

Committee Report

Committee Date: 12th July 2017

Item No:

Reference: 4386/16

Case Officer: Dylan Jones

Description of Development: Erection of 138 dwellings including the construction of a new vehicular access and provision of cycle/pedestrian link to Barton Road together with the provision of road and drainage infrastructure, landscaping and open space.

Location: Land on the west side of Barton Road, Thurston IP31 3NT

Parish: Thurston

Ward: Thurston & Hessett

Ward Members: Councillors Esther Jewson & Derrick Haley

Site Area: 5.26

Conservation Area: No

Listed Building: Manor Farm, Grade 2* listed and Grange Farmhouse, Grade 2 Listed.

Received: 26/10/2016

Expiry Date: 30/06/2017

Application Type: Full Planning Permission

Development Type: Smallscale Major Dwellings

Environmental Impact Assessment: Schedule 2 development – EIA not required.

Applicant: Bovis Homes Ltd

Agent: Artisan PPS Ltd

DOCUMENTS SUBMITTED FOR CONSIDERATION

The defined Red Line Plan for this application is drawing number THU-P-000 received on the 26th October 2016. This drawing is the red line plan that shall be referred to as the defined application site. Any other drawings approved or refused that may show any alternative red line plan separately or as part of any other submitted document have not been accepted on the basis of defining the application site.

Submitted Documents:

Tree Constraints plan reference number LSDP 11341-01 Rev A dated 8th March 2017

Planning layout plan reference number THU-P-001 received on the 26th October 2016

Materials plan reference number THU-P-002 received on the 26th October 2016

Landscape proposals plan LSDP 11341-02A dated 8th March 2017
House type drawing pack received on 8th March 2017
Base planning unit reference number THU-P-001R received on the 8th March 2017
Pumping station figure 4 received on the 8th March 2017
Archaeology report received on the 26th October 2016
Contaminated land and geotechnical study received on 26th October 2016
Design and Access Statement received on 26th October 2016
Ecological Appraisal received on 26th October 2016
Flood risk assessment & drainage report received on 26th October 2016
Planning statement received on 26th October 2016
Transport Assessment received on 26th October 2016 and updated on the 8th May 2017

The application, plans and documents submitted by the Applicant can be viewed online at www.midsuffolk.gov.uk via the following link:

<http://planningpages.midsuffolk.gov.uk/online-applications/simpleSearchResults.do;jsessionid=C887C3AA8A7097BDD744785F295B92D6?action=firstPage>

Alternatively, a copy is available to view at the Mid Suffolk and Babergh District Council Offices.

SUMMARY

The proposal has been assessed with regard to adopted development plan policies, the National Planning Policy Framework and all other material considerations. The scheme is contrary to the adopted Mid Suffolk Core Strategy; however, the Council cannot demonstrate a 5 year supply of housing and the scheme falls to be considered under paragraph 14 of the NPPF where the adverse impacts of the scheme have to be balanced against the benefits of the scheme to demonstrate that it constitutes sustainable development. Officers are recommending a minded approval of this application as it is considered to be sustainable development as the public benefits that the scheme will deliver (contributions towards a new school, pre-school, highway improvements, health provision, affordable housing and library facilities amongst others) are considered to outweigh the negative aspects of the proposal.

PART ONE – REASON FOR REFERENCE TO COMMITTEE

The application is referred to committee for the following reason:

- It is a “Major” application for residential land allocation for 15 or over dwellings.

PART TWO – APPLICATION BACKGROUND

1. This section details history, policies, advice provided, other legalisation and events that forms the background in terms of both material considerations and procedural

background.

History

2. The planning history relevant to the application site is listed below. A detailed assessment of the planning history including any material Planning Appeals will be carried out as needed in Part Three:

There is no recent planning history for this site.

3. The following applications are also considered to be relevant to the consideration of this proposal as they represent the other major applications for residential development in Thurston that are currently with the Council for consideration:

2797/16 Application for Outline Planning Permission (with all matters other than means of access reserved) for residential development of up to 175 dwellings with associated car parking, landscaping, public open space areas, allotments, and vehicular access from Sandpit Lane. The applicant is Hopkins Homes and this proposal is identical to appeal 5010/16.

4942/16 Full planning application for the erection of 64 dwellings on land at Meadow Lane, Thurston. The applicant is Laurence Homes.

4963/16 Outline application for the erection of up to 250 dwellings and associated infrastructure including the provision of up to 2.4ha of land for use by the Thurston Community College and the provision of land for a new primary school on land west of Ixworth Road, Thurston. The applicant is Persimmon Homes.

5010/16 Outline Planning Application (with all matters other than means of access reserved) for residential development of up to 175 dwellings with associated car parking, landscaping, public open space areas, allotments, and vehicular access from Sandpit Lane and Norton Road (This case is at appeal for non-determination in the statutory period of 13 weeks for a major application).

5070/16 Outline Planning Permission sought for the erection of up to 200 homes (including 9 self-build plots), primary school site together with associated access, infrastructure, landscaping and amenity space (all matters reserved except for access) on land at Norton Road, Thurston – The applicant is Pigeon Capital Management.

The consideration of the cumulative infrastructure issues that this group of applications present has been explored in a collaborative, but without prejudice, working group including County and District Council Officers with the five respective applicants and their technical advisers. This has enabled a constructive and timetabled analysis of the proposals and their cumulative impact.

Details of Previous Committee / Resolutions

4. None

Details of Member site visit

5. Members visited Thurston on the 13th June to look at this site and the four other residential development schemes that are currently with the Council for consideration.

Details of any Pre Application Advice

6. The applicant engaged with the Council and received pre-application advice on the principle of the development and its acceptability having regards to the fact that the Council does not have a 5 year supply of housing.

PART THREE – ASSESSMENT OF APPLICATION

7. Summary of Consultations

Great Barton Parish Council – Objects to this application on the following grounds:

- The Transport Assessment fails to take into account the committed schemes in Burry St Edmunds, Ixworth and Stanton. These should not be ignored in making this decision.
- The Transport Assessment also ignores other schemes coming forwards in Thurston and how cumulatively these will impact on the locality.
- The TA suggests that alterations to the junction outside the Bunbury Arms on the A143 do not need improving. This is not the case as this junction clearly needs improving.
- Thurston Community College is the catchment secondary school for Great Barton and it is currently at its capacity in terms of pupil numbers. Therefore additional pupils in Thurston will have a negative effect on the residents of Great Barton.
- The boundary of the site is the parish boundary between Great Barton and Thurston and is rural in character and this proposal will change that to a more urban type character.
- The proposal is contrary to the NPPF as there are more negatives associated with it than the positive aspects that it brings and as such it should be refused planning permission.
- This proposal is undermining the plan making process in Thurston.

Thurston Parish Council (which includes the comments of the Thurston Neighbourhood Plan Team)

The Neighbourhood Plans Team has stated that it does not support this proposal for the following reasons:

- This site has been considered by the Neighbourhood Plans Team for consideration as part of the neighbourhood plan and there are a number of issues with it which are

considered to be major.

- Consider that the Neighbourhood Plan should be given some weight in the consideration of this proposal as it has been the subject of public consultation despite not allocating sites or proposing planning policies.
- The speed of the submission of the applications in Thurston and the amount of dwellings proposed between the five undetermined applications and the Granary site will result in Thurston losing its 'village feel' and for it to become 'a small dormitory town'.

Specifically in relation to the Bovis scheme, the Neighbourhood Plans team raise the following points:

- The scheme shows an unimaginative off the shelf design and fails to respond to the fact that it abuts the countryside and existing houses on the other.
- Consider that the inclusion of 2½ and 3 storey dwellings at this point in the village is not in keeping with its character and appearance.
- They consider that there is a need for better screening around this site to enhance it and to provide biodiversity opportunities.
- The scheme does not reflect the character of the surrounding area as its density is too high and the majority of the dwellings are large 4+ bedroom properties and not the 1 and 2 bedroom properties which the local needs survey showed was needed.
- The applicant has commented in his supporting documentation that the proposal will only have a limited impact on the surrounding highway network. This is clearly not going to be the case as the proposal will have a negative impact on junctions such as Fishwick and Pockeridge Corners and on the narrow bridge over the A14. There will also be a negative cumulative impact with the other schemes either approved or coming forwards in Thurston in terms of highway safety.
- There are no proposals to put footways in from the site to the existing footpaths so that the residents can access the local school and shops. This would be an unsafe arrangement.
- There has not been an assessment with this proposal of its impact on the local railway station, particularly in relation to the lack of car parking there.
- Both the primary and the secondary schools in Thurston are at capacity and this infrastructure issue needs to be resolved in planning growth in Thurston in the future.
- They also state that they are concerned about the type of affordable homes proposed and that the cost of these will not be 'affordable' to local people.

Thurston Parish Council has objected to this proposal on the following grounds:

- This proposal is outside the development boundary for Thurston, albeit adjacent to it but it is considered that the scheme would bring forwards dwellings that would be visually, physically and functionally isolated from the facilities and services offered by Thurston.
- This is overdevelopment of the site and it should be limited to 50 dwellings in line with the requirements of the local residents.
- The two storey dwellings that are proposed along the western and southern part of the site is no a feature of the surrounding area and as such, the scheme will fail to complement the character of the existing area. These properties should be replaced by single storey properties which would minimise the impact.
- There are privacy issues in terms of loss of daylight and overlooking between some of the proposed dwellings where they face existing properties.
- The proposal fails to protect the intrinsic character of the surrounding countryside. This is contrary to policy CS5 of the Core Strategy and policy FC1.1 of the Core Strategy Focused Review and policies H13 and H16 of the Mid Suffolk Local Plan.

- The density and mix of the housing as proposed fails to take into account the accommodation needs of the area.
- The proposal is not considered to provide safe access for all as required in paragraph 32 of the NPPF. There are particular concerns with pedestrian and cycle facilities and the ability to integrate the scheme with local public transport.
- The proposed single access point into the site is considered to be unsafe, particularly having regards to the fact that no paths along its edge into Barton Road are proposed.
- The scheme will put additional users onto the public highway which will burden it and cause congestion and safety concerns at places such as Fishwick Corner, Pokeriage Corner, on the narrow bridge crossing Barton Road and Thedwastre Road and at the entry and exist points of the A14 at the junction of Thurston Road, Great Barton and the A143.
- The Thurston Primary Academy and the Thurston Community College are at capacity and as such the local education infrastructure will not be able to cope with this development. This would be contrary to policy CS6 of the Mid Suffolk Core Strategy.

The Parish Council has been consulted on the most recent amended site plan and they confirm that they still object to the scheme on the same grounds as previously raised. However they have clarified that they are now satisfied with the new access visibility splay arrangements as contained in the amended plan.

MSDC - Environmental Health – Contaminated land – Does not object to the scheme on contamination grounds subject to the imposition of planning conditions.

MSDC - Environmental Health – Public Protection – Initially raised concerns about the potential impact in terms of noise of a proposed foul water pumping station within the site on the living conditions of the existing and surrounding residents. The applicant has addressed this issue and the Public Protection Officer has confirmed that she no longer objects to this proposal.

MSDC Heritage Officer – The site lies on agricultural land which is within the setting of Manor Farm which is Grade 2* listed and also Grange Farmhouse.

The Historic Buildings Officer advises that due to the location of the site which when developed will read as an extension to the existing residential part of the village would cause no harm to the setting of the listed buildings referred to above. As such, he has no objections to this proposal.

MSDC - Strategic Housing (Summary) – Advises that no objections are raised to the scheme as submitted as 35% affordable housing is proposed in line with the Council's requirements. The strategic Housing Officer advises that the affordable housing requirement for the site is 48 affordable units. These are broken down as follows:

Affordable Rent Tenancy = 48 units broken down as follows:

Affordable Rent Tenancy = 36 units:

- 10 x 1b 2p flats @ 50sqm
- 2 x 1b 2p bungalows @ 50sqm
- 2 x 2b 4p bungalows @ 70sqm
- 16 x 2b 4p houses @ 79sqm
- 5 x 3b 6p houses @ 102sqm
- 1 x 4b x 7p house @ 115sqm

Shared Ownership = 12 units as follows:

- 8 x 2bed 4p houses @ 79sqm
- 4 x 3bed 6p person houses @ 102sqm

MSDC Sustainability Officer – After the submission of additional information, there are no objections to this proposal on sustainability grounds.

MSDC Tree Officer – Does not object to this proposal. However, he has commented if it is necessary to remove the well-established hedge along the site frontage as he considers that it will soften and integrate the development into the locality.

He also makes the comment that plot 1 is too close to the important Beech Tree T4 and it is important to redesign that part of the scheme so that there isn't a conflict between the tree and the plot. Following an altered layout which has moved plot 1 and its garage outside of the root zone for plot 1, the Tree Officer no longer has any concerns in relation to this proposal.

SCC Archaeology – Does not raise any objections to this scheme as the site is not in an area with any archaeological potential.

SCC Flood and Water management – Has objected to this scheme and asked for additional information to be submitted. The applicant has submitted the information and at the time of reviewing this report no progress had been received in resolving this matter. The committee will be updated at the meeting with the comments of the Flood and Water Management Officer.

The SCC Flood Management Team has been asked to comment on the cumulative impact of 827 houses being proposed in Thurston and they have commented that they would expect all of the developers to design suitable sustainable drainage systems (which they all have). All of the 5 sites are in a flood zone 1 so they comply with national policy requirements. However, surface water drainage has historically been an issue in Thurston with soil conditions not being viable for water to drain away easily. Most of the surface water from the village is drained into the foul sewer system with the east part of the village having a surface water drainage system. It is understood that Anglian Water are considering options to improve capacity in the locality to help to prevent the flood events that have happened in the centre of the village in recent years.

SCC Highways – The Local Highway Authority has provided two responses on this proposal. One deals with the cumulative impact of this scheme and the four others that have all been submitted in Thurston on the local highway infrastructure. The second response deals with the highway issues that are specific to this proposal.

Cumulative impact - The Transport Assessments provided for the individual proposed developments show varying degrees of impact on the highway infrastructure. To date none have shown the cumulative impact of all five developments but at some locations the Local Highway Authority considers this may be severe, particularly where the network is already close to or exceeding capacity. Paragraph 21 of the National Planning Policy Framework (NPPF) states that planning policies should recognise and seek to address potential barriers to investment, including any lack of infrastructure and identify priority areas for infrastructure provision. Both SCC and MSDC are aware that paragraph 32 of the NPPF states that development should only be prevented on transport grounds where residual impacts of development as severe. The same statement allows decisions to be made taking account of

whether improvements can be undertaken within the transport network that cost effectively limits the significant impacts of development.

On this occasion, the Local Highway Authority consider that by taking a co-operative approach for all five developments there is an opportunity that the planning process can provide improvements to both mitigate against any severe impacts and any lack of transport infrastructure.

Highway Infrastructure (Congestion)

The initial data and modelling provided in Transport Assessments indicates that the road network will experience additional traffic through growth and development and at some locations this will exceed the theoretical junction capacity. Those junctions that are or may exceed capacity are discussed below.

A143 Bury Road / C691 Thurston Road/ C649 Brand Road

Modelling shows that this junction is already close to theoretical capacity in the AM peak with northbound traffic waiting to turn onto the A143 queueing on Barton Road and at capacity in the PM peak with Thurston bound traffic waiting right from the A143 into Barton Road. The additional traffic from the proposed developments in Thurston will exacerbate these problems; in particular, modelling shows the queueing traffic on Barton Road will exceed capacity in the AM peak.

C693 Thurston Road / C692 Thurston Road / C693 New Road (Fishwick Corner)

Modelling indicates that the southbound approach to the junction is currently close to capacity in the morning peak and that its capacity will be exceeded before all five developments could be delivered. However, in the PM peak the junction has the capacity for the predicted traffic for all developments.

C560 Beyton Road / C592 Thurston Road / U4920 Thedwastre Road

The modelling of this junction shows some inconsistencies with one study indicating it will be close to capacity southbound on Thedwastre Road in the AM peak due to traffic from one specific development but other modelling showing it would have capacity for the traffic generated by the developments.

Highway Infrastructure (Road Safety)

A143 Bury Road / C691 Thurston Road/ C649 Brand Road

There have been three recorded crashes resulting in slight injuries and one involving serious injury at this junction in the last 5 years for which data is available (2012-2016).

C560 Beyton Road / C592 Thurston Road / U4920 Thedwastre Road

There have been two crashes resulting in slight injuries at this junction in the past 5 years.

C693 Thurston Road / C692 Thurston Road / C693 New Road (Fishwick Corner)

At this junction there have been 9 crashes resulting in slight injuries and one resulting in a serious injury in the past 5 years.

The frequency of injury related crashes at the C693 Thurston Road / C692 Thurston Road / C693 New Road (Fishwick Corner) junction would, in the opinion of SCC, necessitate some work to improve road safety. Although the frequency of crashes at the A143 Bury Road / C691 Thurston Road/ C649 Brand Road does not justify significant road safety improvements it is a factor that should be considered in any future mitigation measures.

Suggested Mitigation Measures

A143 Bury Road / C691 Thurston Road/ C649 Brand Road

An assumption has been made that the junction can be signalised and that this will reduce congestion and improve road safety. Although there is a generous width of highway verge in the vicinity of the junction the geography of the site may place constraints on the design and further work is required to confirm that a solution is possible or beneficial. The proposed junction improvements would be delivered through a jointly funded S106 contribution.

C693 Thurston Road / C692 Thurston Road / C693 New Road (Fishwick Corner)

The issue of congestion on the southbound approach is difficult to mitigate as there is insufficient land within the highway boundary to provide a meaningful solution. It is noted that the road network around Thurston is relatively permeable and an option exists for traffic to avoid this by diverting onto Beyton Road and then turning right to approach this junction from the east.

Several minor traffic management features such as improved signing, marker posts and high friction surfacing have been used at this junction in the past as crash reduction measures. Despite this, crashes causing injury continue to occur. To reduce the severity of these crashes it is proposed to restrict the road to 40mph and undertake local safety improvements such as enhanced road signs and markings. This would be delivered through a jointly funded S106 contribution.

A longer term solution would be to remodel the junction or drastically remodel the road network. It is recommended these matters should be addressed in any future revisions to the Local Plan.

C560 Beyton Road / C592 Thurston Road / U4920 Thedwastre Road

The highway boundary constrains any improvements in this location and thus there does not appear to be any viable mitigation to increase capacity on the southbound Thedwastre Road approach. The relatively low number of crashes suggests that the issue of road safety is not as important as it is for the other two junctions and mitigation measures would only comprise low cost work, such as road signs and markings.

Speed Limits

It is noted that a number of proposed access roads are located close to or beyond the existing 30mph speed limit in Thurston. In some cases, assumptions have been made when determining visibility for these junctions that the 85%ile speed limits are or will be close to 30mph. Developers are advised that the visibility requirements shall be designed for the measured 85%ile speed adjacent to the junction and not the posted or proposed future speed limit. A legal process must be followed to change or extend a speed limit and during this process objections can be made which can delay or stop creation of the necessary legal order. For this reason, Suffolk County Council cannot accept visibility splays based on changes to speed limits unless there is confidence that no significant objections to the traffic regulation order are likely.

Based on the available details of the five proposed developments the following changes to speed limits are suggested;

- Extend the 30mph speed limit north on Ixworth Road to Thurston Rugby Club
- Extend the 30mph speed limit on Norton Road towards and beyond Church Road
- Extend of 30mph speed limit on Barton Road west of Mill Lane
- Create a new 40mph speed limit between and including the C693 Thurston Road / C692 Thurston Road / C693 New Road and the C560 Beyton Road / C592 Thurston Road / U4920 Thedwastre Road for road safety reasons.

The necessary Traffic Regulation Orders (TRO) could be raised individually or preferably as a single order. The latter is preferred as it reduces cost and administration. This can be delivered through site specific or joint S106 contributions. As stated above implementation of an order cannot be guaranteed and if a TRO is required to justify reduced visibility splay lengths then the order would need to be substantially complete before such a reduction would be accepted. If a process can be agreed between the parties' initial consultation can be undertaken in advance of determination of the planning applications.

Pedestrian and Cycling Infrastructure

The benefit of considering all five applications together is that a coherent system of footways and pedestrian crossings can be delivered in Thurston. The proposed footways are intended to provide good, direct pedestrian access both to the main village and schools. The proposed improvements, most of which have already been proposed by individual applications, are listed below:

- An uncontrolled pedestrian crossing on Norton Road between Meadow Lane and Station Hill / Ixworth Road.
- A footway on west side of Ixworth Road between Norton Road and the entrance to Persimmon's site
- A footway link on Ixworth Road between the entrance to the Persimmon development and the entrance to the Thurston Rugby Club.
- A controlled pedestrian crossing facility (e.g. a raised table junction with zebra crossing) if practicable at or adjacent to the Norton Road / Station Hill / Ixworth Road junction. Pooled contributions from all 5 developments are required for the County Council to deliver this.
- A footway on the north side of Norton Road from Meadow Lane east towards Church Lane as far as the site boundary allows. This could be within the development and or on the highway verge.
- An uncontrolled pedestrian on Norton Road crossing linking the Hopkins Homes and Pigeon sites
- Meadow Lane resurfaced to improve cycle / pedestrian facilities (and maintain access to properties)
- Provide a metalled footway on Church Road between Footpath 006 and the footpath link to School Lane. This will include provision of street lighting along this short section of footpath.
- Provide two uncontrolled pedestrian crossings on Sandpit Lane to link the Hopkins Homes development to the main village

With the exception of the pedestrian crossing facility at the junction of Ixworth Road, Station Hill and Norton Road, the above are expected to be secured by conditions or S106 obligations as appropriate and delivered by the relevant development with S278 (improvements to existing highway) or S38 agreements (if adoption as highway maintainable at public expense is desired) as appropriate. All the footways are expected to be metalled and where verge space allows provision for cyclists should also be considered.

Public Rights of Way (PRoW)

It is proposed that a small number of PRoW are improved to provide alternative pedestrian links between the proposed developments and current and future school sites. These are improvements to:

- Thurston Footpath 001 between Ixworth Road and Meadow Lane. It is proposed that this is to an all-weather standard, preferably a bituminous surface.
- Thurston Footpath 018 between Ixworth Road and Mill Lane. This lies within the development site and the works can be secured by condition.

- Thurston Footpath 006 between Norton Road and Church Road. This lies within the development site and the works can be secured by condition. It is proposed that this is to an all-weather standard; preferably a bituminous surface as far as it is a safe pedestrian route to the site north of Norton Road.
- New PROW link along southern boundary of the Bovis Homes site to join Barton Road
- New PROW link from the site west of Barton Road to Heath Road, linking with Cycle Route 51.
- Improve PROW 007 North of Meadow Lane (un-metalled).

If diversion of a PROW is likely it is recommended that discussions are held with the relevant SCC officer at an early state.

Public Transport

Improvements to public transport infrastructure will be limited to any site-specific works necessary as a result of each development through S106. All other public transport improvements are included in the CIL.

The specific highway comments relating to this scheme only are as follows:

- **Site access** - Visibility splays of 2.4m x 43m are proposed. The access is very close to the northern end of the existing 30mph speed limit and unless evidence is produced by the applicant a speed limit of 37mph should be assumed for design purposes and thus a 43m visibility splay would not be acceptable. He also comments that no swept path analysis has been provided for the entrance or within the site.
- **Highway drainage** – The application shows permeable paving into the public highway which is not considered to be acceptable due to maintenance and replacement costs. The highway authority would also not accept the adoption of soakaways or other drainage features that are not within the proposed limits of the public highway.
- SCC would prefer footway access to the far northern edge of the site to allow connectivity to the wider road and footway network and any footway should be metalled using standard materials and drained to allow all year use.
- **Landscaping** - On the plans supplied it is noted that trees are shown in indicative positions. These are close to and overhanging the highway. Planting of vegetation that will or may in the future overhanging the road would not be permitted. Before that Highway Authority would consider a layout for an adopted road the applicant will need to agree details of such planting including how these would facilitate adequate street lighting and the risk of root damage mitigated.
- **Transport Assessment and Local Highway Infrastructure** - The trip rates are judged to be robust and are accepted.
- **Transport Assessment and Local Highway Infrastructure** - The trip rates are judged to be robust and are accepted.
- Advises that figures showing the development impacts at each junction should be provided.

A143 Bury Road / C691 Thurston Road/ C649 Brand Road, junction at Great Barton

- The traffic survey data has not been provided for movements to and from arm D at the A143 / Thurston Road junction. These must be provided to check capacity assessment flows. Without this data it is difficult to see how the conclusions in Table 7.2 were reached.
- Traffic flow diagrams should be provided relate to the individual junction capacity assessments. These were not included in Appendix E in the Transport Assessment on the Mid Suffolk District Council planning portal.

- The modelling outputs have only been provided for the 2016 AM Base only. All scenario outputs should be provided so that assessed flows can be confirmed.
- The on-site enumerator observed that Thurston Road (at the A143 junction) merged into one lane after 15m. This means that there is space for about 2.5 PCUs to queue adjacent to each other (left lane and right lane). It would be useful to support this with evidence with scaled plans or drawings as it appears to be optimistic based on our own observations as does the visibility from Thurston Road, particularly north towards Ixworth. This arm of the junction has been assessed as a two lane approach using the Junction 9 program. Guidance for this software states the following:
- “On the minor road there may be one lane, two lanes, or one lane that widens into two lanes (“one lane plus flare”). If there are two full lanes extending back from the give-way line to beyond the normal maximum queue length, the arm should be modelled as having two lanes. At flared junctions, it is recommended for simplicity to firstly model the arm with two lanes in order to establish whether the normal maximum queue length extends back beyond the end of the flare.”
- It needs to be confirmed that the normal maximum queue length does not extend back beyond the two lanes (2.5 PCU's as above). If so, the junction should be assessed as one lane plus flare.
- The tight radius for vehicles turning into Thurston Road has not been mentioned. From site observations the verge appears to be regularly over-run. Local anecdotal evidence (from the Parish Council) suggests this is result of use by school busses accessing the local schools.

C693 Thurston Road / C692 Thurston Road / C693 New Road (Fishwick Corner) junction.

- The proposed improvements to road safety are broadly accepted although the vehicle activated signs shown in drawing 146/2015/05 Rev P1 would need to be solar powered. A commuted sum would be needed to cover maintenance and final removal. As part of the cumulative impact study it is recommended that the speed limit is also reduced to 40mph.

Proposed S278 works

- Extension of footway along Barton Road along the site frontage. This will be secured by condition as necessary.

Proposed S106 Heads of Terms

- Contribution towards improvements at the A143 Bury Road / C691 Thurston Road/ C649 Brand Road, junction at Great Barton. A contribution of £47,975 is required on commencement of work on site
- Contribution towards safety improvements at the C693 Thurston Road / C692 Thurston Road / C693 New Road including a 40mph speed limit on the C692 Thurston Road. A contribution of £8711 is required at the commencement of the first dwelling.
- Contribution towards extension of the 30mph speed limit on Barton Road west of Mill Lane. A contribution of £8000 is required on commencement of construction work on site.
- Contribution towards provision of pedestrian crossing facilities at the junction of Norton Road / Station Hill / Ixworth Road. A contribution of £15,068 is required on occupation of the first dwelling.

- Creation of new Prow along the southern boundary of the site to Heath Road (Cycle route 51). A contribution of £34,000 is required on completion for 50% of the total number of dwellings.
- Travel Plan Travel Plan Evaluation and Support Contribution - £1,000 per annum until five years have passed after occupation of the final dwelling. This is to cover Suffolk County Council officer time working with the Travel Plan Coordinator and agreeing new targets and objectives throughout the full duration of the travel plan
- Travel Plan Implementation Bond - £108,585 (based on SCC calculations on the estimated cost of fully implementing the travel plan for 140 dwellings). This is to cover the cost of implementing the travel plan on behalf of the developer if they fail to deliver it themselves.

The S278 and S106 proposals are based on the assumption of a collaborative approach between all 5 developers. If this site is determined as a stand-alone application these conditions and contributions would be re-assessed.

The applicant has subsequently amended his site plan and has been in negotiations with the Local Highway Authority in relation to the access visibility splays to resolve the issues raised above. The Local Highway Authority has advised that they are now satisfied with the scheme and that the remainder of the matters can be covered by planning conditions and within the S106 agreement for the scheme. The Local Highway Authority has indicated that the cost of this will be £113,754 for the works required under S106 of the act (excluding travel plan costs listed above) and £40,000 for works under section 278 of the Highways Act.

SCC - Obligations Manager: Comments that 138 new houses proposed in the scheme will have an impact on local infrastructure particularly in terms of education.

Primary Provision

The residents of the scheme will generate the need for 29 new primary school places and it has been advised that there is no capacity in the local Primary School which is the Thurston Church of England Primary Academy to accommodate this development and as such a contribution is requested towards a new primary school. As new schools cannot be provided through the Council's CIL scheme (the 123 list only allows for extensions to schools and not new schools) a request is made for a contribution towards a new school under S106 of the planning act.

A contribution for £476,441 as broken down below is required to meet education needs which will arise from this development:

School level	Minimum pupil yield:	Required:	Cost per place £ (2016/17):
Primary school age range, 5-11*:	29	29	16,429

Land for new school

A contribution for a further £37,526 is also requested to contribute towards the cost of the land to provide the school. This is worked out on a maximum cost of £100,000 per acre (£247,100 per hectare, which will be £543,620 for a 2.2 hectare site and equates to £1,294 per pupil place. For the proposed development, this equates to a proportionate land contribution of 29 places x £1,294 per place = **£37,526**

Temporary classroom

The Obligations Manager has also advised that there will be a need for temporary classroom arrangements to accommodate the needs of the children that arise from this development. The existing primary school is on a very constrained site and an extension to the facility is not possible under Department for Education guidelines. However, it is advised that where extra pupils either through a spike in local population or from housing development cause a 'bulge' in the admission numbers, this can be accommodated by providing temporary classrooms.

A double temporary mobile classroom providing 60 places could be located within the hard surfaced play and car park areas within the school for a period of no longer than 3 years to meet the admissions 'bulge' which would be caused by this and other large housing developments in Thurston. As the primary school is an academy whereby the County Council has limited control over its operation, agreement to the provision of the temporary building has had to be sought from the Academy board that runs the school and it is understood from the Obligations Manager, that agreement has now been given by them for this to go ahead.

The temporary classroom will be facilitated via a CIL bid as it is classified as being an extension to an existing school in the Council's 123 list.

Secondary School and 6th form provision

The Obligations Manager has commented that secondary and 6th form provision in the area is currently sufficient to accommodate the additional pupils which will be generated from this proposal as shown in the table below.

Total primary education contributions: £513,967

Restriction on occupation

The Obligations Manager has also commented that as there are two residential sites in Thurston proposing a primary school site (application 5070/16 – Land on land at Norton Road, Thurston for Pigeon Capital and 4963/16 – Land west of Ixworth Road – Persimmon Homes) but neither application is approved yet, that the district council should consider imposing a planning condition restricting occupation of any dwellings once the capacity of the existing primary school with additional temporary classroom are full. This condition could then be discharged once the construction of the new primary school on whichever site has been chosen has commenced.

Pre-school

The Obligations Manager has also noted that there are currently 4 pre-school establishments in the locality (2 childminders, Thurston pre-school and Tinkerbells Day Nursery) and that spare capacity between them is only 10 spaces. Based on the scale of development currently being assessed in Thurston, the proposed legislative changes and the intention to establish a new primary school (with nursery provision), the most practical approach is to establish a new early education setting on the site of the new primary school which would be a 30 place setting, providing sufficient capacity for 60 children in total. Our latest estimates are that a 30 place early education setting costs £500,000 to construct on a site of approximately 630m² (note: this includes outdoor play and parking).

The Mid Suffolk Regulation 123 List indicates that new early years settings are not identified for funding through CIL. A proportionate contribution for this scheme would be based on 14 children of the total 60 who would be accommodated within the new setting, could be calculated as follows (revised costs from a similar scheme in Suffolk):

- £500,000 construction cost (including land as collocated with the new primary school) for a new 60 place setting
- £500,000/60 early years pupils = £8,333 per place From 137 dwellings there is the need for 14 additional places
- Therefore 14 pupils x £8,333 per place = **£116,662 (2016/17 costs)**

Total contribution for all education provision - £630,629

Other infrastructure contributions

Requests a contribution of £29,808 towards library provision. This is requested under the Council's CIL 123 list.

SCC Public Rights of Way – Does not raise any objections to this proposal.

Anglian Water – They have not objected to this proposal. They confirm that there is capacity in the catchment of the Thurston Water Recycling centre for wastewater treatment. They have not objected to this scheme on foul sewage capacity but have requested a condition is imposed if planning permission is granted for this scheme requiring details of the pumped rate of water that will be discharged from the site to the foul sewage network. Anglian Water advises that they do not wish to provide any comments in relation to the surface water drainage for the site.

Ecology Officer, Essex Place Services – Advises that the site contains priority habitat in the form of hedgerow and it is likely to support priority species such as Bats, Amphibians, Reptiles, Hare, Skylark and potentially Hedgehogs. The Ecology Officer agrees with the recommendations of the applicant's ecology reports and requests that conditions be imposed requiring the scheme to be completed in accordance with the recommendations of the report and that detail of lighting within the site is provided to the Council to ensure that the impact on ecology is minimised. The Ecologist notes that there will be an adverse impact on Skylarks if this site is developed and requests that a scheme is secured via a S106 agreement to provide off site mitigation. This will be in the form of nesting plots on land away from the application site.

Environment Agency – Does not object to this scheme on flood risk or on foul water grounds.

They have also considered the cumulative impact of all 5 schemes together and they advise that none of the sites are in an area at risk of fluvial flooding. They also confirm that from their records there will be sufficient capacity in the Thurston Water Recycling Centre to accommodate all 827 dwellings. They have advised that Thurston lies in an area of 'water supply stress' by Anglian Water which has a duty under their own legislation to provide a water supply to new houses when they are built.

Fire Service - County Fire Officer – They do not object to this proposal subject to the imposition of a condition relating to the provision of fire hydrants on site.

Highways England: Does not raise any objection in relation to this proposal.

Historic England – They have advised that there was no need for the Council to consult with them on this application.

Landscape Consultant – Essex Place Services: Comments that the proposal will have an impact on the existing rural edge character of Thurston.

The Suffolk Landscape Character Assessment defines the site and the surrounding area as part of the Plateau estate farmlands landscape character type. Some of the key characteristics for the Plateau estate farmlands landscape character type are flat landscapes of light loams and sandy soils, large scale rectilinear field pattern, network of tree belts and coverts, large areas of enclosed former heathland and 18th- 19th & 20th century landscape parks. There is an expectation that many of these landscape principles will be designed into the emerging development proposals.

As part of a site appraisal it is clear that the key sensitive edge is the southern and western boundary where the existing dwellings will overlook the proposed development. Elsewhere, views along the existing public rights of way will also be greatly affected. In this situation, it was advised that a Landscape Visual Appraisal was required to assess and address this issue.

The applicant has subsequently submitted an LVIA and the Landscape Consultant is now satisfied with its contents and the mitigation measures proposed by the applicant. The Consultant has advised that there is a need for more information in terms of the landscaping scheme within the site and this can be achieved via the imposition of a landscaping condition.

Natural England – They do not have any comments to make on this proposal.

Network Rail – They have been consulted on the cumulative impact of building 827 new dwellings in Thurston on the railway station and the local railway network as requested by the local community. They state that the main issue is the Barrow Level Crossing at Thurston station which has historically seen a number of safety issues associated with it and the level of usage which would arise from the erection of the number of dwellings proposed would have a severe impact on safety unless mitigation measures are introduced. They indicate that their preferred option is to close the level crossing and replace it with a new pedestrian ramp from platform 1 (upside) down the embankment leading onto Beyton Road. This design will also need to include a drop off point/layby for vehicles along Beyton Road. They have advised that the cost of the works amount to £1million and should be shared proportionally amongst the developers. They are seeking this through a S106 agreement.

When questioned, Network Rail has made it clear that the works that they propose to the crossing point at Thurston Station are directly related to the impact of the 5 planning applications and the 827 houses that would be built. They have advised that the other works that they propose to close crossing points elsewhere on the same line are minor in nature and cannot be compared to this site as the other crossing points are not facing unprecedented levels of pedestrian use which would be generated from the proposed housing in Thurston.

NHS/Primary Care Trust – The proposal will have an impact on the Mount Farm Surgery and there will be a need to either extend or reconfigure the building to meet the additional capacity requirements that will be generated if this proposal is approved. The PCT have not specified an amount that they require, but they have confirmed that they will be making a bid under the Council's CIL scheme for the funding that they require to carry out the works they deem necessary to ensure that the facilities can meet the need that arises from this development.

Ramblers Association – Does not object to this proposal as there are no public footpaths either within or adjacent to this site.

St Edmundsbury Borough Council – Does not wish to make any comments on this proposal.

Suffolk Wildlife Trust – Raise the following points:

- The hedgerow along Barton Road is species rich and the plans show this as being removed. It should be retained as a suitable buffer and also for biodiversity reasons.
- There are bats on site and it is recommended that a condition is imposed on any planning permission requiring the developer to provide a lighting strategy which will minimise impact on the protected species on site.
- The applicant's ecology report highlights that the site offers potential nesting for Skylarks, brown hares and hedgehogs and mitigation is required for the loss of the habitat in the application site.
- If approved, there needs to be a condition on the planning permission to ensure that the scheme is developed in accordance with the recommendations of the ecological report.
- The scheme should also provide environmental/ecological enhancements.

Representations

8. 34 letters in total (one of these having been written by a planning consultant on behalf of 14 local residents who have signed it) have been received objecting to this proposal on the following grounds:

Highway safety

- Barton Road needs to be altered to allow traffic to flow better, especially at its junction with Mill Lane.
- Barton Road is not wide enough for this development and it can be seen on site that vehicles regularly take to the verge to pass each other which is unsafe. This will only get worse with further dwellings on site.
- The proposed entrance into the site is only just within the 30mph speed limit and as such, vehicles will be approaching it at 60mph. This will not be safe.
- There is traffic congestion along Barton Road at certain parts of the day and this causes safety issues. The applicant's transport consultant considers this to be a traffic calming situation, but disagree with this strongly.
- The local roads are inadequate and dangerous to cope with so many new dwellings and they are always in a poor state of repair which will be made worse by this proposal.
- There are a number of dangerous junctions and pinch points in the area which will become more dangerous with the number of vehicles which will be generated by this development.
- There are congestion and safety concerns with the junction near the Bunbury Arms and the A143 and additional houses will make that worse.
- There are no footways to and from the site and as such this will make the scheme highly dangerous.
- Thurston faces traffic congestion from people going to work and coming home. This will make matters worse.
- The applicant's trip generation figures aren't accurate and there are more vehicles using the local roads than suggested.
- Barton Road needs a speed camera to resolve the constant speeding that happens along there.
- Not convinced that there is sufficient width on Barton Road to provide a footway. Either the road will have to be narrowed which would cause more issues, or the hedgerow which is species rich will have to be removed which harms biodiversity.

- The local bus service is poor and terminates early in the evenings.
- The railway station has poor parking. Additional residents from this site using the railway station will increase the parking issues experienced.

Infrastructure

- This proposal will have a negative impact on water pressure in the locality.
- The infrastructure for this proposal is limited and as such it should be refused planning permission.
- The applicant is not proposing to do anything in this application to improve infrastructure in the locality.
- This development will create excessive pressure on the local GP surgery as well as other NHS infrastructure in this part of Suffolk.
- Public transport is inadequate in this part of Suffolk to allow sustainable travel methods to take place.
- As the local infrastructure cannot be improved before this scheme is built, then it should be considered to be premature and it should be refused permission.
- Neither the local primary or secondary school can accommodate the children from this development as they are at capacity especially when you consider that the children from the Granary site will be using the local schools also.
- This application has only been submitted as the Council does not have an up to date development plan. Bovis should have waited until one was in place before submitting.

Impact on the character and amenity of the area

- The proposal will result in urban sprawl into the surrounding open countryside.
- The proposal does not respect the style or the density of any of the neighbouring properties. It is an urban style scheme in a village environment and totally out of keeping.
- The applicant's landscaping scheme lacks detail. They need to provide more information before this application is approved, or via a planning condition if that is suitable.
- It is very surprising that no landscape assessment report has been submitted with this application.
- The house types do not reflect the local vernacular. The applicant is proposing the same dwelling type in a scheme in Yorkshire. Clearly, Suffolk and Yorkshire are not alike in terms of housing types and styles.

Impact on residential amenity

- Would like to see single storey dwellings backing onto Roman Way as these would be less intrusive in terms of their impact on the living conditions of the surrounding residents in terms of loss of daylight and sunlight.
- There needs to be a fence erected between the proposed properties and those on Roman Way to protect the privacy of the occupiers of both sets of properties. As submitted, the plans do not show anything.
- Street lighting from this proposal will be invasive and will have a negative impact on the surrounding locality and also on the amenities of existing local residents.
- The dwellings will be too close to existing properties. There is a separation of only 25m between the proposed and existing properties. It should be 25m from dwelling to boundary and another 25m to the new dwellings and not as suggested by the applicant.
- There are too many 2 storey properties along the boundary and not the 1 storey

- properties that the applicant assured the local residents there would be.
- The dwelling and garage to plot 54 will have a negative impact on the enjoyment of the garden of the property, 19 Heather Close. It should be moved further away.
 - The use of trees to provide privacy between properties is not a good idea as they may not grow and they may not be maintained if they do.
 - The trees between the garden boundaries should be maintained by the developer even after the dwellings have been occupied to make sure that they provide the screening that was envisaged.
 - It is proposed that trees are to be planted to the rear of plots 50, 51, 52 and 53, but this would be on top of a sewage pipe and as such, that will never happen and they cannot provide the screening that is needed between the dwellings and the existing surrounding properties.
 - No details of street lights have been provided for this scheme. This needs consideration as if done wrongly; it could create an urban type environment and not a rural one as is the case at present.
 - If this scheme is approved, consideration needs to be given to remove the permitted development rights of the plots that face directly towards the existing dwellings that surround them.
 - There is only a hedge between plot 32 and the objector's property and there is concern that this would not be sufficient to maintain security between the properties.

Impact on wildlife/trees in the locality

- The dense greenery in this site is misleading as the trees are deciduous and do not form a screen. They will also cause problems with shading and also leaf fall onto the new properties.
- The trees will encroach into the root zone of many of the trees and cause harm to them. These dwellings need to be removed from this proposal.
- The proposal does not have an environmental role as it will harm all of the wildlife that lives within the application site.
- There are bats in the locality and additional lighting from the dwellings will impact on their habitats.
- The applicant's ecology report is completely inadequate as there are a number of species in the locality which will be affected by this proposal.
- The application is misleading as it says that the hedge along the access point will only be partly removed in one report, but another says it will be completely removed. Which is correct?
- There are trees in the gardens of some of the surrounding existing properties. It is hoped that these will not be destroyed as part of the build process for this scheme.

Flood risk

- Drainage is an issue in the locality. The development can only make matters worse.

Policy issues

- Whilst Thurston is one of 13 Key Service Centres in the Council's development plan, it should not bear the brunt of the majority of housing for the district.
- The development is outside the settlement limits for Thurston and as such it cannot be considered to be sustainable.

- This proposal ignores the 50 limit per housing site as suggested by the Parish Council in their neighbourhood plan.
- The Neighbourhood Plan is at an advanced stage and not at an early stage as suggested by the applicant.
- Question if the affordable homes proposed are truly affordable?
- This proposal is not sustainable and the objector can't see how it could ever be improved to make it sustainable.
- Planning permission was refused for a similar scheme to this on this site in 1989 on the grounds that it was outside the village envelope.
- This proposal should not go ahead until the new Neighbourhood plan is issued.
- Policy FC2 of the Mid Suffolk Core Strategy allocates 200 dwellings (100 on Greenfield and a further 100 on brownfield) for the next 5 years. There is therefore no need to permit more dwellings in the Key Service Centres which would lead to those figures being exceeded.
- Why didn't Bovis promote this site via the Neighbourhood Plan process?
- This proposal has more negatives associated with it than positives and as such, when weighing up the scheme as required by the NPPF, it is considered that it should be refused planning permission as it does not constitute sustainable development.
- There are 19 other sites which have been suggested in the neighbourhood plan consultation exercise and these sites are all better than this one. Furthermore, the applicant submitted this scheme just before the Parish announced the schemes they were putting forwards which is unacceptable.
- The Council will be forced to approve this scheme due to unsatisfactory national policy.

Ecology

- There are Great Crested Newts in the ponds of 19 Heather Close and other gardens in the vicinity and this site is adjacent to the application site. Therefore, there must be newts also in the application site which will be harmed by this development.
- The hedgerow within the site will also provide habitat for other ecology and this scheme will result in the hedgerow being removed which will impact on this habitat.
- Where the hedgerows don't currently exist, or where there are gaps in them, they should be planted to improve the ecological value of the site.
- The applicant states that hedgerow H4 is poor. Disagree with this as it is full of species so it must be species rich and worthy of retention.
- The scheme will impact on Skylarks in the locality.
- The applicant states in his application that there are no protected or priority species on site. This is clearly wrong as species have been observed on site.

Other issues

- Would like the applicant to put on the house deeds that the trees proposed along the site boundary cannot be removed. Or if this is not possible, then it should be via a section 106 agreement.
- There are not enough bungalows as part of this scheme and there is a need for more 2/3 bedroom properties as part of this scheme rather than the large 4/5 bedroom properties as proposed.
- There is nothing in the application about fixing the fence which always breaks between the site and Marley Close.

- This field is agricultural land and it will be lost forever if this scheme is approved and built.
- This proposal will make Thurston a town and not the current village that it is.
- The proposal will impact on property prices in the locality as a number of local properties have gone on the market since this application was submitted.

Cumulative Impacts

- The 5 sites in Thurston should be considered cumulatively and not singularly due to their linked impacts and they should also be considered having regards to the Granary site which already has permission.
- There are too many houses proposed particularly when you take into account all of those in Bury St Edmunds which is only a short distance away from Thurston.

A further letter of objection has been received since local residents have been notified of the date of the Referrals Committee. The objector has raised the same comments as summarised above with the addition concern that the scheme will increase the likelihood and fear of crime in the locality.

The Site and Surroundings

9. The application site lies in the village of Thurston which has a population of approximately 3200 people (2011 census) with the site being a parcel of grade 3a agricultural land which is 5.26 hectares in area. The field lies in the north western corner of Thurston and is relatively flat with just a gentle slope towards the northern corner of the site. Residential development exists to the south of the site and partly to the west (Furze Close and Heather Close) and to the east in the form of dwellings that back onto Barton Road and also include Marley Close. To the north is open agricultural countryside.
10. The field is currently in agricultural use with a hedge along most of its boundary with Barton Road and also as a boundary between the site and the field to the north of the site. The western boundary towards the properties on Heather Close is formed by a mixture of hedging and domestic garden fencing as well as sporadic tree cover as is the boundary to the properties on Furze Close. The development known as Marley Close which lies in the south eastern corner of the site is surrounded on its western and northern elevation by a number of established trees which are with an existing wooden garden fence which forms the domestic boundary of this site with the adjacent field.
11. Barton Road is mainly characterised by single storey bungalow type development in relatively spacious plots, although there are examples of two storey properties in this location. Furze Close and the residential street that travel from it to the edge of the application site is also characterised by bungalows. There is a mixture of smaller single storey bungalows in relatively small plots and the taller dormer style bungalows with their high steeply pitched roofs within larger plots and also bungalows which have been substantially extended over the years and appear dominant in the street scene. This pattern of development is also repeated on Heather Close which borders the site to the west.

The Proposal

12. Please note details of the proposed development including plans and application documents can be found online.

13. The applicant is proposed a full planning application for the erection of 138 dwellings on the application site. Access to the site is from Barton Road opposite the last property on Barton Road before the speed limit rises from 30mph to the national speed limit. The site is laid out with an estate road running through from the access point along the centre of the site with various spine roads coming from it. To the south of the site, the estate road loops around so that it connects with the main spine road in two locations. The estate road is a mixture of adoptable highway and private driveways. The site layout plan shows a central green area within the site which will be lined by trees and an open space area with a water feature in it adjacent to the boundary of the site with Barton Road.
14. The proposed layout for the site shows a mixture of 4 and 5 bedroom properties along the northern boundary of the site which is separated from the adjacent field by their access road and a green landscaped area before the boundary of the site is reached. This gives a density of 26 dwellings to the hectare.
15. The properties on the western boundary of the site facing the dwellings on Heather Close and Furze Close are a mixture of bungalows and the smaller 3 bedroom two storey dwellings. These are separated from the existing dwellings to their west by a distance of greater than 20m.
16. The properties on the southern boundary of the site are again a mixture of bungalows and the smaller 3 and 4 storey properties within the site. The dwellings directly to the west of Marley Close are a mixture of 3, 4 and 5 bedroom two storey dwellings with the ones to the north of the Close being a mixture of 2, 3 and 4 bedroom 2 storey properties, but these face side on (west/east) rather than facing Marley Close (north/south). The remainder of the site is a mixture of 2, 3, 4 and 5 bedroom two storey houses with two blocks of apartments with 18 separate residences within them. The apartment blocks are the tallest properties on site and are a mixture of 2 and 3 storey projections to create space internally.
17. The applicant comments in his design and access statement that the properties are of a design and style that reflects the surrounding locality as does the palate of materials chosen, which includes plain mortar, coloured render, orange/red and occasionally buff bricks. They also comment that the roofing style and the roofing materials of the proposed dwellings also match the local vernacular.

NATIONAL PLANNING POLICY FRAMEWORK

18. The National Planning Policy Framework (NPPF) contains the Government's planning policies for England and sets out how these are expected to be applied. Planning law continues to require that applications for planning permission are determined in accordance with the Development Plan unless material considerations indicate otherwise. The policies contained within the NPPF are a material consideration and should be taken into account for decision-making purposes.
19. The following parts of the NPPF are considered to be applicable to this scheme:
 - Para 6: Achieving sustainable development
 - Para 7: Three dimensions to sustainable development
 - Para 11 – 15: The presumption in favour of sustainable development
 - Para 17: Core planning principles
 - Paras 32 and 34: Transport movements

Para 47: Delivering a wide choice of high quality homes (including the need to have a 5 year deliverable supply of housing)

Para 49: All housing proposals should be considered in the context of the presumption in favour of sustainable development.

Paragraph 55: To promote sustainable development in rural areas.

Paras 56 & 60: Requiring good design

Para 64: Development of poor design must not be supported.

Para 69: Promoting healthy communities

Para 70: Delivery of social, recreational and cultural facilities that the community needs.

Para 72: Provision of school places.

Para 73: Access to high quality open space.

Para 75: Protection and enhancement of public rights of way.

Para 100: Development and flood risk

Para 103: Development and increasing flood risk elsewhere

Para 109: Planning system should contribute to and enhance the natural and local environment.

Paras 112 & 117–119: Development affecting protected wildlife

Para 123: Planning and noise.

Para 125: Planning and darker skies.

Paras 128 & 129: Describing the significance of a designated heritage asset.

Para 131: Determining planning applications that affect heritage assets.

Para 132: Significance of heritage assets.

Para 134: Development and less than substantial harm

Para 186: Approaching decision taking in a positive way.

Para 187: Local Planning Authorities should find solutions rather than problems in decision taking.

Para 196: Plan led planning system.

Para 197: Assessing and determining application applying the presumption in favour of sustainable development.

Paras 203 -206 – Planning conditions and obligations.

Paras 211 - 212: Using development plans and the NPPF in decision making.

Paras 214 – 215: The weight attached to development plan policies having regards to their consistency with the NPPF.

Para 216 – Weight given to policies in emerging plans

CORE STRATEGY

20. Core Strategy Focused Review

FC1 – Presumption in favour of sustainable development.
 FC1.1 – Mid Suffolk’s approach to delivering sustainable development
 FC2 – Provision and distribution of housing.

21. Core Strategy

CS1 – Settlement hierarchy
 CS2 – Development in the countryside & countryside villages
 CS4 – Adapting to climate change.
 CS5 – Mid Suffolk’s environment
 CS6 – Services and infrastructure
 CS9 – Density and mix

NEIGHBOURHOOD PLAN / SUPPLEMENTARY PLANNING DOCUMENTS /AREA ACTION PLAN

22. In 2013 Thurston received a neighbourhood plan designation and the settlement is currently working on its new neighbourhood plan. The plan is however at an early stage and as yet does not have any policies which could be used in the assessment and consideration of this proposal

SAVED POLICIES IN THE LOCAL PLAN

- GP1 – Design and layout of new developments
- HB1 – Protection of historic buildings
- HB13 – Protecting ancient monuments
- HB14 – Ensuring that Archaeological remains are not destroyed
- H3 – Housing developments in villages
- H13 – Design and layout of development
- H15 – Development to reflect local characteristics.
- H16 – Protecting existing residential amenity
- H17 – Keeping new development away from pollution
- CL8 – Protecting wildlife
- CL11 – Retaining high quality agricultural land
- T9 – Parking standards
- T10 – Highway consideration in developments
- RT4 – Amenity open space and play areas within residential development
- RT12 – Footpaths and bridleways
- SB3 – Retaining visually important landscapes (with the land to the south of this site between it and the college being designated)

Main Considerations

23. From an assessment of relevant planning policy and guidance, representations received, the planning designations and other material issues the main planning considerations considered relevant to this case are set out including the reason/s for the decision, any alternative options considered and rejected. Where a decision is taken under a specific express authorisation, the names of any Member of the Council or local government body who has declared a conflict of interest are recorded.
24. The following are identified as the main considerations in assessing this application:

The Principle Of Development

25. The National Planning Policy Framework (NPPF) requires Councils to identify and update, on an annual basis, a supply of specific deliverable sites sufficient to provide for five years' worth of housing provision against identified requirements (paragraph 47). For sites to be considered deliverable they have to be available, suitable, achievable and viable.
26. Relevant policies for the supply of housing should not be considered up-to-date if the local planning authority cannot demonstrate a five year supply of deliverable housing sites (as stated in paragraph 49 of the NPPF). Where policies cannot be considered up-to-date, the NPPF (paragraph 14) cites the presumption in favour of sustainable development and states that planning permission should be granted unless i) any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF taken as a whole; or ii) specific policies in the NPPF indicate development should be restricted. The presumption in paragraph 14 also applies where a proposal is in accordance with the

development plan, where it should be granted without delay (unless material considerations indicate otherwise).

27. The precise meaning of 'relevant policies for the supply of housing' has been the subject of much case law, with inconsistent results. However last month, the Supreme Court gave judgment in a case involving Suffolk Coastal District Council which has clarified the position. The Supreme Court overruled earlier decisions of the High Court and the Court of appeal in this and other cases, ruling that a "narrow" interpretation of this expression is correct; i.e. it means policies identifying the numbers and location of housing, rather than the "wider" definition which adds policies which have the indirect effect of inhibiting the supply of housing, for example, countryside protection policies. However, the Supreme Court made it clear that the argument over the meaning of this expression is not the real issue. The absence of a five year housing land supply triggers the application of paragraph 14 of the NPPF. In applying the 'tilted balance' required by this paragraph, the Council must decide what weight to attach to all of the relevant development plan policies, whether they are policies for the supply of housing or restrictive 'counterpart' policies such as countryside protection policies.
28. In accordance with National Planning Policy Guidance paragraph 030 (Reference ID: 3-030-20140306) the starting point for calculating the 5 year land supply should be the housing requirement figures in up-to-date adopted Local Plans. It goes on to state that *'...considerable weight should be given to the housing requirement figures in adopted Local Plans, which have successfully passed through the examination process, unless significant new evidence comes to light....Where evidence in Local Plans has become outdated and policies in emerging plans are not yet capable of carrying sufficient weight, information provided in the latest full assessment of housing needs should be considered. But the weight given to these assessments should take account of the fact they have not been tested or moderated against relevant constraints...'*
29. The Council published the Ipswich and Waveney Housing Market Areas Strategic Housing Market Assessment (SHMA) in May 2017 which is significant new evidence for the emerging Babergh and Mid Suffolk Joint Local Plan. Therefore, the 5 year land supply has been calculated for both the adopted Core Strategy based figures and the new SHMA based figures. For determining relevant planning applications, it will be for the decision taker to consider appropriate weight to be given to these assessments and the relevant policies of the development plan.
30. A summary of the MSDC 5 year land supply position is:
 - Core Strategy based supply for 2017 to 2022 = 3.9 years
 - SHMA based supply for 2017 to 2022 = 3.9 years
31. The NPPF requires that development be sustainable, and paragraph 6 of the NPPF sets out guidance on what this means in practice by drawing attention to all of the policies from paragraph 18 to 219 of the NPPF. In some circumstances there is also a presumption in favour of sustainable development which is to be applied as set out in paragraph 14 of the NPPF. This has been discussed above.
32. Paragraph 7 of the NPPF sets out three dimensions for sustainable development, economic, social and environmental:

"an economic role - contributing to building a strong, responsive and competitive economy, by ensuring that sufficient land of the right type is available in the right

places and at the right time to support growth and innovation; and by identifying and coordinating development requirements, including the provision of infrastructure:

a social role - supporting strong, vibrant and healthy communities, by providing the supply of housing required to meet the needs of present and future generations; and by creating a high quality built environment, with accessible local services that reflect the community's needs and support its health, social and cultural well-being; and

an environmental role - contributing to protecting and enhancing our natural, built and historic environment; and, as part of this, helping to improve biodiversity, use natural resources prudently, minimise waste and pollution, and mitigate and adapt to climate change including moving to a low carbon economy."

33. In light of all of the above, this report will consider the proposal against the policies of the development plan to determine if the development is in accordance with the development plan as a whole. If it is not, and there are policy conflicts, they will need to be weighed against other material considerations to see whether a decision which does not accord with the development plan is warranted, in the light of the presumption in favour of sustainable development, and in the context of the authority not being able to demonstrate a 5 year land supply.

Sustainability of the Proposal (including assessment against the development plan and the NPPF)

34. The NPPF also provides (para 187) 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. Local planning authorities should work proactively with applicants to secure developments that improve the economic, social and environmental conditions of the area.”*
35. The Parish Council and some of the objectors have commented that this scheme should be refused as this proposal is outside and does not even abut the development limits for Thurston, in line with the policies contained in the adopted Core Strategy and Local Plan. Further, comments also suggest that housing numbers should be limited in Thurston. However, it is clear on reviewing the guidance in the NPPF that, as the Council does not have a five year supply of housing land, the housing delivery policies CS1 and CS2 of the core strategy, along with policy H7 of the Local Plan, should not be considered to be up-to-date. In this respect, refusing the application solely on the basis of the development being outside the development limits of Thurston, or seeking to cap the development that can be considered, would not sit comfortably with the requirements of the NPPF that look to consider the sustainability of the development in relation to the environmental, social and economic strands of sustainability. Furthermore, as the Council has a deficit of housing completions with the result that it is significantly short of reaching its 5 year supply target, a limit on new housing in any part of the district cannot be given until the deficit in completions is made up to the 5 year level. This is why the housing figures in policy FC2 of the Mid Suffolk Core Strategy is considered to be out of date and cannot be used to limit housing as suggested we do by an objector.
36. In reaching a decision, paragraph 47 of the NPPF is a material consideration and requires Local Planning Authorities to boost significantly the supply of housing, by identifying and updating 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% to ensure choice and competition in the market for land. As stated above, the Council cannot demonstrate a 5 year supply of housing and as

such paragraph 49 of the NPPF applies and states that in this situation, the relevant policies for the supply of housing in the Council's adopted plan should not be considered to be up to date and that the scheme remains to be considered under the requirements of paragraphs 7 and 14 of the NPPF which defines what sustainable development is and how decisions should be made.

37. The contents of paragraph 55 of the NPPF are also considered to be material in the making of a decision on this case. Objections have been received stating that this proposal should not be allowed as it is outside the settlement limit for Thurston and that the site should be considered as countryside. Paragraph 55 of the NPPF makes it clear that Councils can no longer consider sites that are adjacent or near to a settlement limit to be unacceptable simply because they are the wrong side of a line. It now makes it clear that 'new isolated homes in the countryside will not be supported and that Councils are encouraged to promote sustainable development in rural areas by considering housing development in locations where they could enhance or maintain the vitality of rural communities. It gives an example in paragraph 55 that new housing could provide increased facilities in one settlement which would be of benefit to it and the other surrounding settlements.
38. Having regards to the above, it is considered that the application site is not in an isolated location as it is adjacent to the built up part of the village with dwellings to its west, south and east elevations, and the scheme will bring with it contributions which will be of benefit to the residents of Thurston and the surrounding villages. Therefore, in terms of paragraph 55 of the NPPF, this proposal could be considered to promote sustainable development in a rural area. However, having regards to the fact that the Council does not have a 5 year supply of housing and has to balance the negatives of the scheme against the positives that it brings in line with the requirements of the NPPF, consideration of whether the scheme will be supported as sustainable development will be given in the conclusion to this report.
39. An objector has commented that this scheme should be refused planning permission as a similar scheme on the same parcel of land was refused at appeal in 1989 and this has set a precedent. This decision cannot now be considered to set a precedent as national planning policy has changes significantly since 1989 and also subsequent governments have made it clear that there is a housing crisis and more new dwellings are needed to meet population needs.
40. Since the submission of this application, four other developers have also submitted application for residential development in Thurston. Laurence Homes have applied for 64 dwellings on land at Meadow Lane (4942/16); Hopkins Homes have applied for 175 dwellings (2797/16 and an identical proposal under reference number 5010/16 which they have appealed for non-determination); Persimmon has applied for up to 250 dwellings and land for a new school on land off Ixworth Road (4963/16) and Pigeon Capital for up to 200 homes and also a new primary school (5070/16). Including this application, 827 new homes are currently proposed in Thurston. There are also a further 92 dwellings which have planning permission at the Granary where works are commencing on site at present. Following receipt of these applications an approach of joint working to explore cumulative infrastructure issues has been agreed between the respective applicants and the District and County Council. This has enabled the constructive exploration of significant infrastructure issues on a collaborative but without prejudice basis to a consensual timetable.
41. As a consequence of the above, objections have been received on the basis that the Council has 13 Key Service Centres within the district and why should Thurston bear the brunt of all of the new housing. Thurston and Elmswell are two of the largest

villages in the district and due to their location adjacent to the A14 and their accessibility to Bury St Edmunds, Ipswich and further afield it was always likely that they will be desirable for development and experience greater levels of growth, which is witnessed by the unprecedented level of housing currently proposed.

42. Therefore, as there are unprecedented numbers of new dwellings proposed it is considered that all schemes must be considered both on their own merits and in combination with each other to assess if they meet the tests for sustainable development as outlined in the NPPF. The assessment of whether this proposal is considered to constitute sustainable development is given in the conclusion.
43. Policy FC1 of the Mid Suffolk District Core Strategy Focused Review states that it takes a positive approach to sustainable development and like in the NPPF, the Council will work proactively with developers to resolve issues that improve the economic, social and environmental conditions in the area. Related policy FC1.1 makes it clear that for development to be considered sustainable it must be demonstrated against the principles of sustainable development. The policy goes on to say that proposals for development must conserve and enhance the local character of the different parts of the district and how it addresses the key issues of the district.
44. The settlement of Thurston is one of the two largest villages in the district of Mid Suffolk (with the other being nearby Elmswell) where a wide range of local services and local infrastructure is provided. Thurston has both a primary and a secondary school, and a number of other local facilities which act as a service to the inhabitants of the village as well as providing employment opportunities to the wider area. Whilst Thurston does not have a doctor's surgery, there is one in Woolpit and another in Moreton Hall which is a reasonably short journey away either by car or via public transport.
45. Thurston is also unusual in that it has a railway station which provides access for the residents to be able to commute to Ipswich, Bury St Edmunds and further afield without having to use their cars. Thurston is also on the Mendlesham to Bury St Edmunds bus route with a number of designated stops within the village. Comments have been received that this service is poor and that it terminated early. However, it is considered with the potential for an additional 827 dwellings in Thurston by virtue of the 5 applications that the profitability of running the service may increase due to increased demand from the new residents.
46. In relation to paragraph 7 of the NPPF, the proposals would contribute to building a strong, responsive and competitive economy through the creation of construction and related jobs and the on-going contribution to the local economy from the creation of 138 additional households in the area. The proposals would also contribute towards providing the supply of housing required to meet the needs of present and future generations and by having the potential to create a high quality built environment, as well as contributions towards affordable housing, the highway network and other social infrastructure (public open space, education, health care) through a CIL contribution, or where appropriate, a section 106 agreement.
47. It must also be remembered that paragraph 49 of the NPPF makes it clear that housing applications should be considered in the context of sustainable development. The applicant is proposing up to 138 dwellings in this instance and they have confirmed that it is their intention if they get planning permission to commence with work on site as soon as possible. To speed this up, they have agreed to have a shorter period than is usual to commence with works on site (2

rather than 3 years) which helps to justify that as a developer, they are serious about delivering the houses. They have also signed an agreement with Mid Suffolk and Suffolk County Council to work as a group with the other 4 other developers in Thurston to contribute to and work together to achieve the necessary infrastructure within the area to make this and the other 4 schemes sustainable.

48. Consideration of whether this proposal is considered to constitute sustainable development, having regard to the contents of policies FC1 and FC1.2 of the Adopted Core Strategy Focused Review and the contents of the NPPF will be reached in the conclusion to this report.

Site Access, Parking And Highway Safety Considerations

49. Policy T10 of the Mid Suffolk District Local Plan provides criteria on highway considerations when assessing planning applications. This policy requires access points into and out of the site to be safe and an assessment made as to whether the existing local roads can suitably accommodate the impact of the proposal, whether adequate parking and turning spaces exist within the site and that the needs of pedestrians and cyclists have been met. This policy is considered to carry significant weight in the determination of this application as it is in compliance with paragraph 32 of the NPPF which requires all schemes to provide safe access for all.
50. A number of objections have been received to the scheme on the grounds that Barton Road is not wide enough to accommodate the access into the site and that the junction itself will be unsafe as it is near to the 30mph sign on the entrance into the village and vehicles will be approaching it at a faster speed than this. Concerns have also been raised that the applicant's traffic data is unrealistic and that it is in close proximity to a number of pinch points in the local highway network which will cause safety issues as well as increasing congestion at peak times. Mention has specifically been made that some local junctions are unsafe at present (see County Highway Officer's consultation response for details), particularly those adjacent to the railway bridge to the south of the village and that this scheme will exacerbate this problem as more vehicles will be using these junctions to access local roads, particularly the A14 to reach other destinations such as Bury St Edmunds and further afield. Comments have also been received that this scheme cumulatively with the other 4 schemes that have been submitted in Thurston for residential development will cause a significant and severe impact on the road network in the locality both in terms of congestion and safety.
51. The site is located to the north west of the village with the sole access to it being from Barton Road which lies to the east of the site. Proposed is a single access point which is proposed towards the northern part of the site from Barton Road with a network of internal estate roads leading off from that.
52. The Local Highway Authority initially objected to the scheme as the concerns of the objectors and the Parish Council over the safety of the access point, in particular the visibility splay that had been provided was shared. Following discussions, the applicant has amended the extent of the visibility splay and the Local Highway Authority is now satisfied that the access point into the site can be made safe and they have withdrawn their objection to the scheme. The Local Highway Authority has not raised any issues with the internal layout of the site as proposed and specific matters in relation to the above can be controlled by planning conditions. They have also accepted the applicant's trip data which some of the objectors challenged as being unrealistic and is satisfied with the pavement link that is proposed to the site along Barton Road which was another issue of concern to the objectors. The scheme

is considered to meet the requirements of paragraph 32 of the NPPF in that safe access can be provided for all and the requirements of policy T10 of the Mid Suffolk District Local Plan.

53. Comments have also been received that it is unacceptable on safety grounds that a single access is used for this development. It must be remembered that the Manual for Streets allows 250 dwellings to be accessed from a single access point, and to consider refusing this scheme on that ground would be difficult to defend at appeal.
54. The Local Highway Authority has considered the cumulative impact of this proposal and the other 4 schemes currently before the Council both in terms of safety and congestion on the highway network in Thurston and they have come to the conclusion that the impact of the 5 scheme if they all come forwards will be severe. However, the Local Highway Authority made it clear that the NPPF requires all public bodies to try and resolve problems and they are confident that if all 5 developers work together and are brought forwards together, suitable and cost effective alterations can be made to the highway network to ensure that the impact does not become severe. The Local Highway Authority has assessed the road network and has suggested alterations and improvements to key areas of it (see the Highway Department's consultation response earlier in this report for more information) which all 5 developers have been asked to contribute towards through either a section 106 agreement or through the Highways Act. All 5 developers which include Bovis have agreed to contribute towards the works as requested by the Highway Authority. For the Bovis proposal, the Local Highway Authority is requesting £113,754 via a S106 agreement (excluding travel plan costs which are in addition to this), and a further £40,000 under section 278 of the Highway Act.
55. As such, the Local Highway Authority no longer considers that this proposal fails the requirements of paragraph 32 of the NPPF when considered cumulatively with the other 4 residential schemes as the impact with the alterations carried out to the highway network will no longer be severe in terms of safety. For the avoidance of doubt, the Local Highway Authority has not raised any objections to this scheme on congestion grounds and does not consider that additional traffic and queuing as a consequence of this scheme can be considered to be severe to sustain a defensible refusal of planning permission.
56. The Local Highway Authority identify that the scheme will offer sustainable travel options to local residents as additional pavements and bus shelters are proposed and these will link up to both existing facilities and those proposed on neighbouring sites by the other developers seeking at the moment to build houses in Thurston. This will help to improve accessibility on foot and via public transport and will ensure that the site is accessible to the local railway station. The Local Highway Authority is also recommending that the applicant is obligated via a S106 agreement to provide a travel plan to ensure that there are sustainable transport options available to the new residents of the scheme rather than just having to rely on their private cars to access local facilities.
57. Having regards to the specific and cumulative highway impacts of the scheme when considered in line with the requirements of paragraphs 21 and 32 of the NPPF the County Highways Officer has had regards to the fact that in some locations, the impact of the granting of 827 dwellings will be severe on the highway network, but these impacts can successfully be mitigated by the works to the network as suggested. Having regards to the above, it is considered that the proposal complies with the requirements of policy T10 of the local plan and paragraph 32 of the NPPF, in that safe and suitable access for all people can be achieved and that cost effective

improvements can be undertaken to the transport network to ensure that non-motorised modes of transport can be used to access local facilities.

58. An objector has commented that the applicant is suggesting in his documentation that the speed limit adjacent to the site should be extended and reduced from the national speed limit to 30mph and that this is a separate legal process that is outside this planning application. The Local Highway Authority has been questioned on this and he has confirmed that this scheme and the 4 others have been designed and considered at the existing speed limit and that his comments are given on that basis. He has advised that it would be in the public interest to alter the speed limit as suggested by the applicant and he is to take on this alteration under the relevant highway legislation to action it if this and the other Thurston schemes get the go ahead.
59. Comment has been made by an objector that a speed camera is required on Barton Road to resolve existing speed issues. Enforcing the speed limit is a matter for the Police and the local Road Safety Partnership and the placing of static or moveable speed enforcement is something for them to consider and act upon.
60. Having regards to the above, it is considered that this proposal is acceptable in terms of highway safety and complies with the requirements of paragraph 32 of the NPPF and paragraph T10 of the local plan as safe access can be provided for all.

Design And Layout [Impact On Street Scene]

61. Section 7 of the NPPF refers to design. Specifically, paragraph 56 states that good design is a key aspect of sustainable development; it should contribute positively to making places better for people. Decisions should aim to ensure that development will function well and add to the overall quality of the area, establish a strong sense of place, create attractive and comfortable places to live, work and visit, optimise the potential of the site to accommodate development, create and sustain an appropriate mix of uses and support local facilities and transport networks. Furthermore it provides that development should respond to local character and history, and reflect the identity of local surroundings and materials, while not preventing or discouraging appropriate innovation. The NPPF goes on to state it is "proper to seek to promote or reinforce local distinctiveness" (para 60) and 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" (para 64). In addition policy CS5 provides that "*All development will maintain and enhance the environment, including the historic environment, and retain the local distinctiveness of the area*" and echoes the provision of the NPPF.
62. Objections have been received stating that the site is currently an open field and that dwellings of the design, scale and density of the proposal, particularly in reference to any 3 storey dwellings potentially being built on site is considered to be inappropriate and urban in form and not in keeping with the rural design and feel of the locality.
63. The applicant has submitted a full application showing 138 dwellings ranging from single storey 2 bedroom bungalows to large two storey 5 bedroom houses and two blocks of flats in the centre of the site which are in the main two storey in height but have 3 storey projections on them to maximise the amount of internal space they can offer. The applicant has shown that 35% of these dwellings are affordable and they are of a specification, location and tenure that is acceptable to the Council's Affordable Housing Officer. The dwellings that surround the site to the south and the west are in the main, bungalows of various styles and designs and they are of 20th

century construction and are not traditional Suffolk style properties. The applicant has in his layout located the smaller properties along the site boundaries with the properties increasing in size towards the centre of the site or where they are screened by natural features so that their impact on the surrounding locality is reduced. The scheme has a density of 26 dwellings per hectare which is not considered to be high and is in keeping with what can be seen in the surrounding locality. The dwellings as proposed are not mock traditional Suffolk properties but have been designed using the local Suffolk style in terms of the proportions, roof style and detailing and the finish of the properties. Whilst as one objector points out the developer offers a similar style of property for sale in Yorkshire which is a consequence of them being a national house builder, the properties offered in Yorkshire and in this site in Suffolk will be different in their detailing, finish and colour.

64. In terms of the layout of the site, a single road is proposed through the site with several estate roads linking through to the dwellings. These are a mixture of adopted highway and private driveways and in terms of the layout, this is not considered to be dissimilar to what is seen in the surrounding area which serves the development off Furze Close and Heather Close.
65. Objections have been received to this scheme on the basis that the proposal is lacking in bungalows and smaller house types and that there are too many 2 and 3 storey properties on site which will impact on the character of the area. It is noted that the applicant is proposing 8 bungalows on site with as the objectors say the majority of the properties being 3 and 4 bedroom two storey dwellings. However, whilst the surrounding area is composed mainly of bungalow type development with the odd house mixed in, it is not considered that this development will be out of keeping and have an adverse impact on the locality as the applicant is locating the smaller properties along the site boundaries to link in with the existing properties and placing the larger properties towards the centre of the site. It is also proposed to use existing landscaping and new landscaping to further screen the proposal and integrate it into the surrounding village and rural landscape.
66. Having regards to the above, it is considered that the scheme in terms of the style and layout of the properties as proposed constitutes good design in line with the requirements of the NPPF and local policy CS5 as it proposes a form of development that would reflect the character, appearance and density of the surrounding settlement. It is agreed that the site does slightly project into the surrounding countryside; however this matter needs to be balanced in coming to a decision about the proposal having regards to all of the positive matters that the scheme brings. As stated in previous topics above, that will be done in concluding this report.

Parish Plan / Neighbourhood Plan

67. A Neighbourhood Plan designation was confirmed in 2013 and covers the Parish of Thurston. At the time of the consideration of this proposal the parish have set up a neighbourhood Plan Committee to prepare the policies for the new Neighbourhood Plan. Both the Parish Council and their Neighbourhood Plan Committee have objected to this scheme with the latter raising objections based on some of the early work that they have carried out for the evidence base for the new plan.
68. The Planning Practice Guidance identifies that *“Paragraph 216 of the National Planning Policy Framework sets out the weight that may be given to relevant policies in emerging plans in decision taking. Factors to consider include the stage of preparation of the plan and the extent to which there are unresolved objections to relevant policies. Whilst a referendum ensures that the community has the final say*

on whether the neighbourhood plan comes into force, decision makers should respect evidence of local support prior to the referendum when seeking to apply weight to an emerging neighbourhood plan. The consultation statement submitted with the draft neighbourhood plan should reveal the quality and effectiveness of the consultation that has informed the plan proposals. And all representations on the proposals should have been submitted to the local planning authority by the close of the local planning authority's publicity period. It is for the decision maker in each case to determine what is a material consideration and what weight to give to it".

69. As such, whilst it is ultimately for Members to determine the weight that should be given to the plan, whilst it is at an early stage in its development, it is the view of Officers that little material weight can be given at this time.
70. A comment has been received that states when the Parish Council considered sites for inclusion in its neighbourhood plan that there were 19 sites that were ranked higher in desirability than this one and therefore these sites should come forwards first. As stated above, the Neighbourhood Plan is at an early stage and its weight in decision making is considered by officers having regards to the contents of the NPPF to be limited in the consideration of this proposal. Furthermore, there is a presumption in favour of sustainable housing development in the NPPF and there is no need for developers to sequentially analyse other sites before progressing their own.

Landscape Impact

71. Paragraph 58 of the NPPF states that proposals should provide appropriate landscaping to ensure that they integrate well into the surrounding locality. This requirement is repeated in one of the requirements of policy H13 of the Mid Suffolk District Local Plan.
72. Objections have also been received on the basis that the proposal will extend the built up footprint of the village into the surrounding open countryside which is unacceptable to the objectors and the parish council and that the applicant's landscaping scheme is lacking in detail. Comments have also been made that it is surprising that the applicant has not submitted a landscape assessment report with his application to assess the impact of the scheme both on and from the surrounding countryside.
73. The field that is the subject of this proposal is on the edge of the settlement limit for Thurston with existing residential development fully along its western boundary and approximately three plots short on the Barton Road boundary. Residential development already exists directly to the south of the site and the south east corner of the field has already been lost in the past to the properties known as Marley Close. So in effect, the only part of the site that lies adjacent to the open countryside is the northern boundary of the site which is as existing is screened with tall trees and hedging from the surrounding countryside. The site is also screened as existing from Barton Road by a dense hedge; however a part of this will have to be removed to facilitate this development due to the need to provide the necessary safe access visibility splays.
74. The Council has sought comments from its Landscape Consultant on the scheme and as part of their assessment they have asked the applicant to provide the missing landscape assessment which is referred to by the objectors. The Landscape Consultant has examined the report and agrees with the LVIA assessment that the applicant has made and the mitigation measures proposed. The Landscape

Consultant asked for additional information as regards the landscaping for the internal part of the site and following the submission of this by the applicant, he has confirmed that he is satisfied with what the applicant is proposing. Specific details of the plant species and numbers can be received via a planning condition if permission is given for this scheme.

75. Objectors to this scheme have raised concerns that the development may harm some of the existing trees on site due to the closeness to their root zones and that leaf fall from the trees will be a nuisance to the new residents. The Council's Tree Officer has been consulted on this scheme and he has not object to it. He has requested that plot 1 be redesigned so that its impact on the important tree that lies adjacent to it is minimised. The applicant has done this by moving plot 1 further away from the tree and deleting the garage and as such no development is now proposed in its root zone. The Council's Tree Officer has been consulted on this change and he supports what the applicant's amendments. A condition will be imposed if this proposal is approved requesting a scheme to be submitted to protect the existing trees on site which are to be retained as part of this scheme.
76. The Council's Tree Officer has asked in his consultation response if it is necessary to lose so much of the hedging to form the access onto Barton Road and he requests if it is possible that more of it is retained. However, The Local Highways Authority has made it clear that due to the location of the site and the increase of the speed limit from 30mph to the national speed limit just a short distance away from the site on Barton Road that it is necessary to remove a large part of the hedge to facilitate the visibility splay for the sake of highway safety. However, it is considered that it will be possible as part of the landscaping scheme for this proposal to plant a suitable replacement within the site and outside the visibility splay for the access.
77. Having regards to the requirements of policy H13 of the MSDC Local Plan and paragraph 58 of the NPPF, it is considered that the scheme can use existing and provide suitable new screen landscaping both within and on the boundaries of the site to ensure that it assimilates well into the rural edge of Thurston and provides an attractive environment both for the new residents of the site and those living in the surrounding locality. It is unfortunate that part of an existing hedge has to be removed to facilitate the new access into the site and this dis-benefit will be considered when weighing up at the end of the report as to whether the proposal constitutes sustainable development.

Residential Amenity

78. Policies within the adopted development plan require, inter alia, that development does not materially or detrimentally affect the amenities of the occupiers of neighbouring properties. This requirement is emphasised in the NPPF Core Values in paragraph 17 where it states that all schemes should seek a good standard of amenity for all existing and future occupants of land and buildings.
79. A number of points have been raised by the objectors to this scheme in terms of its impact on their residential amenity (or living conditions). In the main, these relate to the fact that in some parts of the site, two storey dwellings will face existing bungalows, the separation distances between existing and proposed is too short, some of the new properties will overlook existing gardens and street lighting will alter the night time outlook for existing residents.
80. The properties on Heather Close lie to the west of the site and 17 new dwellings are proposed spanning from the north to the south of the western boundary of the site.

The new dwellings proposed along this boundary are predominantly two storeys with the exception of 4 bungalows. To minimise the impact of overlooking, where habitable windows from properties face each other the Council expects that a minimum distance of 20m shall be provided which is based on the appropriate standard which has arisen from case law and appeal decisions. For the sake of clarity, the 20m distance is from window to window and not to the garden boundary. In this instance, where the properties directly face each other the distances exceed the Council's standards. In the applicant's submission it shows a distance of 23.38m from plot 53 to the property behind it and 20.93m from plot 43 to the property behind that. Some of these properties are further screened by existing trees on site but this is not uniform along this boundary, neither is a continuous garden fence. It is considered appropriate to request that the applicant provides via a planning condition a suitable hard boundary along this part of the site to maintain the privacy of the residents of both the new and existing properties. This can be augmented by suitable tree and hedge planting as suggested in the applicant's plan to improve the quality and the visual appearance of the scheme. Trees within each individual plot will have to be maintained by the property owner with the trees within the public realm managed by a management company. The developer will not manage all landscaping and trees as requested by one of the objectors as this would be unreasonable.

81. The Southern boundary of the site faces the existing dwellings on Bracken Row, Roman Way and Furze Close. The existing properties on these roads are predominantly bungalows but they differ significantly in size with each other depending on which of the roads they are on. The applicant is proposing 4 bungalows and 5 two storey dwellings along this boundary and again the distances between the proposed and the existing dwellings exceed the 20m standard. As is the case with the western boundary, some of the properties are screened by existing trees and hedging but it is considered appropriate that suitable screen fencing is located along the southern boundary of the site to protect the living conditions of both the new occupiers and the existing occupiers of the surrounding properties.
82. On the south eastern corner of the site, Marley Close exists and this development has taken a rectangular chunk out of the corner of the field. The properties in Marley Close that have their boundaries with the application site have a number of large and dense trees within which helps to provide screening, although objectors point out that it is possible to see through the trees due to their species. At this location there is significantly more than 21m between the proposed dwellings and those which lie to their east in Marley Close so the impact of direct overlooking will be minimised. The northern boundary of Marley Close with the application site also has tree cover within it, but it is not as dense as the other boundary and has gaps within it. However, the properties have been designed so that they face side on to this boundary at this location without main habitable windows in them. The side of plot 11 will face the side elevation of the property directly to its south on Marley Close with plot 1 also facing the property to its south side on with existing mature trees in between. The property on Marley Close front faces plot 1, but it is considered that due to the angle between both properties and the trees between them, that overlooking and loss of privacy will be minimised. Furthermore, the recent amended plans have moved plot one slightly further away from the tree into the site and as such, the distance between plot 1 and the opposing property on Marley Close will be further away than originally proposed.
83. Comment has been made that a number of the proposed properties due to them being two storeys will impact on the enjoyment of the existing occupiers when using their gardens in terms of loss of privacy. When considering the impact of a scheme on the privacy of an existing occupier, it must be remembered that a garden area is not habitable space and an element of loss of privacy is expected where

development is next to each other (such as is the case on many new housing estates). However, as stated above, a condition is suggested which will require the developer to install suitable screen fencing to minimise overlooking and loss of privacy to the nearby existing occupiers.

84. In terms of loss of daylight and sunlight the properties on Heather Close are the only ones that will be affected as the properties without trees in their gardens currently have an open aspect onto the field where they benefit from the sun as it rises and travels throughout the day. The erection of dwellings in this location will impact on the amount of direct sunlight received in the morning as the sun rises, but due to the distance between the properties which is in excess of 20m they will still benefit from sunlight to their eastern facing windows during the day. It is not considered that the scheme will have an impact on the amount of daylight that any of the existing properties receive as the new dwellings are not close enough to overshadow and dominate. It is therefore not considered necessary in terms of daylight and sunlight for the dwellings along the western and southern boundaries of the site to all be bungalows as suggested by the objectors.
85. An objector has requested that the permitted development rights of the properties on the elevations facing existing properties should be removed to prevent them from building extensions in the future. However, it is not considered that is appropriate here as the government no longer encourages the blanket removal of permitted development rights and it is considered that the requirements that are contained in the regulations in terms of the size and type of extension that can be built which is dependent on garden size will be sufficient to protect the living conditions of the surrounding occupiers whilst not disadvantaging the occupiers of the new properties.
86. The objectors consider that the street lighting associated with the dwellings will be intrusive and have a negative impact on their living conditions. It is clear that allowing permission for this scheme will alter the locality as the field is currently dark and this will be change. However, the street lighting will be within the site and not directly adjacent to the existing properties and designed to the requirements of the Local Highway Authority. As such this should have a minimal impact on the living conditions of the surrounding occupiers.
87. A condition on any permission that the council may grant on this proposal can be imposed requesting that the applicant enters into a construction management agreement with the Council to safeguard the living conditions of the surrounding occupiers during the construction phase of the scheme.
88. The layout and the detailed design of the properties do not give rise to any significant concerns in terms of loss of neighbour amenity, either in terms of privacy, loss of daylight and sunlight and the proposal is considered to meet the relevant NPPF core value in paragraph 17 and the requirements of paragraph 123.

Environmental Impacts - Trees, Ecology And Land Contamination

89. The application site is a grade 3a agricultural parcel of land which is currently in use for agricultural purposes. As the site is in an agricultural use, there is limited tree cover within the site with the majority of the trees running along the site boundary.
90. Objections have been received to this scheme from local residents and the Suffolk Wildlife Trust on the basis that the loss of the field and the hedgerow on the boundary of the field to Barton Road to create residential development will have a negative impact on animal species, particularly protected and priority species in the

locality. Mention has specifically been made that the Wildlife Trust considers that the site is a prime habitat for Skylarks, Brown Hares and Hedgehogs and the loss of the hedge to create the access will harm bats which feed and forage in it.

91. Regulation 9(5) of the Conservation of Habitats and Species Regulations 2010 (Implemented 1st April 2010) provides that all "competent authorities" (public bodies) to "have regard to the Habitats Directive in the exercise of its functions." In order for a Local Planning Authority to comply with regulation 9(5) it must "engage" with the provisions of the Habitats Directive.
92. The content of paragraph 118 of the NPPF is also applicable to the consideration of this proposal as it states that when determining planning applications, consideration must be given to 6 principles. The two following principles are applicable to this scheme:
93. If significant harm is caused which cannot be avoided or mitigated by conditions then planning permission should be refused.
94. Opportunities to integrate biodiversity in and around developments should be supported.
95. The Council's Consultant Ecologist has been consulted on this application and they have confirmed that the site contains priority habitat in the form of Bats, Amphibians, Hares, Skylark and potentially Hedgehogs. She has advised that she has considered the applicant's Ecological Report and is satisfied with its findings and requests that conditions are imposed to limit the level of lighting on site and to ensure that the scheme is carried out in accordance with the recommendation of the ecology report. In coming to their conclusion on this scheme, the Ecology Consultant is aware of the Local Highway Authority's requirements to remove part of the hedge on Barton Road to facilitate the access visibility splay, but they are confident that the loss habitat can be compensated for within the site. In terms of Skylarks, the Consultant Ecologist notes that the development of this land would have a negative impact on them and they have agreed with the applicant a scheme to provide off site mitigation to compensate for this loss. This can be secured via a section 106 legal agreement as the parcel of land does not fall within the application site. Natural England has also been consulted on this scheme, and they have not raised any comments in relation to it.
97. Paragraph 112 of the NPPF states that local authorities should take into account the economic and other benefits of the best and most versatile agricultural land when making planning decisions. Where significant development of agricultural land is demonstrated to be necessary, local planning authorities should seek to use poorer quality land in preference to that of higher quality land. Agricultural land is split into categories with land defined as 3a up to 1 being best and most versatile land and grades 3b down to 5 not being defined as best and most versatile land. The application site is a Grade 3a and as such it is defined as best and most versatile agricultural land and as such the requirements of paragraph 112 of the NPPF apply to the determination of this scheme. Paragraph 112 does not preclude the development of land classified as best and most versatile agricultural land; it requires local authorities in making decisions to take account of the economic and other benefit of the best and most versatile agricultural land. The NPPF states that where significant development is proposed, local authorities should seek to use areas of poorer quality land in preference to the higher quality land.

98. The applicant has submitted an agricultural assessment with his application to allow the council to make the assessment as required in the NPPF. In the assessment the applicant makes the point that the parcel of land cannot be considered to be 'significant' as this is defined in the Town and Country Planning (Development Management Procedure) (England) Order 2015 where it states that Natural England should only be consulted on plans involving the loss of 20ha or more of land on grades 1, 2 and 3a. As such, the parcel of land falls below the threshold and the consideration of other land which is of a poorer quality does not have to happen. The case officer agrees with the point made above by the applicant as in his experience, this has been replicated in other Council's where similar schemes have come forward for consideration.
99. In considering the economic and other benefit of the land, it must be remembered that the parcel of land constitutes only 5ha. Having looked at the agricultural land classifications for Mid Suffolk, most of the land within the district is classified as 2, 3a and 3b with very little land in the lower categories. As the district is predominantly rural in character it is not considered that the loss of this parcel of land either on its own, or considered cumulatively with the 4 other sites that have been put forwards for development in Thurston will have a significantly negative impact on agriculture and specifically food production, or on the local economy.
100. The Council's Contaminated Land Officer has been consulted on this scheme and he has reviewed the documentation submitted by the applicant (Phase 1 risk assessment). Paragraph 121 of the NPPF makes it clear that planning decisions should make sure that the site is suitable for its new use taking account the hazards of any previous use. The Contaminated Land Officer has not raised any objections to the scheme subject to the imposition of conditions requesting that the works on site be carried in line with the applicant's contamination report.
101. Having regards to the above it is considered that the proposal complies with the requirements of paragraph 112 of the NPPF in terms of agricultural land, its effects on Priority Species can be mitigated and the landscaped areas within the site can be adequately maintained in the future to protect their biodiversity value.

Heritage Issues (The Setting Of Neighbouring Listed Buildings)

102. Both the NPPF and Core Strategy place significant emphasis on safeguarding heritage as an important component of sustainable development.
103. With reference to the treatment of the submitted application, the Council embraces its statutory duties and responsibilities in relation to listed buildings, notably the general duties under sections 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 which requires the local planning authority to have "*special regard to the desirability of preserving [a] building or its setting or any features of special architectural or historic interest which it possesses*".
104. Recent case law on the application of the statutory duty acknowledges that the consideration of the impact of a proposed development on the significance of a designated heritage asset is a matter for its own planning judgement, but that the Local Planning Authority is required to give any such harm considerable importance and weight. However, where special regard to the desirability of preserving heritage assets has been paid and no harm is considered to be posed, the 'balancing' of harm (which should be given considerable weight as above) against public benefits as required by the NPPF, is not engaged.

105. Policy HB1 (Protection of Historic Buildings) places a high priority on the protection of the character and appearance of historic buildings, particularly the setting of Listed Buildings.
106. In paragraph 17 of the NPPF it makes it clear that development should “*conserve heritage assets in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of this and future generations*”. Para 131 goes on to state that “*In determining planning applications, local planning authorities should take account of; the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation; the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and the desirability of new development making a positive contribution to local character and distinctiveness*”. Furthermore Para 132 states “*When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset’s conservation. The more important the asset, the greater the weight should be. Significance can be harmed or lost through alteration or destruction of the heritage asset or development within its setting. As heritage assets are irreplaceable, any harm or loss should require clear and convincing justification.*”
107. No objections have been made to this scheme on Heritage grounds and the Council’s Heritage Officer has confirmed that due to the location of the site and the surrounding residential land uses that he does not raise any comments in relation to this scheme as it does not affect the setting of any listed buildings in the locality. Historic England has also not objected to this scheme. The proposal therefore complies with paragraph 132 of the NPPF
108. As there are 5 different applications for major housing development in the northern part of Thurston, the Council’s Heritage Officer has been asked to consider the cumulative impact of this scheme in relation to the others. Of the 5 applications, the application by Hopkins Homes for 175 homes (application 2798/16 and appeal 5010/16) and the one by Pigeon Capital (5070/16) are the only two out of the 5 that are considered to cumulatively have an impact on the settings of the listed buildings in the locality and this is assessed more appropriately in the reports for both of those applications.

Environment And Flood Risk

109. Paragraph 100 of the NPPF makes it clear that inappropriate development in areas of flood risk should be avoided by directing development away from areas of highest risk. The contents of policy CS4 of the Mid Suffolk Core Strategy is in line with the requirements of the NPPF in terms of flood risk and carries significant weight in the determination of this application. In terms of flooding from rivers, the site complies with local and national policy as it lies in a flood zone 1 area which is land at least risk of flooding. To deal with surface water, the applicant is proposing a drainage pond within the south western corner of the site with the surface water flow from the site channelled into it.
110. Objections have been received raising concerns that the development of the site may cause localised floods in the area. Anglian Water and the County Flood and Water team have been consulted on this proposal. Neither Anglian Water nor the Environment Agency has objected to this proposal, but the County Flood and Water team has asked for additional information on this scheme. Additional information has

been provided, however the County still considered this to be deficient and have asked for further information from the applicant. At the time of revising this report, the applicant was in negotiation with the County Flood and Water Team and an update of on the situation will be provided to the members at the meeting.

111. Due to unprecedented level of growth currently suggested for Thurston, the Environment Agency, County Flood and Water team and Anglian Water have been specifically asked to consider the cumulative impact of this proposal on drainage, flood risk and water supply grounds. The Environment Agency and the County Suds team have advised that an increase of 827 dwellings with the mitigation measures proposed by the applicants will not increase flood risk in terms of surface water drainage in the locality to an unacceptable level. Confirmation has also been received that there is capacity in the local pumping station to serve 827 new dwellings in terms of sewage needs. Thurston lies in an area where water supply can be an issue, however Anglian Water has a duty by law to supply new houses with a water supply and this is a matter for them to resolve under their legislation.
112. Having regards to the above, it is considered in terms of flood risk, water supply and drainage that the scheme when either considered singularly or cumulatively can be made acceptable subject to the imposition of a suitably worded condition to meet the requirements of paragraph 100 of the NPPF and policy CS4 of the Mid Suffolk Core Strategy.

Infrastructure - Planning Obligations / CIL contributions

113. Objections have been received to this scheme on the grounds that the local infrastructure, which includes the local schools and health care, is insufficient to meet the need of the residents of this proposal. Comment has been made that if the scheme is approved without suitable provision, then it will cause significant impact on the existing community of Thurston.
114. The Council has now implemented CIL which accordingly takes on board requirements such as open space contribution, NHS and education contributions.
115. As part of this proposal the contributions will be sought under the Council's CIL Scheme for improvements to the following:
 - For the future expansion of the doctor's surgery in Moreton Hall which the residents of this scheme would use.
 - For improvements to the local library provision.
 - Safety improvements to the Thurston Railway station.
116. Objections have been received to this scheme on the grounds that a new doctor's surgery will not be provided and that the proposal will cause capacity issues at the local surgeries. It should be noted that the Primary Care Trust (PCT) has made it clear that due to the existing situation with doctors, their salaries and contracts and the government's policy in terms of the NHS that a new doctor's surgery will not happen in Thurston as part of any of the 5 schemes. The PCT will be requesting contributions through CIL in relation to all 5 schemes and the monies will be used to improve the service offered and/or improve the facilities at either the Woolpit Surgery or at the Park Farm Surgery in Moreton Hall to meet the expected needs of the additional residents of the new dwellings in Thurston. They have specified that they will seek a contribution towards improvements at the Woolpit Surgery in relation to this proposal.

117. It has been identified following discussion with the County Infrastructure Officer that as suggested by the objectors and the Parish Council, there is no capacity in the local primary school to expand and as such a contribution of £476,441 is required towards the building of a new 420 place two form primary school either on the Persimmon or the pigeon site elsewhere in the village. It has also been suggested that a further £116,662 is required for the provision of new pre-school, which will be accommodated at the new school to help meet the demand generated by this development. As the CIL 123 list does not include the provision of new pre-school or primary school facilities (it only covers extensions to existing establishments) these contributions will have to be sought under S106 of the Planning Act and the applicant has agreed to the above payments.
118. The County Council has also clarified that whilst the new school is being built, the existing primary school in Thurston will be provided with two temporary classrooms funded via CIL to cope on a 2 to 3 year period with the increase in pupils generated from the first phase of new housebuilding in Thurston (from any of the 5 sites currently under consideration) until the new school is built. Once that happens, the existing school will be closed and the existing pupils moved over to the new school and the new school will be extended as appropriate up to a capacity of 420 pupils to accommodate the primary school age children arising from any of the proposed housing sites in Thurston. It is understood that the Diocese who own the primary school have committed to ploughing the capital receipt that they receive for the development of the existing school site into the new school which is also to be funded by a joint contribution by all 5 of the developers proposing major housing schemes currently in Thurston.
119. Following further dialogue with the County Obligations Manager it is understood that progress is being made to secure options on the potential school sites proposed in other applications. The delivery of a new primary school is a necessary pre-requisite to mitigate the potential pressure on education infrastructure from the development and it has been agreed that a restrictive phasing condition is not necessary given the progress that has been made on options. Nevertheless the securing of a primary school site is a material consideration upon which the delivery of this development is predicated.
120. The County Council has confirmed that there is capacity at all of the catchment secondary schools in the locality and as such a financial contribution towards new facilities is not warranted in that instance.
121. As is the case for new education buildings, affordable Housing is not part of CIL and members should note that policy to seek up to a 35% provision remains in effect. The applicant has confirmed that he is agreeable to provide a policy compliant scheme for affordable housing and that this will be achieved via a Section 106 contribution and the Council's Strategic Housing Officer has not objected to this proposal.
122. Network Rail has been consulted on this scheme and has asked for a contribution of £1million through a S106 agreement between all five developers to close the existing level crossing and to provide safer and improved facilities at Thurston Railway Station having regards to the increased use of the facilities that will occur from the residents of the proposed 827 dwellings. The Council's CIL 123 list includes provision for improvements to transport infrastructure. As such it is considered that it would be appropriate for Network Rail to bid for the specified amount to make the improvements they have requested to improve pedestrian safety at the station under the CIL scheme.

123. The Highway Authority has, as stated earlier in the report, asked for £113,754 under section 106 of the Planning act to pay for Bovis' part of the contribution for works to the highway infrastructure to ensure that the impact of approving all 5 housing schemes totalling 872 houses in Thurston is not severe on the highway network as referred to in paragraph 32 of the NPPF.
124. It is noted that within the application site there is a pond, open space and landscaped areas and concerns have been received from the objectors over how these will be maintained. This will be done via a S106 agreement whereby the developer has to employ a management company to look after this land. None of it is to be transferred to the Council or the Parish Council as part of this or any of the other 4 schemes.
125. Having regards to the above, in accordance with the Community Infrastructure Levy Regulations, 2010, the obligations recommended to be secured above by way of a planning obligation deed are (a) necessary to make the Development acceptable in planning terms (b) directly related to the Development and (c) fairly and reasonably relate in scale and kind to the Development.
126. In response to an objector comments, it would be unreasonable to expect the developer of this or any other application to not build the properties and wait for all of the necessary infrastructure to be in place first. It would also be unreasonable to refuse planning permission for this and the other schemes where the developers have agreed to fund works to resolve the infrastructure issues identified. To ensure that the correct level of infrastructure appears at the correct time, the Council and its partners will work with the developers so that appropriate triggers are in the S106 legal agreements to ensure this happens.

Other Issues

127. Objections have been made to this scheme on the grounds that there are other more suitable sites elsewhere and these should come first. It must be remembered that each planning application must be considered under its own planning merits and specifically in terms of housing; there is no national requirement for a sequential test for preferred housing sites within an area.
128. An objection has been received on the basis that the proposal will turn Thurston from a village into a town. Whilst Thurston will get larger as a consequence of additional housing growth, its status will remain as a village and it does not automatically turn into a town. This objection is not considered to be material in the consideration of this proposal.
129. Mention has also been made that the scheme will have an impact on property prices in Thurston and that many houses have already gone for sale in the locality in anticipation. The courts have decided that this is not a material planning consideration in this or any other planning application.
130. A concern has also been raised that the erection of dwellings in this location will increase crime in the locality and the fear of crime for existing surrounding residents. The applicant has designed the scheme so that open areas of the site are overlooked so that opportunities for crime are minimised both within the site and from the site into the surrounding neighbouring properties.

Details Of Financial Benefits / Implications (S155 Housing and Planning Act 2016)

Council Tax payments from the dwellings when built
Planning Delivery Grant from Central Government for delivering the dwellings
S106 Agreement:

- £476,441 is required towards the building of a new primary school in Thurston.
- £37,526 towards the cost of the land to provide the new primary school.
- £116,662 is required for the provision of new pre-school facility in Thurston
- £113,754 is required for highway infrastructure works
- Travel Plan Travel Plan Evaluation and Support Contribution - £1,000 per annum until five years have passed after occupation of the final dwelling.
- Travel Plan Implementation Bond - £108,585
- CIL payments per dwelling built on site.

PART FOUR – CONCLUSION

Planning Balance

130. The proposal for residential development off Barton Road in Thurston is considered to be contrary to the adopted Mid Suffolk Core Strategy as the application site lies within the countryside outside the built framework of the settlement of Thurston on what is agricultural land.
131. However, as the housing policies in the Core Strategy are out of date due to the Council not having a deliverable five year supply of housing, this scheme falls to be considered in relation to paragraph 14 and 49 of the NPPF which relate to residential development and sustainable development.
132. Paragraph 14 states that where the development plan for the area is out of date, 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 NPPF as a whole or specific policies in the NPPF which indicate that the development should be restricted. Whilst it has been identified that the proposal either when considered on its own or in combination with the four other residential schemes that are with the Council for consideration will have an adverse impact on the quality of the landscape character of the area, and that it will result in the irreplaceable loss of countryside and grade 3b agricultural land, will result in the loss of a hedge which provides habitat to protected species and will have an impact on the habitat of priority and has a potentially severe impact on parts of the highway network if not mitigated, it is considered that the benefits that the scheme brings such as the provision of 136 new houses of which 35% of them will be affordable, contributions towards local infrastructure such as the highways improvements, and a new primary school outweighs the negative issues.
133. Significant weight must also be given to the fact that there are no unresolved objections from the Council's consultees to the scheme. There are no objections in terms of design; crime prevention; amenity; pollution; contamination; ecology; landscape; flood risk and drainage. The proposal will also help to deliver construction jobs and will also provide more residents who will help to sustain and potentially grow the local economy.
134. In relation to highways impacts there are road safety impacts which can be

addressed through mitigation at Fishwick Corner and other highways infrastructure improvements which weigh in favour of the scheme by providing enhanced sustainable links.

135. There remains a road safety and capacity issue at the A143 Thurston Road junction (adjacent to The Bunbury Arms). A number of solutions have been investigated and the current preferred solution is traffic signals. The highway authority consider that the effects of the development can be mitigated but further detailed work needs to be undertaken to obtain the most practicable and viable solution to address the risks. For this reason Committee is asked to reach a “minded to” resolution which reserves the local planning authority’s position pending the outcome of that detailed further investigation and junction design. Once the outcome of this investigation is known the application can be reported with a substantive recommendation to Committee.
136. Therefore, it is considered having regards to paragraph 14 of the NPPF that the benefit the proposal brings outweighs the negatives. Furthermore, when assessing the proposal against the NPPF it is not contrary to its requirements as a whole and there are no specific policies within it that would restrict this development and as such it is considered that it constitutes sustainable development which should be approved planning permission without delay in line with the requirements of paragraph 14.

Statement Required By Article 35 Of The Town And Country Planning (Development Management Procedure) Order 2015.

137. When determining planning applications The Town and Country Planning (Development Management Procedure) (England) Order 2015 requires Local Planning Authorities to explain how, in dealing with the application they have worked with the applicant to resolve any problems or issues arising.
138. In this case the planning authority has worked with the applicant to overcome highway objections to the scheme and to clarify issues relating to drainage and impact on listed buildings.

Identification of any Legal Implications of the decision

139. There are no known legal implications derived from the determination of this application.
140. The application has been considered in respect of the current development plan policies and relevant planning legalisation. Other legislation including the following have been considered in respect of the proposed development.
 - Human Rights Act 1998
 - The Equalities Act 2012
 - Town & Country Planning (Listed Buildings & Conservation Areas) Act 1990
 - Natural Environment and Rural Communities (NERC) Act 2006 (any rural site)
 - The Conservation of Habitats and Species Regulations 2010
 - Localism Act
 - Consideration has been given to the provisions of Section 17 of the Crime and Disorder Act, 1998, in the assessment of this application but the proposal does not raise any significant issues.

RECOMMENDATION

That Committee express a “minded to” resolution, subject to the further investigation and reporting back of highway matters in relation to the A143 Thurston Road junction, on the following basis:

That the authority would be minded to delegate to the Corporate Manager - Growth & Sustainable Planning to grant full planning permission subject to the prior completion of a Section 106 or Undertaking on terms to his satisfaction to secure the following heads of terms:

- £476,441 is required towards the building of a new primary school in Thurston.
- £37,526 towards the cost of the land to provide the new primary school.
- £116,662 is required for the provision of new pre-school facility in Thurston
- 35% Affordable Housing to be transferred over to a Registered Provider
- To secure the provision of public open space to be managed by a dedicated management company
- £113,754 to secure off site highway improvement works as listed below:
 - Contribution towards improvements at the A143 Bury Road / C691 Thurston Road/ C649 Brand Road, junction at Great Barton. A contribution of £47975 is required on commencement of work on site
 - Contribution towards safety improvements at the C693 Thurston Road / C692 Thurston Road / C693 New Road including a 40mph speed limit on the C692 Thurston Road. A contribution of £8711 is required at the commencement of the first dwelling.
 - Contribution towards extension of the 30mph speed limit on Barton Road west of Mill Lane. A contribution of £8000 is required on commencement of construction work on site.
 - Contribution towards provision of pedestrian crossing facilities at the junction of Norton Road / Station Hill / Ixworth Road. A contribution of £15068 is required on occupation of the first dwelling.
 - Creation of new Prow along the southern boundary of the site to Heath Road (Cycle route 51). A contribution of £34000 is required on completion fo 50% of the total number of dwellings.
- To secure a travel plan in connection with the scheme detailed as follows:
 - Travel Plan Travel Plan Evaluation and Support Contribution - £1,000 per annum until five years have passed after occupation of the final dwelling. This is to cover Suffolk County Council officer time working with the Travel Plan Coordinator and agreeing new targets and objectives throughout the full duration of the travel plan
 - Travel Plan Implementation Bond - £108,585 (based on SCC calculations on the estimated cost of fully implementing the travel plan for 140 dwellings). This is to cover the cost of implementing the travel plan on behalf of the developer if they fail to deliver it themselves.

- Provision of Skylark Mitigation
- Setting up of a management company to look after the open space and Sustainable Drainage parts of the scheme.

and that such permission be subject to the conditions as set out below:

- 1) Two year time start time (as opposed to the usual 3)
- 2) Existing tree protection
- 3) Construction management agreement
- 4) External lighting
- 5) Landscaping details
- 6) Commencement period for landscaping
- 7) Protection of birds during construction period
- 8) Works to be carried out in line with the ecological report.
- 9) Materials
- 10) Landscaping
- 11) Residential boundary treatment
- 12) Highway Conditions (covering site access, Internal layout, Construction management plan, highway drainage, footway and cycle connectivity)
- 13) Surface water drainage
- 14) Fire Hydrant requirements