On this basis no contributions are sought in respect of healthcare provision.

Transport

191. A contribution of £3000 to create new bus stops with Equality Act compliant kerbs has been sought by Suffolk County Council as Highway Authority.

Public Open Space

192. In accordance with the Council's Supplementary Planning Document in respect of open space, on site and off site provision of open space can also be secured by way of S106 agreement.

Summary

193. The provisions as described above ensure that the effects of the development proposal on local infrastructure within Beck Row, in terms of affordable housing, education, libraries and public open space, would be acceptable.
194. The proposal would comply with Core Strategy Policy CS13 by which the provision or payment is sought for services, facilities and other improvements directly related to development. Officers are satisfied that the proposed planning obligations meet the three tests of planning obligations set out in the Framework, and are therefore entirely justified.
195. The requests for developer contributions as described above will ensure improvements to existing infrastructure within Beck Row and the local area, to accommodate the growth of the village and meet the needs of the community, in accordance with Core Strategy Policy CS13. Officers are satisfied that they meet the three tests of planning obligations set out in Paragraph 204 of the Framework, and are therefore entirely justified. The planning agent has confirmed the 'in principle' acceptability of entering into a S106 planning obligation to secure these benefits. It is understood that this is currently in draft form.

Other Issues

196. Third party representations have raised concern regarding the boundary of the application site. The planning agent was asked to look at this issue and has confirmed that the red line on the application site location plan is based on the Land Registry plan for the site. It is understood that the indicative site layout is also drawn on the Land Registry plan, and on this basis, officers are satisfied that the site boundaries shown are correct.

CONCLUSIONS AND PLANNING BALANCE

197. The development proposal has been considered against the objectives of the Framework and the government's agenda for growth. Against this background, national planning policy advice states that planning permission should be granted, unless the adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework as a whole. There are no specific policies in the Framework which indicate that this development should be restricted. National policy should therefore be accorded great weight in the consideration of this planning application, especially the presumption in favour of sustainable development, which this proposal is considered to represent.
198. The application site is allocated for residential development within saved Policy 4.12 of the 1995 Local Plan. The development proposals have a number of positive attributes which lend support to the scheme.

199. In terms of the economic role of sustainable development, the development would generate direct and indirect economic benefits. New housing provides a range of economic benefits, and has significant and positive effects on economic output – for example in terms of capital investment, construction work and occupational expenditure.
200. With regard to the social role of sustainability, the development would provide a level of much needed market and affordable housing to meeting the needs of present and future generations.
201. In the context of the environmental role of sustainable development, the landscape would be irreversibly changed as a result of the development proposals – although this would have only limited impact on the immediate environment. Good design and the retention of existing trees would assist in the mitigation of this impact. Furthermore, the site does not benefit from any specific ecological, landscape or heritage designation. On this basis, the effect on the character of the settlement is considered acceptable.
202. There are not considered to be any planning matters that would significantly and demonstrably outweigh the benefits of the scheme. Officers consider that the benefits of this development would outweigh the dis-benefits of the scheme, and point towards the grant of planning permission.
203. Having regard to the Framework and all other material planning considerations, with the S106 package as set out below (which is necessary for the development to be acceptable in planning terms), the proposal is considered to comply with the NPPF and Development Plan policy. The recommendation is one of approval.

RECOMMENDATION

204. That planning permission is **GRANTED** subject to:
- (1) **The completion of a S106 agreement to secure the following (subject to meeting the CIL Reg 122 tests):**
- Policy compliant level and tenure split of affordable housing.
 - Education contribution.
 - Pre-school contribution.
 - Libraries contribution (if deemed compliant with CIL Regulation 122)
 - Provision of on-site and off site open space.
 - Transport contribution.

In the event that there are any substantive changes to the S106 package, then this will go back to Members for consideration.

In the event the Applicant declines to enter into a planning obligation to secure the Heads of Terms set out above, for reasons considered unreasonable by the Head of Planning and Regulatory Services, planning permission be refused for the following reasons (as may be appropriate):

1. Unsustainable form of development not mitigating its impact on education provision, open space sport and recreation, transport (contrary to the Framework and Core Strategy Policy CS13).

2. Non compliance with affordable housing policy (contrary to Core Strategy policy CS9 and supporting SPD document).

(2) **And the following conditions/informatives:**

1. Time.
2. Compliance with approved plans.
3. Archaeology – investigation and post investigation assessment.
4. Contamination – further investigative work if found.
5. Foul water disposal details.
6. Surface water drainage details: SuDs management plan.
7. Construction method statement.
8. Working hours.
9. Ground levels details.
10. Details of boundary treatment.
11. Samples of materials.
12. Detailed scheme of hard and soft landscaping.
13. Tree protection.
14. Details of tree works for retained trees.
15. Detailed Arboricultural Method Statement and Tree Protection Plan.
16. Open space management plan.
17. Details of lighting.
18. Recommendations of Ecological Appraisal to be implemented.
19. Recommendations of Botanical Survey to be implemented.
20. In situ retention of plant species.
21. Recommendations of Reptile Survey to be implemented.
22. Development in accordance with agreed design code/development brief.
23. Provision of fire hydrants.
24. Waste minimisation and recycling strategy.
25. Highways – including provision of Sustainable Travel Information Packs.

Informative: connectivity with Lamble Close

Documents:

All background documents including application forms, drawings and other supporting documentation relating to this application can be viewed online:

<https://planning.westsuffolk.gov.uk/online-applications/applicationDetails.do?activeTab=summary&keyVal=NNVDYKPD11Q00>

Alternatively, hard copies are also available to view at Planning, Planning and Regulatory Services, Forest Heath District Council, District Offices, College Heath Road, Mildenhall, Suffolk IP28 7EY

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