

Committee Report

Item No:

Reference: DC/17/02232

Case Officer: Ben Elvin

Ward: Thurston & Hessest.

Ward Member/s: Cllr Derrick Haley. Cllr Esther Jewson.

Description of Development

Erection of 129 dwellings (including 45 affordable dwellings), construction of new vehicular access and provision of cycle /pedestrian link to Barton Road. Provision of road and drainage infrastructure and open space (second application)

Location

Land On The West Side Of, Barton Road, Thurston, Suffolk

Parish: Thurston

Site Area: 5.26

Conservation Area: No

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

Received: 19/05/2017

Expiry Date: 19/08/2017

Application Type: FUL - Full Planning Application

Development Type: Major Small Scale - Dwellings

Environmental Impact Assessment: Schedule 2 development – EIA not required

Applicant: Bovis Homes Ltd

Agent: Artisan PPS Ltd

DOCUMENTS SUBMITTED FOR CONSIDERATION

The application, plans and documents submitted by the Applicant can be viewed online at www.midsuffolk.gov.uk. Alternatively a copy is available to view at the Mid Suffolk and Babergh District Council Offices.

PART ONE – REASON FOR REFERENCE TO COMMITTEE

The application is referred to committee for the following reason/s:

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 form the background in terms of both material considerations and procedural background.

History

2. The following applications are 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:

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| 4386/16 | Erection of 138 dwellings. Construction of new vehicular access and provision of cycle/pedestrian link to Barton Road. Provision of road and drainage infrastructure, landscaping and open space |
| 2797/16 | 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 |
| 4942/16 | Residential development consisting of 64 dwellings and associated highway, car parking and public open space. The applicant is Laurence Homes. |
| 4963/16 | Outline Planning Application for up to 250 new dwellings, open space and associated infrastructure, up to 4.4Ha of land for educational uses for Thurston Community College, and a new Primary School site, including details of access on land west of Ixworth Road. The application is Persimmon Homes. |
| 5010/16 | 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 (duplicate to application 2797/16) |
| 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). The applicant is Pigeon Capital Management. |

Details of Previous Committee / Resolutions

3. None

Details of Member site visit

4. 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

5. This application results from the 'minded to' resolution reached by the Planning Referrals committee on 12th July 2017. Whilst specific pre-application discussion was not undertaken, the applicants are responding to the decision and debate heard at that meeting.

PART THREE – ASSESSMENT OF APPLICATION

Consultations and Representations

During the course of the application Consultation and Representations from third parties have been received. These are summarised below.

A: Summary of Consultations

Great Barton Parish Council:

Thurston Community College is the secondary school serving Great Barton. As such, schemes that influence the capacity of that school have a direct impact on the residents of Great Barton. This school is operating at capacity and SCC's latest Directory of Schools in Suffolk confirms that the school had more applications than places available last year. This is a school that has recently expanded to take on extra students during the previous education reorganisation. GBPC is concerned that school does not have sufficient capacity to support significant new residential development within its catchment area with a direct and negative consequence for the residents of Great Barton.

5. The boundary of the application site is adjacent to the parish boundary with Great Barton. That boundary is currently the rural edge of both Thurston and Great Barton. The character of this edge will be eroded by the proposed development with a negative impact on the rural character in this area. The proximity of housing to this edge provides insufficient space for meaningful landscape and variation in plot depth to mitigate this impact.

GBPC believes that the scheme in its current form is unacceptable and should not be approved. For the reasons given above GBPC considers that the proposal is contrary to the NPPF and that the benefits of the scheme are significantly and demonstrably outweighed by the impacts identified. The proposal is not considered to represent sustainable development and therefore does not benefit from a presumption in favour of permission.

GBPC is also concerned that this proposal is undermining the Neighbourhood Plan-making process that Thurston Parish Council is currently undertaking. It is important that the Council gives this matter careful consideration and adequately addresses this point in its decision-making.

Thurston Parish Council:

The Parish Council wishes to place on record that it continues to object to the plans as submitted under planning application 17/02232. Having viewed this application and compared it with that previously submitted under this number, the Parish Council acknowledges that there is an overall reduction of number of dwellings on the site and that the number of bungalows has increase from 9 to 30. It does however maintain that the overall density is too high with an inappropriate house type mix for a development that is outside of the village settlement boundary and abuts open countryside. As such the Parish Council feels that the changes in the documents are relatively small and mainly cosmetic and therefore the objections as submitted under letter dated 7th August 2017 are valid for this re-consultation as well.

For clarity: The Parish Council would draw your attention to the full letter as submitted on 7th August 2017 and would ask that the following concerns are considered in its continued objection to this site:

- location within the countryside and outside of built up area boundary
 - location unsympathetic to the area in which it is placed with a significant impact on the rural features of the village on approach
 - Unacceptable design – new base plan includes new road layout but no information about the road structures as per previous submission. It is noted that the collection points for refuse have been removed which, given the size of the internal road, could create problems
 - NP – contrary – reiterate views of residents – housing of 50 units is appropriate – if you are going to multiply if up need areas broken up by significant landscaping
 - Urban design – issue over the 2 storey flats that still have large apex
 - Urban type buildings – rectangular, square design – neither compliment nor enhance the areas surrounding the development
 - No built leisure facilities, merely a small open space, which is of no benefit to the overall community
 - Landscaping is regarded as minimal and there is a lack of detail on the landscaping that will take place around the edge of the site against current development
 - No comment re cycle provision links or footpath
 - No indication that the tenure of homes has considered aging population or homes being built for all
 - Increased number of apartments from 6 to 10 under affordable provision
 - There is a question as to why single bed apartments are regarded as being appropriate for a village setting as it is felt that this is more suited to an urban setting. Very standardised design not in-keeping with the surrounding area.
 - Design maximises profit rather than offers benefits to the village.
 - Overdevelopment of site given density being proposed
 - Negative impact on the biodiversity of the area
 - Negative impact on the countryside
 - Impact on education provision
 - Impact on current highway infrastructure
 - Impact on the sustainability of current public transport - concern that the original transport assessment has been re-submitted with some additions to it aimed at addressing mitigation impacts:
 - Substantial difference in levels of traffic being quoted – 30%
 - Walking assessments do not equate to reality
 - Not practical to assume that residents will walk to Cracknells Garage to access a cash-point
 - Visibility displays still refer to the original planning application
 - Issue over the current restriction through the village for 7.5 tonne lorries- issue for delivery of materials
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- Planning Statement – point 3.5 – the Parish Council challenge the assertion that the village has a high level of employment opportunities / sites

MSDC Sustainability Officer – The applicant has demonstrated a willingness to reduce the environmental impact of the development via the sustainability and energy statement.

SCC Obligations Manager - I refer to the planning application for the erection of 129 dwellings (including 45 affordable dwellings), construction of new vehicular access and provision of cycle /pedestrian link to Barton Road. Provision of road and drainage infrastructure and open space (second application).

School level	Minimum pupil yield:	Required:	Cost per place £ (2017/18):
Primary school age range, 5-11*:	30	30	16,429
High school age range, 11-16:	20	0	18,355
Sixth school age range, 16+:	4	0	19,907

Total education contributions:	£492,870.00
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The local catchment schools are Thurston Church of England Primary Academy, Ixworth Free School, and Thurston Community College.

SCC forecasts show that there will be no surplus places available at the catchment primary school to accommodate any of the pupils anticipated to arise from this proposed development. The Primary School site is landlocked and cannot be permanently expanded.

The County Council has been in discussions with the Parish Council regarding the emerging Thurston Neighbourhood Plan and has provided pupil yields and possible strategies to deal with mitigation from the growth scenarios being assessed.

For several compelling reasons including improving education attainment, community cohesion and sustainability the highly preferred outcome is for those primary age pupils arising from existing and new homes within the community to be able to access a primary school place in Thurston. Where pupil bulges are anticipated the County Council will consider the provision of temporary classrooms but such an approach is only viewed as an interim measure if the longer term pupil forecasts indicate the need for permanent provision (by way of school expansion or a new school). Only as a last resort will the County Council consider offering places to pupils at out of catchment schools but this is a far from ideal strategy and should only be considered for a very temporary period because there are several significant dis-benefits including negative impacts on education attainment, community cohesion, sustainability, and costs. It is for the District Council to weigh up these important matters in considering the planning balance when deciding whether to allow or refuse planning permission.

Due to the current uncertainty over the scale, location, and distribution of housing growth in the Thurston locality it is not clear now whether the most sustainable approach for primary school provision is to:

- a. Retain a single primary school for the village by relocating and delivering a new larger school; or,
- b. Retain the current primary school and deliver a second (new) primary school for the village.
- c. Whichever strategy is the most appropriate a site of a minimum size of 2.2 hectares will need to be identified and secured. A new 420 place primary school is currently estimated to cost at least £6.9m to build (excluding land costs).
- d. In the short term the head teacher has agreed to the siting of a temporary double mobile classroom for 60 pupils. However, this is strictly on the understanding that such mitigation is only of a limited and temporary nature ahead of determining either a. or b. above.
- e. Section 106 developer funds will be sought to pay for the above. This is on the basis that the Mid Suffolk Regulation 123 List does not include funding for new primary schools.

The County Council will require proportionate developer contributions for land and build costs for a new school from this proposed development, which will need to be secured by way of a planning obligation. A proportionate developer contribution, based on the 30 primary age pupils forecast to arise from the proposed development is calculated as follows

- £6.9m construction cost (excluding land) for a 420 place (2 forms of entry) new primary school
 - £6.9m/420places = £16,429 per pupil place
 - From 129 dwellings it is forecast that 30 primary age pupils will arise
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- Therefore 30 pupil's x £16,429 per place = £492,870 (2017/18 costs)

Assuming the cost of the site for the new primary school, based on a maximum cost of £100,000 per acre (£247,100 per hectare), is £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 30 places x £1,294 per place = £38,820.

At present two planning applications (under references 5070/16 and 4963/16) include land identified for education use but planning permission for neither site has been granted permission by Mid Suffolk District Council. It is therefore suggested that consideration be given to imposing an appropriate planning condition restricting occupation of any dwellings once the capacity of the existing primary school with additional temporary classroom are full. This condition can be discharged once construction of the new primary school has commenced. This recognises the importance that the Government attaches to education provision as set out in paragraphs 38 and 72 of the NPPF.

Temporary classroom costs

The physical constraints of the existing primary school site mean that a permanent expansion of the school is not possible. Therefore, temporary arrangements will need to be put in place to accommodate the additional pupils arising from new homes.

The DfE publishes Area Guidelines (Building Bulletin 103) for schools which define the minimum areas of school buildings, playing fields, site etc. Thurston Church of England Primary Academy is on a very small

site with no possibility of expanding its boundary. It has a capacity of 210 places (1 form of entry) so according to the guidelines its minimum site area (including playing fields) should be 11,220 sq m. It has a site area of 11,169 sq m including a proportion of the adjacent village field (managed by the Village Playing Field Trust) and is therefore below the minimum site area for a school of this capacity. Therefore, no more accommodation technically can be added to the school and no money will be spent on any permanent accommodation. However, schools can take on extra pupils arising as a “bulge” by providing temporary classrooms. This might happen if there is a sudden spike in the local population, or as in this case, due to new housing developments providing it is only temporary until permanent places are provided elsewhere like a new school.

The Primary School does not have its own grass playing field. It can use the adjacent playing field owned and managed by the Trust. The school agrees only to use half of it. Installing a double mobile (providing 60 places) may mean it is located on an area of hard play which would reduce the area of playing field available to the increased number of pupils. So in absolute and relative terms the area of playing field would reduce i.e. more pupils at the school sharing less outdoor play area. It is therefore preferable to locate a temporary classroom on non-playing field land within the school site, such as part of a car park.

A Feasibility Study has been commissioned to assess whether the existing school site has space to accommodate this temporary expansion and it has confirmed it is possible. As an Academy the County Council has limited control over their decision whether to accept a temporary building on their site – the Academy could refuse to take the extra (temporary) pupils and the County Council would have limited powers to impose this on them. Iain Maxwell (Assistant Senior Infrastructure Officer in SCC’s, Children, and Young People Service) met with the Head teacher and 3 Governors on Thursday 26th January 2017 to explain the situation. Although there were reservations from the school the overall response was to accept in principle the installation of the temporary classroom if it was needed, providing there was evidence that the new school would be built and open in the early stages of the housing developments to minimise the length of time the temporary building would remain on site. Formal acceptance in writing from the school has now been received.

Providing temporary accommodation on the primary school site (a double mobile) would cost approximately £250,000 (including installation) which we expect to be on site for 2-3 years but this is dependent on construction commencing on the new school early on. The costs between renting and buying are comparative. At this stage SCC doesn’t know how many additional houses the District Council or Parish Council anticipates for the village or when they will be occupied, but we do know the school cannot cope without this double mobile. Even then this will only accommodate 60 pupils, i.e. approximately 240 dwellings and there are more than this number in the current undetermined applications for planning permission. The District Council will need to consider whether a planning condition to restrict occupation until permanent primary education provision is available locally that is an acceptable solution to support further development once the temporary provision places are used up by additional development.

The proportionate temporary accommodation contribution is calculated as follows:

- Cost of a temporary accommodation £250,000
- Cost per place = $\frac{£250,000}{60} = £4,167$
- Primary age pupils arising from this site is 30
- Proportionate contribution towards temporary classroom is 30 pupil’s x £4,167 per place = £125,010

The temporary classroom cost of £250k will fall to CIL.

Secondary Schools

The catchment secondary schools are Ixworth Free School and Thurston Community College. Thurston Community College has the largest secondary school catchment area in Suffolk. At present there is

forecast to be sufficient surplus places available for pupils forecast to arise from the proposed development, with any expansion projects currently falling under CIL.

However, against the anticipated level of housing growth across the wider area a full assessment of secondary school requirements should be undertaken, but the initial view is that at the right time a new secondary school will be needed. The best estimate of current cost is in the region of £25m, with a site of 10 hectares.

Pre-school provision.

Refer to the NPPF 'Section 8 Promoting healthy communities'. It is the responsibility of SCC to ensure that there is sufficient local provision under the Childcare Act 2006. Section 7 of the Childcare Act sets out a duty to secure free early years provision for pre-school children of a prescribed age.

The current requirement is to ensure 15 hours per week of free provision over 38 weeks of the year for all 3 and 4 year-olds. The Education Bill 2011 amended Section 7, introducing the statutory requirement for 15 hours free early years education for all disadvantaged 2 year olds. From these development proposals SCC would anticipate up to 13 pre-school pupils.

Through the Childcare Act 2016, the Government will be rolling out an additional 15 hours' free childcare to eligible households from September 2017. At present, in the Thurston area, there are four settings that offer places (2 childminders, Thurston Preschool, and Tinkerbells Day Nursery). From a development of 129 dwellings, the County Council anticipates around 13 pre-school pupils eligible for funded early education. Currently there is sufficient capacity for only 10 pre-school pupils from this development. 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, based on 13 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 129 dwellings there is the need for 13 additional places
- Therefore 13 pupils x £8,333 per place = £108,329 (2017/18 costs)

Play space provision.

Consideration will need to be given to adequate play space provision. A key document is the 'Play Matters: A Strategy for Suffolk', which sets out the vision for providing more open space where children and young people can play. Some important issues to consider include:

- a. In every residential area there are a variety of supervised and unsupervised places for play, free of charge.
 - b. Play spaces are attractive, welcoming, engaging and accessible for all local children and young people, including disabled children, and children from minority groups in the community.
 - c. Local neighbourhoods are, and feel like, safe, interesting places to play.
 - d. Routes to children's play spaces are safe and accessible for all children and young people.
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Transport issues.

Refer to the NPPF 'Section 4 Promoting sustainable transport'.

A comprehensive assessment of highways and transport issues will be required as part of the planning application. This will include travel plan, pedestrian & cycle provision, public transport, rights of way, air quality and highway provision (both onsite and off-site). Requirements will be dealt with via planning conditions and Section 106 as appropriate, and infrastructure delivered to adoptable standards via Section 38 and Section 278. This will be coordinated by Suffolk County Council.

Site specific matters will be covered by a planning obligation or planning conditions

Other infrastructure contributions

Requests a contribution of £27,884 towards library provision. This is requested under the Council's CIL 123 list.

Natural England: No comment

SCC Highways: As part of the ongoing study of the cumulative impact of the proposed developments in Thurston Suffolk County Council (SCC), as a statutory consultee for Highways, wishes to record the following comments on the consultation response and supporting feasibility study relating to the crossing at Thurston Station provided by Network Rail.

SCC strongly supports improvements to the safe provision of sustainable and public transport and recognises Network Rail's concerns about the safety of the pedestrian rail crossing. However, there are several issues that affect the public highway which would require resolution to produce a scheme acceptable to SCC. We would encourage further dialog with Network Rail to resolve these issues.

The highway issues identified are:

- Widening the footway under the bridge as proposed will push vehicles using Barton Road to the west. As the bridge is an arched structure this may reduce the available headroom and the increase risk of bridge strikes. If this necessitates a lowering of the existing height this will affect the of the highway by large vehicles, possibly diverting them onto other less suitable routes. It is acknowledged that reducing the road to a single lane would have the advantage of removing the risk of high sided vehicles trying to pass each other under the bridge which it is understood already results in bridge strikes.
 - Signalisation of the junctions adjacent to the rail bridge is likely to reduce road capacity increasing congestion. We would look for Network Rail to undertake a Transport Assessment to measure this. The scope of the Transport Assessment will need to be agreed with SCC in advance. Preliminary studies by SCC are that the junctions within the mitigation area have the capacity to accommodate the proposed developments but that this is based on the existing unimpeded network.
 - The design indicates visibility to signal heads one step down from DMRB. A Road Safety Audit will be required to ensure that the proposed layout is safe.
 - The modifications to the highway require third party land not under control of Network Rail or SCC. Clarity of how this land is to be brought into the control of Network Rail or SCC is vital to show that these proposals are deliverable.
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- The pick-up area is close to the junction and SCC has concerns that these may cause safety issues such as conflicts between vehicles leaving this area and through traffic
- Details of the footway will need to be provided to conclude a S278 agreement. SCC would expect street lighting to be provided for the new footway.

It is noted by SCC that alternative methods have been used to mitigate pedestrian safety concerns elsewhere in Suffolk, for example the gated crossing at Halesworth Station. We would encourage similar innovative solutions for Thurston.

SCC Flood and Water Management: Recommend approval of this application subject to conditions

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.

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.

A contribution to pay for the works that Network Rail have requested can be secured via a CIL bid as the works constitute public transport improvements as indicated in the Council's 123 list.

MSDC Heritage Officer: No harm to a designated heritage asset because the proposal would have no material impact on the setting and significance of nearby listed buildings.

MSDC Environmental Health Officer (Land Contamination): No objection

Suffolk Constabulary: Strongly advise the adoption of the ADQ guidelines and Secure by Design principles for a secure development. Concerns with regard to the rear positioning of the garages and car ports and that in some places car ports are used instead of garages. Serious concerns regarding the safety for users of the south eastern footpath and the need for the perimeter boundary to be secure. Concerns with regard to the elongated alleyway adjacent to plots 78-82 and recommend this area is securely gates.

Highways England: Offer no objection

Place Services (Landscape Advice): The proposals will inevitably have an impact on the existing rural edge character of Thurston. The main development constraint is the requirements to ensure the "character and appearance are safeguarded through the application of good design and landscape design principles". Recommends that a detailed boundary treatment plan and landscape maintenance plan is submitted by condition.

Place Services (Ecology Advice): No objection subject to securing biodiversity mitigation and enhancement measures.

MSDC Strategic Planning: The site is outside the settlement boundary for Thurston in the 1998 Mid Suffolk Local Plan and adjoins the boundary with St Edmundsbury Borough Council. There is a current shortfall in 5 year housing land supply in Mid Suffolk so planning proposals need to be considered in the context of the NPPF and its requirements for sustainable development.

MSDC Environmental Health Officer (Noise/Odour/Light/Smoke) – No objection subject to condition requiring a construction management plan.

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.

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.

Anglian Water: No objection. Confirm that there is capacity in the catchment of the Thurston Water Recycling centre for wastewater treatment. No objection 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.

B: Representations

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.
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- 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.
- Mill Lane is quiet well used road and is popular for family walks, jogging, horse riding, cycling and children with scooters., and it will become a rat run.
- Three crashes in a four week period.
- The Transport Assessment ignores other schemes coming forwards in Thurston and how cumulatively these will impact on the locality.
- Severe problems with the pedestrian level crossing at the train station

Heritage

- Impact on the setting of a listed building known as Mill Farmhouse

Infrastructure

- 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.
- 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.
- Other than a financial contribution to possible future infrastructure improvements, the development gives nothing back to the village in terms of homes for the elderly, facilities, education, retail and health.
- All local facilities are located more than half a mile away.
- Cycle routes are not adequate
- Existing train service is not adequate.
- There is no mention of how this development will support Thurston

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.
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- 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.
- No graphic visualisations of the completed project have been made available.
- Increase amounts of street lighting would be a source of light pollution in the rural environment.
- The site would be better used for 30-50 bungalows and chalet bungalows that would be more in keeping with the village.
- The planning history of the village should not be ignored, particularly when higher density schemes have been refused planning permission in the past

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.
- 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.
- 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 by 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.
- There is only a hedge between one of the plots and an objector's property and there is concern that this would not be sufficient to maintain security between the properties.
- Loss of privacy, tranquillity and outlook to existing properties.
- Objection to new footpath and cycleway so close to an existing house due to loss of privacy and disturbance.
- There is no provision of a shelter belt between our properties and the proposed development.
- Loss of view constitutes a loss of residential amenity.
- Concern about inadequate distance between plots 48-51 and No.19 and 20 Heather Close with regards outlook and loss of privacy.
- All dwellings on the perimeter of the site should be single storey.
- Loss of privacy to residents of Heather Close and Furze Close

Flood risk

- Drainage is an issue in the locality. The development can only make matters worse.
- 138 houses being built in a flood risk area

Impact on wildlife/trees in the locality

- Loss of wildlife and impact on existing wildlife.
 - Hedgerow details are inaccurate.
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- Existing trees are very tall and would be a burden on plots 9-12.

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.
- 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.
- The Council will be forced to approve this scheme due to unsatisfactory national policy.
- This is all about the Government's New Homes Bonus and the importance of this money for the Council.
- The proposal fails to protect the intrinsic character of the surrounding countryside, which 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 proposal will subsequently impact negatively on the surrounding landscape character and settlement character as it would be visually, physically and functionally isolated from the facilities and services offered by Thurston.
- Brownfield sites should be developed first.
- 70% increase in population in Thurston

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 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

- 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.
 - 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.
 - Previous reasons for refusal are still valid.
 - No engagement with the local residents or the PC.
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- Having been present at the Planning Referrals Committee Meeting, we feel this was carried out extremely unprofessionally and we have serious concerns with regard to committee members and their potential conflicts of interest.
- Unhealthy relationship between planner and the developers

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.
- Taking into account the minded to approve applications already in the village, this add to totally unacceptable growth for a village such as Thurston

PART FOUR – CONCLUSION

The Site and Surroundings

8. The application site is 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.
9. 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.
10. 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

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

12. The application is a full planning application for the erection of 129 dwellings on the 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 articulated estate road running though from the access point along the centre of the site with spine roads coming from it. To the southern portion 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 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.
13. The proposed layout for the site shows a mixture of 4 and 5-bedroom dwelling types along the northern boundary of the site which is separated from the adjacent field by an articulated access road and a green landscaped area before the boundary of the site is reached.
14. The properties on the western boundary of the site facing the dwellings on Heather Close and Furze Close are primarily bungalows, two 3-bedroom two storey dwellings and two 4-bedroom two storey dwellings. These are separated from the existing dwellings to their west by a distance greater than 20m.
15. The properties on the southern boundary of the site are principally bungalows. The dwellings directly to the west of Marley Close include two pairs of semi-detached bungalows and a pair of 3-bedroom dwellings.
16. The applicant comments in the 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

17. 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.
18. 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

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.

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

19. 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

20.

- 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

21. 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.
22. The following are identified as the main considerations in assessing this application:

The Principle Of Development

23. 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.
24. 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).
25. 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.

26. 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...*’
27. 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.
28. 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
29. 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.
30. 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."

31. 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)

32. 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.”*
33. 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 are considered to be out of date and cannot be used to limit housing as suggested we do by an objector.
34. 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.

35. 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.
36. 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 to infrastructure 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.
37. To provide context, four other developers have also submitted applications 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 which has been heard and is now awaiting decision); 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.
38. 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.
39. Mindful of the substantial 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. It is noted that planning application 4386/16 on this site for 138 dwellings was the subject of a "minded to refuse" resolution at Planning Referrals Committee on 12 July 2017.
40. 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.

41. 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.
42. 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.
43. 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.
44. 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 129 dwellings within Full application in this instance and they have confirmed that it is their intention if they receive planning permission to commence with work on site as soon as possible. To speed this up, they have agreed to accept 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 committed to delivering the homes. 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. That co-operation has endured notwithstanding the minded to refuse resolution.
45. 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

46. 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.

47. Concern has been raised 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.
48. 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. A single access point is proposed towards the northern part of the site from Barton Road with a network of internal estate roads leading off from that.
49. The application follows the highways consideration of 4386/16 and needs to be considered in the context of the approach to highways issues and infrastructure taken for the group of applications considered on 12 July 2017. The infrastructure context of the highway network has been considered and with suitable obligations in place it is considered that both safe and suitable access can be achieved and that there would be no residual cumulative impact upon highways matters of a severe nature.
50. 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.
51. 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.
52. 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 schemes 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.

53. 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.
54. 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 private cars to access local facilities.
55. 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.
56. 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 confirmed that this scheme and the 4 others have been designed and considered at the existing speed limit and that 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.
57. 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.
58. Railway station parking
As Members will be aware there is a car park on land adjacent to the railway station and the site under redevelopment at Thurston Granary. This car park has limited capacity and Members will recall that representations have been made regarding usage of the station by travellers from

outside the village including the Moreton Hall estate in Bury St Edmunds. This remains a point of concern to the Parish Council.

59. Whilst the limited capacity of the car park is acknowledged the key consideration is the harm that might be generated by users of the development accessing the station. In this respect the development is within reasonable walking distance of the station and notwithstanding comments to the contrary it is considered both reasonable and likely to expect that occupiers of the developments would choose to walk to the station rather than drive and park. The limited amount of parking itself could reasonably be expected to focus that choice for future residents.
60. In the circumstances it is considered that it is reasonable and indeed desirably sustainable to expect occupiers to walk to the station. On that basis the development would not give rise to unacceptable harm having regard to the capacity of the station car park and represents a sustainable approach to travel modes.
61. Highways Conclusion
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]

62. 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.
63. 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.
64. The applicant has submitted a full application showing 129 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 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.

65. 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.
66. 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 or 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.
67. 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 and appearance 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

68. 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.
69. 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”*.

70. 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.
71. 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

72. 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.
73. 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.
74. 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 screened with tall trees and hedging from the surrounding countryside. The site is also currently screened 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.

The Council has sought comments from its Landscape Consultant on the scheme and as part of this assessment they have asked the applicant to provide the missing landscape assessment which is referred to by the objectors. The Landscape Appraisal submitted was considered by the Landscape Consultant to suitably describe the views on to the proposed development and explores the mitigation measures proposed. It is agreed with the objectors that the applicant has not submitted detailed landscaping for the internal layout of the site, but it has been agreed with them that this information can be received via a planning condition if planning permission is approved for this scheme.

The proposal does consider the wider landscape, with dwellings set away from the northern boundary, and also a green space provided up to the existing hedge. This softens the boundary to the open countryside, so that in combination with the existing screening and a detailed landscaping scheme, which can be appropriately secured by means of condition the proposal is not considered to have a significant landscape impact.

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 objected 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 and it is considered that the root zone of the trees can be protected during construction by suitable fencing which can be controlled by a planning condition.
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 protect and use the 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 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 a garage and 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 intervening structure and trees between them, that overlooking and loss of privacy will be minimised. Furthermore, the recent amended plans have moved plot one and its garage 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 the two storey design, 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 21m, 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 are 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 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.
96. 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.
97. 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.
98. 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.

99. 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.
100. 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)

101. Both the NPPF and Core Strategy place significant emphasis on safeguarding heritage as an important component of sustainable development.
102. 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*".
103. 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.
104. 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.

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.”

105. 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
106. 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 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

107. 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.
108. 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, the Environment Agency or the County Flood and Water team have objected to this proposal. They have advised that permission can be granted subject to the imposition of a condition requiring the scheme to be built in line with the submitted drainage strategy.
109. 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.
110. 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

111. 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.
112. The Council has now implemented CIL which accordingly takes on board requirements such as open space contribution, NHS and education contributions.
113. 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.
114. 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.
115. 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.
116. 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.

117. 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.
118. 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.
119. Network Rail has been consulted on this scheme and has asked for a contribution of £1million 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 and as such Network Rail can bid for the specified amount to make the improvements they have requested to improve pedestrian safety at the station.
120. The Highway Authority has, as stated earlier in the report, asked for £112,084 under Section 106 of the Planning Act to pay for Bovis's 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.
121. 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 secured 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.
122. 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.
123. 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

124. 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.
125. 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.

126. 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

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

127. 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
 - £112,084 is required for highway infrastructure works
 - CIL payments per dwelling built on site.

PART FOUR – CONCLUSION

Planning Balance

128. 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.
129. 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.
130. 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 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% will be affordable, contributions towards local infrastructure such as the highways improvements, and a new primary school outweighs this.
131. Significant weight must also be given to the fact that there are no unresolved objections from the Council's consultees to the scheme. In relation to highway safety, the applicant has agreed to contribute towards mitigating the severe impact of the scheme with cost effective solutions as suggested by the County Highway Authority and there are no objections in terms of design; crime prevention; amenity; pollution; contamination; ecology; landscape; flood risk or 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.
132. 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.

133. 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.

134. 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

135. There are no known legal implications derived from the determination of this application.

136. 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 the Corporate Manager - Growth and Sustainable Planning be authorised to grant 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
- Up to £73,530 to secure off site highway improvement works as listed below (dependent on the decision reached on other applications in the village):
 - Contribution towards improvements at the A143 Bury Road / C691 Thurston Road/ C649 Brand Road, junction at Great Barton. A contribution of up to £41,717 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 £8,711 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 £8,000 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 up to £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 of 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) Works to be carried out in line with the ecological report.
- 8) Materials
- 9) Landscaping
- 10) Residential boundary treatment
- 11) Highway Conditions (covering site access, Internal layout, Construction management plan, highway drainage, footway and cycle connectivity)
- 12) Surface water drainage
- 13) Fire Hydrant requirements