

MID SUFFOLK DISTRICT COUNCIL

Minutes of the **DEVELOPMENT CONTROL COMMITTEE 'A'** held at the Council Offices, Needham Market on Wednesday 29 April 2015 at 9:30am.

PRESENT: Councillors: Matthew Hicks (Chairman)
Derrick Haley *
Barry Humphreys
Sarah Mansel
Wendy Marchant
Lesley Mayes
Ray Melvin
Derek Osborne
Stephen Wright

Denotes substitute *

Ward Members: Councillor: Caroline Byles
Michael Norris

In attendance: Corporate Manager – Development Management
Senior Development Management Planning Officer (ET)
Senior Development Management Planning Officer (GW)
Senior Development Management Planning Officer (IW)
Development Management – Planning Officer (LE)
Corporate Manager – Asset Utilisation
Economic Development Officer (DE)
Housing Development Officer (DC)
Senior Environmental Protection Officer (DH)
Governance Support Officer (VC/BN)

NA66 APOLOGIES/SUBSTITUTIONS

Councillor Derrick Haley was substituting for Councillor Diana Kearsley.

NA67 DECLARATIONS OF INTEREST

Councillor Lesley Mayes declared a non-pecuniary interest in application 0371/15 as she had attended a presentation by Stowmarket Chamber of Commerce relating to the proposed development.

Councillor Matthew Hicks declared a non-pecuniary interest in applications 0371/15 and 3153/14 as the Suffolk County Council Assistant Cabinet Member for Education and Skills.

It was noted that applications 0973/15, 1097/15 and 0573/15 were made either by a Mid Suffolk District Councillor, or relative of a Mid Suffolk District Councillor, and the applicants were therefore known to the Committee.

NA68 DECLARATIONS OF LOBBYING

It was noted that Councillor Matthew Hicks had been lobbied on application 3153/14.

NA69 DECLARATIONS OF PERSONAL SITE VISITS

Councillor Matthew Hicks had undertaken a personal site visit in relation to application 0973/15.

NA70 MINUTES OF THE MEETING HELD 4 MARCH 2015

Report NA/10/15

The minutes of the meeting held 4 March 2015 were confirmed as a correct record.

NA71 MINUTES OF THE MEETING HELD 1 APRIL 2015

Report NA/11/15

The minutes of the meeting held 1 April 2015 were confirmed as a correct record.

NA72 SCHEDULE OF PLANNING APPLICATIONS

Report NA/12/15

In accordance with the Council's procedure for public speaking on planning applications representations were made as detailed below:

<u>Planning Application Number</u>	<u>Representations from</u>
0973/15	Jane Storey (Applicant)
1097/15	Stuart Gemmill (Applicant)
1193/15	Stuart Gemmill (Applicant)
0450/15	Geoff Short (Parish Council) Alex MacColl (Objector) R Dixon (Applicant)
0573/15	Richard Stacy (Applicant)
0371/15	Jodie Aylott (Objector) Paul Knowles (Supporter) Mr Turner (Applicant)
3153/14	James Alflatt (Applicant)

Item 1

Application Number: **0973/15**
Proposal: Erection of single storey front extension (following demolition of existing 2 no front porches)
Site Location: **WOOLPIT – Eastview, Mill Lane**
Applicant: Ms Storey

Jane Storey, the applicant, said that although the porches were a relatively recent addition to the property she felt there was potential to make much better use of the space. The proposed extension would create an additional area for dining or garden room with minimal extra footage. The porches were also not particularly attractive with the area between them covered with clear plastic.

Councillor Ray Melvin, Ward Member said he fully supported the proposal as did the Parish Council.

Members considered the proposed extension improved the appearance of the property and fully supported the application.

By a unanimous vote

Decision – That Full Planning Permission be granted subject to the following conditions:

- Time limit
- Approved documents
- Materials and finishes

Note: The applicant, being a Mid Suffolk District Councillor, left the room during the debate and vote for this application

Item 2

Application Number: **1097/15**
Proposal: Prior Approval (Class MB (A and B)) of Proposed Change of Use of Agricultural Building to a Dwelling house (Use Class C3) and for associated operational development
Site Location: **STRADBROKE** – Valley Farm, New Street
Applicant: Mr S Gemmill

Members were advised that a revised site plan, the SCC Highways consultation response and Planning Practice Guidance regarding permitted development rights had been tabled in the late papers.

Stuart Gemmill, the applicant confirmed that the buildings had been used for agricultural purposes but as he had now sold his farm land they would no longer be required for this use.

Members expressed some concern regarding this Prior Approval application which it was felt could be seen as bypassing the planning system but accepted that legislation did provide for an application of this type.

Officers were requested to make representation to the DCLG that Members considered a Prior Approval application was not the correct democratic process to deal with a planning application.

By 8 votes to 1

Decision – Delegate to the Corporate Manager (Development Management) to determine the Prior Approval after the expiration of the consultation period and having regard to the responses received within the specified timeframe for determination

Note: The applicant, being a Mid Suffolk District Councillor, left the room during the debate and vote for this application

Item 3

Application Number: **1193/15**
Proposal: Prior approval (Class M) of proposed change of use of agricultural building to a flexible use within Shops (Class A1), Financial and Professional Services (Class A2), Restaurants and Cafes (Class A3), Business (Class B0), Storage or Distribution (Class B8), Hotels (Class C1) or Assembly or Leisure (Class D2)
Site Location: **STRADBROKE** – Valley Farm, New Street
Applicant: Mr S Gemmill

Stuart Gemmill, the applicant confirmed that the building had been used for agricultural purposes but was no longer required for this use. He said that buildings on the site had previously been successfully converted for business use.

Members reiterated their comments from the previous application regarding Prior Approval applications but again accepted that legislation did provide for an application of this type.

By 8 votes to 1

Decision – Delegate to the Corporate Manager (Development Management) to determine the Prior Approval after the expiration of the consultation period and having regard to the responses received within the specified timeframe for determination

Note: The applicant, being a Mid Suffolk District Councillor, left the room during the debate and vote for this application

Item 4

Application Number: **0450/15**
Proposal: Retention of galvanised palisade security fence (2.1 m in height)
Site Location: **RICKINGHALL SUPERIOR** – The Old Workshop, West Hall Road
Applicant: Mr R Dixon

Geoff Short, advised that the Parish Council supported the neighbours' objections. He said there was great concern about the fence which was a bright galvanised metal and the appearance was out of keeping with the area and nearby hedges. Although the Highways Department were satisfied with the application there were concerns regarding the double gate access and substantial traffic movements on a single track lane.

Alex MacColl, an objector speaking on behalf of the 22 houses in the immediate vicinity, said that the fencing did not comply with many planning constraints and that there were strong objections relating to: Design and Layout; Siting and Design of Agricultural Structures; Use of Materials for Agricultural Buildings and Structures; Protecting Wildlife Habitats; and Highway Considerations. He said that in almost every requirement listed by the Planning Department as limiting factors the structure failed to comply with the spirit, meaning and intention of planning regulations. It was believed that the applicant had only applied for retrospective permission because he had been caught. Local residents wished to see the fence removed and the area returned to a state more in keeping with local character and appearance.

R Dixon, the applicant, said he believed the objectors had been influenced by untrue rumours that the site was to be used for other purposes, eg caravan site, car boot sales, and had placed unreasonable pressure on the parish councils. He had been unaware that planning permission was required to erect the fence which had become necessary due to failures of the previous security system. Theft of agricultural vehicles was a big problem and the fence was of a type found at many local farms in order to protect machinery and that decreasing the height of the fence would ruin the security of the site. The colour had been chosen as it went well with the building and would also fade and blend in further.

Councillor Sara Michell, Ward Member, commenting by email said that she had called in the application because of the extensive concern about the design and impact of the fence on the rural agricultural setting and surrounding community.

Councillor Derek Osborne, Ward Member, said the fence reminded him of a prison compound and that it stuck out from the hedgerow like a 'sore thumb'.

Although Members understood the need for security of the site there was some concern regarding the impact of the fence on the surrounding area and neighbouring properties. However, it was generally considered this could be mitigated by painting and appropriate landscaping but the recommended timescale for this to be implemented was too long. A motion for approval subject to amendments to the recommendation as follows was proposed and seconded:

- Recommendation a) within one (1) month ...
- Recommendation b) if within three (3) months ...
- Recommendation d) Landscaping scheme to be carried out and completed in the first planting season following decision / Painting – an approved scheme) shall have been carried out and completed within one month (1) of the approval of the relevant details by the local planning authority

By 6 votes to 2

Decision – That Full Planning Permission be granted subject to the following conditions:

- Landscaping scheme to the northern boundaries (north east and north west)

- a) within three (3) months of the date of this decision a landscaping scheme shall have been submitted for the written approval of the local planning authority
 - b) if within three (3) months of the date of this decision the local planning authority refuse to approve the scheme a) or fail to give a decision within the prescribed period, an appeal shall have been made to, and accepted as validly made by, the Secretary of State
 - c) an approved scheme for a) shall have been carried out and completed in the first planting season following decision
- The fencing to be painted green
 - a) within one (1) month of the date of this decision a scheme for the painting of the fence (in green using a matte RAL 840-KR paint – colour to be specified) shall have been submitted for the written approval of the local planning authority
 - b) if within three (3) months of the date of this decision the local planning authority refuse to approve the scheme a) or fail to give a decision within the prescribed period, an appeal shall have been made to, and accepted as validly made by, the Secretary of State
 - c) if an appeal is made in pursuance of b) above, that appeal shall have been finally determined and the submitted scheme shall have been approved by the Secretary of State
 - d) an approved scheme for a) shall have been carried out and completed within one month (1) of the approval of the relevant details by the local planning authority

Item 5

Application Number: **0573/15**
 Proposal: Erection of single storey 2 bedroom holiday let / annex following demolition of existing agricultural building
 Site Location: **HAUGHLEY** – Shrub Farm, Fir Tree Lane
 Applicant: Mr R Stacy

Richard Stacey, the applicant, said that it was intended to retain all the trees on site unless Building Control said this was not possible. The Heritage Officer was happy with the proposal to use a lime render on the walls and pressed metal on the roof. The dual proposal for holiday let / annex was made as although it was intended to use the building as a holiday let at the present time he wished to keep the option open for use as an annex if required in the future.

Although some concern was expressed regarding the dual proposal for holiday let / annex Members generally found the application satisfactory subject to an amendment to the final condition to read 'For the purposes of holiday accommodation no person/s shall occupy any of the units etc'. It was felt that in order to protect the amenity of adjacent dwellings that a condition requiring a considerate contractor scheme to be agreed should also be included.

By 7 votes to 0 with 2 abstentions

Decision – That Full Planning permission be granted subject to the following conditions:

- Windows on the east elevation to be obscurely glazed and fixed shut
- Details of roofing material
- Restriction of building to be used either as holiday accommodation or residential annex incidental to Shrub Farm only
- For the purposes of holiday accommodation no person/s shall occupy any of the unit/s for more than 28 consecutive days or reoccupy any unit on site at any time during the first 28 days following their most recent stay
- Considerate contractor scheme to safeguard the residential amenity of adjacent dwellings to be agreed

Item 6

Application Number: **0371/15**
Proposal: The Planning Application format is a hybrid application seeking: 1) Outline planning permission to establish the principle for employment development on 58ha, Mill Lane, Creeting St Peter in accordance with SAAP Policies and the adopted Development Brief; with 2) Full planning permission for access (and associated sustainable urban drainage), and structural landscaping at Mill Lane, Creeting St Peter
Site Location: **CREETING ST PETER** – Land between A1120, Stowmarket and Mill Lane, Creeting St Peter
Applicant: Mr Turner, Stowmarket Mill lane Developments Ltd

The Chairman ordered a brief recess in order for Members to read the late papers that were circulated prior to the commencement of the meeting. It was noted that an additional condition was proposed within the papers for use of the land to fall within Classes B1, B2 and B8 of the Schedule to the Town and Country Planning (Use Classes) Order 1987.

Nick Hardingham, Creeting St Mary Parish Council, was unable to attend the meeting but commented by email. He said the Parish Council had three principal concerns regarding the impact of the development on the community. These were:

- Flooding – the low lying areas of Creeting and Needham Market were vulnerable to flooding and it was essential that further development did not aggravate this risk. It was requested that the requirements of a Sustainable Drainage System were met, correctly installed and maintained.
- Traffic – the hazard of HGV traffic through the village was already a concern, especially those taking a shortcut to the A140 along the narrow street where there was no pavement. He requested that the road layout be designed to ensure all traffic was sent directly onto the adjacent dual carriageway.
- Light pollution – the detrimental effect of light pollution on quality of life was well recognised. He asked that all exterior lighting complied with the highest design standards in order to minimise light pollution.

Jodie Aylott, an objector, said she lived in the adjoining property which would now be bordered by the industrial estate if the application was approved. It was currently a peaceful rural setting and the proposed development would change this. She was aware the site was designated for this use within the Stowmarket Area Action Plan (SAAP) but noted that it had been acknowledged special consideration must be given to the impact on her property. She believed more could be done by condition to protect residential amenity:

- Heritage setting – although the detrimental impact could be overruled by clear benefits, these were based on increased employment but this was speculative at this time. She asked that it be kept under close review and no further permissions be granted unless the employment could be delivered.
- Noise limits – some properties would not have direct protection from the proposed bund and this needed to be reviewed. All nearby properties were family homes and the night time limit needed to be extended.
- Landscaping – the proposed bund was ugly and would be an intrusion on the setting.
- Consideration needed to be given to light pollution, traffic onto Mill lane and the visual impact to the eastern side of the site.

Paul Knowles, a supporter, advised that he was Chairman of Building Partnerships and represented the landowners as developer of 'phase 2' of the Stowmarket Business and Enterprise Park. He said the delivery of the Park was central to the Council's economic strategy. He said that it was acknowledged in the Development Brief that Phase 2 could come forward in advance of 2017 if certain conditions were met such as an investor preferring the phase 2 site because of its A14 frontage. Access was key to bringing forward the development and providing the access roads would open up the site to facilitate occupiers at the earliest opportunity. It was considered essential that a programme for the delivery of Phases 1 and 2 access was robustly secured by the Section 106 Agreement.

Mr Turner, the applicant, said that his company had spent over £1 million preparing this application and wherever possible this money had been invested in Stowmarket by the use of local specialists. Every effort had been made to mitigate the effects of the development with tree planting and screening around the adjoining property. He was keen to start development and needed the full permission to do so but grant of the outline permission would allow the development to get underway while submitting the Reserved Matters application.

Councillor Caroline Byles, Ward Member, advised that there had been plans to develop the site for at least eight years and although initially she had been against this she now believed it to be the right way forward. The site was within the SAAP and close to good transport links. The Parish Council supported the detailed application for access and if approved it would relieve lorry movements in the surrounding villages. She was sympathetic to those residents affected by the application but felt that the impact had been taken into account and appropriate mitigation measures proposed.

Members fully supported the application and said that employment development was much needed to provide jobs and promote economic growth. It was felt that it was important that sustainable energy measures be incorporated wherever possible in the development and an additional condition was requested requiring a

scheme to be included for all new buildings on the submission of Reserved Matters.

By a unanimous vote

Decision – That Outline Planning Permission be granted for the employment land use and that Full Planning Permission be granted for the access, and associated SUDS, and structural landscaping subject to:

(1) The prior completion of a Section 106 agreement to secure the following Heads of Terms:

- Phasing
- £95,000 commuted sum towards open space provision
- Public access to wetland
- Estate management
- Advance payment for TRO to allow Mill Lane to be closed = £10k
- Associated works to the existing highway will be included within the Section 278 Agreement
- Advance payment for TRO to amend speed limit on A1120 to improve toucan crossing safety = £10k
- 2 no bus shelters = £10k
- 2 no RTPI screens = £20k
- 4 no raised kerb bus stop areas = £8k
(To be provided if works not undertaken by developer to allow SCC to install this infrastructure)
- Link to Gipping Valley Path
- Link to Cedars Park Estate
- Link to Gipping Valley Path Order making - £4k, EA Consent for bridge and causeway - £2k, New bridge - £10k, Creation of causeway - £5k
- Mill Lane, Creation of unsealed surface – 750m x 3m width @ £25 m2 = £56,250. Cost of stopping up, bollards and footway enhancements to be provided by Highways
- Sub-total cost = £77,250
- + Officer time (12%) = £9,270
- + Contingency (10%) = £7,725

(Money for works to be provided if not undertaken by developer to allow SCC to install this infrastructure)

Total S106 request for Rights of Way = £94,245

- Monitoring costs

and (2) to the following conditions:

- Time limit for reserved matters
- Reserved matters to include siting, design, layout, external appearance of buildings, landscaping and internal access roads
- Sequence of infrastructure and reserved matters programme timetable within phases to be submitted concurrent with first reserved matters submission and to include alternative sequence programmes to safeguard coordinated build out

- Concurrent with reserved matters for area or phase – colour, materials, finishes, signage, parking, boundary treatments, movement patterns, lighting, outdoor spaces, security principles and waste bin storage arrangements
- Approved plans
- Construction noise restriction
- Construction working hours restriction
- Acoustic review of proposals for development of floor area above 2000 sq m, except use Class B1 development
- Working times for units to be agreed
- Plant and equipment noise restriction
- Time restriction for tonal reversing alarms
- Noise limit at sensitive receptors
- Construction Management Plan to be agreed
- Archaeological scheme of investigation and implementation
- No storage of construction plant or material within the floodplain area
- Foul water drainage to be agreed with the Environment Agency
- Removal of permitted development rights for building in the floodplain
- Drainage details including SUDS to be agreed
- Unexpected contamination remediation strategy to be agreed
- No infiltration of surface water drainage into ground without express consent
- Scheme for water, energy and resource efficiency to be agreed
- Scheme for rainwater harvesting to be agreed
- Scheme for street and external lighting to be agreed
- Soil management in accordance with Landscape and Habitat Management Plan
- Fertiliser, pesticide and herbicides plan implemented as Landscape and Habitat Management Plan
- Scheme for soft landscaping within a development area/phase to be agreed
- Scheme for hard landscaping within a development area/phase to be agreed
- Tree protection
- No development within 3m of boundary with Network Rail
- Control of scaffolding within 10m of railway boundary fence
- No discharge of storm/surface water into Network Rail drains or culverts
- Provision to continue drainage discharging from Network Rail property
- No soakaways for storm/surface water disposal constructed within 20m of Network Rail boundary
- Prior to the use of any vibro-compaction or displacement piling details of machinery and method statement to be agreed
- Prior to the commencement of development a trespass proof fence of at least 1.8m high along the development side of the existing boundary fence to Network Rail shall be erected and subsequently maintained
- Prior to occupation of each element drainage infrastructure complete connected to achieve run-off rates
- Paved areas and adopted roads drain via trapped gullies to minimise silt
- Bypass petrol interceptors installed on the drainage systems serving on-site highways and commercial areas to remove suspended oil and petrol as Environment Agency's Policy and Practice for the Protection of Groundwater
- Fire hydrants scheme to be agreed
- Hard standing areas to provide carrying capacity for pumping/high reach appliances of 15/26 tonnes

- Habitat management and enhancement implemented as Landscape and Habitat Management Plan
- Measures for mitigation of impacts on biodiversity implemented as set out in Part 9 of the Environmental Statement
- Recommendations of ES and Protected Species Survey carried out in full
- Details of estate roads and footpaths to be agreed
- Travel Plan to be agreed
- New Toucan (signalised) crossing on A1120 south on Gun Cotton Way to be agreed
- Bus stop siting and design to be agreed
- The use of the land hereby permitted shall fall within Class B1, B2 and B8 of the Schedule to the Town and Country Planning (Use Classes) Order 1987 (or in any provision equivalent to that Class in any Statutory instrument and re-enacting that Order with or without modification) and no other use. Notwithstanding the provisions of Article 3, Schedule 2 Part 3 of the Town and Country Planning (General Permitted Development) Order 1995, (or any Order revoking and re-enacting that Order with or without modification), there shall be no change to the approved use(s) unless otherwise agreed in writing by the local planning authority
- Scheme of green energy measures and technology to be incorporated within the reserved matters for all new buildings to demonstrate the steps taken to comply with the requirements of paragraph 5.2.1 to 5.2.10 of the Development Brief. To be submitted concurrent with the reserved matters for the building to which they relate

In respect of the full part of the application:

- Time limit
- Approved plans
- Bund creation, including use of spoil from lagoon creation completed prior to commencement of other development
- Construction noise restriction
- Bund construction working hours restriction
- Construction working hours restriction
- Construction Management Plan to be agreed
- Archaeological scheme of investigation and implementation
- No storage of construction or plant materials within the floodplain area
- Removal of permitted development rights for building in the floodplain
- Strategic planting implemented in accordance with details
- Hard landscaping scheme to be agreed
- Attenuation pond implemented in accordance with details
- Scheme for street and external lighting to be agreed
- Soil management in accordance with Landscape and Habitat Management Plan
- Management of wet meadow in accordance with Landscape and Habitat Management Plan
- Deer proof fencing to be erected to the boundaries of structural planting belts
- Details of Gun Cotton/A1120 access to be agreed
- Details for means to prevent discharge of surface water from development onto highway

Item 7

Application Number: **3153/15**
Proposal: Construction of 266 residential dwellings (including market and affordable homes), garages, parking, vehicular accesses (with B1113), estate roads, public open space, play areas, landscaping, ground remodelling works, drainage and other infrastructure works following demolition of existing buildings
Site Location: **NEEDHAM MARKET** – Needham Chalks Ltd, Ipswich Road
Applicant: Hopkins Homes Ltd, MDS Suffolk Ltd and Idlerock

Members noted the amended recommendation and additional conditions within the late papers and that three buildings were to be demolished not two as stated in the report.

James Alplatt, the applicant, said the application was the result of over two years work and negotiation with Officers and the community. The development would contribute to the District's five year land supply and would deliver much needed housing, make good use of the redundant quarry site and was a sustainable and high quality development. Contributions would be made to health, education and local facilities. There was pedestrian and cycle connectivity to the town and highway improvements would facilitate a reduction in the speed limit to 30mph. In response to Members' earlier questions/concerns he confirmed that the distance from which spoil would be transported to erect the bund would be minimised; garages would be built to accommodate cars; an overage clause was acceptable if required; and use of the existing quarry access by construction traffic could be conditioned.

Councillor Mike Norris, Ward Member, said that he supported the application subject to the following considerations

- it was essential that safe pedestrian/cycle access to the town was in place prior to occupation of any units
- the Town Council had requested consideration be given to a roundabout at the main entrance to the site rather than the proposed traffic light junction although he noted that Highways felt that a signalised pedestrian/cycle crossing was essential at this point
- no response appeared to have been received from Highways to the Town Council's recommendation that a signalised pedestrian/cycle crossing be installed at the busy junction of Grinstead Hill, Lion Lane and the B1113, rather than the proposed more basic crossing
- it was important that the best possible access was created between the town and the site to avoid it becoming a 'dormitory' development
- the siting of the main entrance to the site was of concern and he supported the comments from Darmsden parish that the 30mph limit be extended
- local facilities, including the doctor's surgery were at near capacity and it was essential that appropriate infrastructure was put in place to support the development.

Councillor Wendy Marchant, Ward Member, agreed with Councillor Norris' comments. She said that homes were needed and as long as concerns regarding

the need for appropriate infrastructure to cope with the increase in residents were addressed she supported the application.

Members considered the application to at length and while finding it generally satisfactory felt that in view of the Suffolk Constabulary comments a contribution should be made towards policing. It was agreed that the proposed contribution to the Library Service should be reduced by £20,750 and this sum paid to the police. Further amendments to the Section 106 heads of terms and additional conditions were requested regarding the proposed highway improvements; delivery of Affordable Housing; Viability Review Mechanism; Scheme of management of fill traffic; and Considerate contractor scheme.

By a unanimous vote

Decision – Delegate to the Corporate Manager (Development Management) to grant planning permission subject to:

[a] the conclusion of a Section 106 planning obligation on terms to his satisfaction to secure the heads of terms set out below:

Financial Contributions

- £500,000 towards community facilities (including open space); 50% payable on first occupation, 50% to be paid prior to half the open market houses being occupied
- £840,502 towards education provision; payment phased as above
- £91,000 towards healthcare facilities (Barking Road surgery; to be paid prior to the 50th occupation
- £20,750 towards policing infrastructure
- £33,706 towards library services; to be paid prior to first occupation
- £13,566 towards waste services; to be paid prior to first occupation
- £57,000 towards highway improvements, £27,000 of this will go to improving footpath no 11 in the vicinity of the site, to be paid prior to occupation of the 100th dwelling. The remaining £30,000 towards improving public transport infrastructure including bus stops and service display information, to be paid on occupation of the 45th dwelling. (£10,000 of this has already been paid over but will need to be included in the Agreement anyway)

Delivery of Section 278 Highway Works

- Prior to the occupation of the first dwelling, a 1.8m wide footway shall be provided to the satisfaction of the Local Planning Authority on the southern side of the B1113 between the existing quarry entrance as remodelled via this permission and Grinstead Hill, in accordance with a specification and drawings which have previously been agreed with the Local Highway Authority
- Prior to the occupation of the first dwelling to be served by the proposed new junction of the easterly site access road and the B1113/Maitland Road, the required 'toucan' crossing to the west of that new junction, the required improvements to the highway to provide a 2m wide footway/cycleway on the north side of the B1113 between Maitland Road and Lion Lane and the

required improvements to the footway between the new easterly site access and the existing quarry entrance as remodelled shall all be completed to the satisfaction of the Local Planning Authority, in accordance with a specification and drawings which have been previously agreed with the Local Highway Authority

Delivery of Affordable Housing

- 27 of the residential units to be delivered by way of 'Affordable Rent' and 'Shared Ownership' tenures. A minimum of 15 of the affordable dwellings to be completed, ready for occupation and delivered to the nominated Registered Provider (RP) before the occupation of the 46th dwelling. The remaining Affordable Dwellings to be completed and ready for occupation before the occupation of the 150th open market dwelling (177 units). Prior to the commencement of development of the Affordable units, the developer shall appoint a RP for the management of the Affordable units. The developer shall provide to the Council details of the preferred RP and the offer received

Viability Review Mechanism

- In the event that the net profit from the completed development exceeds 20% of the total sales revenue, a payment of 50% any sum which exceeds the aforementioned 20% over sales revenue shall be payable to Mid Suffolk District Council, subject to a maximum total payment of £500,000
- Within two months of the occupation of the 239th dwelling, the developer shall provide Mid Suffolk District Council with a Development Account which sets out details of all costs, sales revenue and resultant net profit arising from the development.
- In the event of Mid Suffolk District Council providing written confirmation that the Development Account is agreed, and where this demonstrates that an Overage Payment is due, the owner will pay to the Council any Overage Payment within 28 days of such agreement.
- In the event that an Overage Payment is made, the money to be used towards the provision of Affordable Housing and/or open space

Delivery of On-Site Central Open Space Including 'LEAP'

- To be completed on occupation of the 150th dwelling

[b] the investigation, modelling and mitigation of foreseeable noise impacts from adjacent commercial uses upon the dwellings proposed, within the north east part of the site and including plots 1 to 75, to the satisfaction of the Corporate Manager (Development Management) and that any relevant mitigation be secured by such additional conditions as are considered necessary in the opinion of the Corporate Manager (Development Management)

... and that such permission be subject to the following conditions:

- Standard time limit
- List of approved documents (to include materials schedule, tree protection but not overall landscape strategy as this will need to be amended – see below)

- Hard and soft landscaping prior to commencement (to include re-seeding of inner slopes with appropriate calcareous grass to mitigate habitat loss)
- Timescale for landscaping
- Phasing of highway works – worded as S106 clauses
- Recommendations of Environmental Statement secured
- Restriction on working hours
- Strategy for identification and mitigation of contamination prior to commencement
- Surface water drainage details to be agreed
- Scheme of management of fill traffic to safeguard the amenities of residents to ensure that the existing quarry access is closed to fill traffic no later than [a] the occupation of the 40th dwelling or [b] the completion and availability for use of the new site access whichever is the sooner
- Considerate contractor scheme to be agreed to include mitigation measures to safeguard the amenity of dwellings occupied during the continued use of the existing quarry access
- Construction to be in accordance with ecological recommendations
- Appropriate highway conditions to secure access, parking and manoeuvring
- Protection of groundwater conditions