

Committee Report

Item No: 2

Reference: DC/18/05514

Case Officer: Gemma Walker

Ward: Bacton and Old Newton

Ward Member: Cllr Jill Wilshaw

RECOMMENDATION – GRANT OUTLINE PLANNING PERMISSION SUBJECT TO CONDITIONS

Description of Development

Outline planning application (some matters reserved) - residential development of up to 100 dwellings and access, siting for a new village hall and a children's play area

Location

Land South of Pretyman Avenue, Bacton Suffolk

Parish: Bacton

Expiry Date: 19/03/2019

Application Type: Outline Planning Permission

Development Type: Major Large Scale - Dwellings

Applicant: Ms Ros Howe

Agent: Cheffins Planning

PART ONE – REASON FOR REFERENCE TO COMMITTEE

The application is referred to committee for the following reason:

It is a 'Major' application for:

- a residential development for 15 or more dwellings.

Details of Previous Committee/Resolutions and Member Site Visit

Member site visit 20th March 2019.

PART TWO – POLICIES AND CONSULTATION SUMMARY

Summary of Policies

NPPF National Planning Policy Framework 2018

FC01 - Presumption In Favour of Sustainable Development

FC01_1 - Mid Suffolk Approach to Delivering Sustainable Development

FC02 - Provision and Distribution of Housing

CS01 - Settlement Hierarchy

CS02 - Development in the Countryside and Countryside Villages
CS05 - Mid Suffolk's Environment
CS06 - Services and Infrastructure

GP01 - Design and layout of development
HB14 - Ensuring archaeological remains are not destroyed
H07 - Restricting housing development unrelated to needs of countryside
H13 - Design and layout of housing development
H14 - A range of house types to meet different accommodation needs
H15 - Development to reflect local characteristics
H16 - Protecting existing residential amenity
H17 - Keeping residential development away from pollution
T09 - Parking Standards
T10 - Highway Considerations in Development
CL08 - Protecting wildlife habitats

Supplementary Planning Documents:

Suffolk Adopted Parking Standards (2015)
Suffolk Design Guide

Planning History

The Draft Strategic Housing and Economic Land Availability Assessment (SHELAA) - August 2017 discounts the site (site SS0518) as being suitable for residential development for the reason that it is poorly related to the functional settlement.

Consultations and Representations

During the course of the application consultation and representations from third parties have been received as follows.

A: Summary of Consultations

Bacton Parish Council

After discussion and consideration Bacton Parish Council proposed to support this application subject to the Highways Authority being satisfied with the sole access, and position of the access, to the application site.

SCC Highways

We have reviewed the Transport Assessment and the data supplied with this application, the summary of our findings are as follows:

The maximum 85%ile speed recorded on Pound Hill is 35mph and the required visibility for the access on the highway can be met.

The existing weekday average 2-way flow of traffic on Pound Hill is 3323 vehicles. The estimated total additional vehicle trips in the AM peak hour is 71 vehicles and PM peak hour is 72 vehicles (approximately 1 vehicle every minute) therefore the additional vehicles from the development will not have a severe impact on the surrounding road and junctions.

There is one slight and injury accident recorded on Pound Hill near Pretyma Avenue junction therefore there are no specific highway safety concerns in the vicinity of the site.

Taking all the above into account, it is our opinion that this development should not be prevented or refused on highways grounds as there are no unacceptable impacts on highway safety, or the residual cumulative impacts on the road network would be severe (paragraph 109 NPPF).

Contributions

Public Transport - A pair of new stops are required on Pound Hill near the western junction of Pretyma Avenue. The stops need wheelchair accessible kerbs (there should also be a suitable pedestrian crossing point to the bus stop on the north side). Ideally, these works could be carried out under a S278 agreement with SCC however, if not, the county may consider a CIL contribution for these improvements; estimated cost is £25,000 towards these works.

Travel Plan - In regards to the Section 106 contribution for Suffolk County Council to engage with the schools for a five year period, the following contribution will be required (subject to agreement and participation from the schools):

£8,500 (£1,700 per annum for five years) for each school identified (Bacton Primary, Hartismere School and Stowupland High)

Total contribution needed £25,500

Breakdown of annual contribution:

SCC Staff resource per annum £1230

Up to four school visits per annum £200

Promotional resource budget (Walk to School Week, Bike Week, etc) £270

Also Suffolk County Council can design and produce a Resident Travel pack that complies with the requirements of the planning condition. If the applicant would like to take up this service, a further Section 106 contribution of £1,400 will be required.

SCC Public Rights of Way

Government guidance considers that the effect of development on a public right of way is a material consideration in the determination of applications for planning permission and local planning authorities should ensure that the potential consequences are taken into account whenever such applications are considered (Rights of Way Circular 1/09 - Defra October 2009, para 7.2) and that public rights of way should be protected.

Public Footpath 13 is recorded through the proposed development area.

Please Note the attached application for a claim to add 3 public footpaths to the definitive map. One of the claimed routes runs along Pulham's Lane outside the western boundary of the proposed development, another is further south and does not affect the site, the third claim runs through the site parallel to the railway line as far as the level crossing. The formal application will be investigated in due course: in the meantime the claimed routes should be treated as if they are public rights of way. Whilst we do not have any objections to this proposal, the following informative notes apply.

BMSDC – Heritage Team

No objection.

SCC Place Services – Landscape

The application site forms part of an agricultural field, bounded to the west by a bridleway and a farm access lane, to the north by the rear gardens of properties on Pretyma Avenue, and to the east by the railway line. Since our last consultation response a landscape and visual impact assessment (LVIA) has been submitted, which is in accordance with the Guidelines for

Landscape and Visual Impact Assessment' (GLVIA3) – Landscape Institute and the Institute of Environmental Management and Assessment 2013. It concluded that the site has a medium sensitivity to change and that the effects will be moderate. This is considered appropriate due to the site's good landscape condition and character but also its enclosed nature.

As the Mid Suffolk District Core Strategy (Adopted September 2008) states, Bacton has the 'potential to accommodate development that is sympathetic to local character and of an appropriate scale and nature in relation to local housing and employment needs.' The proposed development is not deemed to be inappropriate in scale and the landscape mitigation measures proposed in the LVIA are deemed suitable for the site and its context. However, as the application progresses the following landscape and design recommendations should be considered to ensure a high quality scheme is achieved:

There are some concerns regarding the proposed buffer on the northern boundary of the development. By implementing this buffer, back gardens may be more easily accessible to intruders and there is also the possibility that it becomes a 'dead space' that is prone to fly tipping. For these reasons we would advise that the buffer is an appropriate width and that there is passive surveillance over the space. It may be that the development layout needs to be re-imagined to ensure this is achievable. With this in mind, we would advise that an LPA Urban Design officer is consulted to provide comment.

Carry out advance planting along the southern and northern boundaries of the development. The planting design and species mixes proposed should be carefully chosen to reflect the character of the site and its surroundings.

Ensure the indicative drainage pond area is sufficient for its purpose and is easily accessed for long term management. Properties will need to overlook the space and site boundary.

Plot boundaries that meet the public realm should be proposed as brick walls instead of close board fencing. This should be complemented by soft landscaping, preferably in the form of trees, shrubs and plants rather than grass verges.

Street trees should be located within the public realm and not under private ownership. This will ensure trees remain and that management and maintenance is undertaken to a reasonable standard.

Recommend conditions.

SCC Flood and Water

No objection subject to conditions.

Suffolk Police

Recommends detailed design changes to enhance passive surveillance and general security and safety for future occupants and public users.

Anglian Water

Our records show that there are no assets owned by Anglian Water or those subject to an adoption agreement within the development site boundary.

The foul drainage from this development is in the catchment of Bacton-Finingham Water Recycling Centre which currently does not have capacity to treat the flows the development site. Anglian Water are obligated to accept the foul flows from the development with the benefit of planning consent and would therefore take the necessary steps to ensure that there is sufficient treatment capacity should the Planning Authority grant planning permission.

The sewerage system at present has available capacity for these flows via a gravity discharge regime to manhole 5001 only, without further consultation with Anglian Water.

The preferred method of surface water disposal would be to a sustainable drainage system (SuDS) with connection to sewer seen as the last option. Building Regulations (part H) on Drainage and Waste Disposal for England includes a surface water drainage hierarchy, with infiltration on site as the preferred disposal option, followed by discharge to watercourse and then connection to a sewer.

SCC Archaeology

This site lies in an area of archaeological potential recorded on the County Historic Environment Record. The development site is located close to a medieval moated site (BAC 006) and to the south east of the medieval Church of St Mary (BAC 014). Multi-period finds scatters have also been recorded surrounding the proposed development area (BAC 027). The site also received geophysical investigation (Archaeological Solutions, 2018), which revealed large anomalies in the vicinity. Thus, there is potential for the discovery of belowground heritage assets of archaeological importance within this area, and groundworks associated with the development have the potential to damage or destroy any archaeological remains which exist.

There are no grounds to consider refusal of permission to achieve preservation in situ of any important heritage assets. However, in accordance with the National Planning Policy Framework (Paragraph 199), any permission granted should be the subject of a planning condition to record and advance understanding of the significance of any heritage asset before it is damaged or destroyed.

Strategic Housing

Mix for Open Market homes (65). The open market mix shows that there are: -

- . 3 x 2 bed bungalows
- . 12 x 2 bed houses
- . 32 x 3 bed houses
- . 16 x 4 bed houses

This proposal has submitted an indicative layout with 12 bungalows and 3 x 2 bed houses out of a total of 65 open market homes which equals 23% of the homes for sale on this site which is to be welcomed due to the aging population in Mid Suffolk and particularly in our rural villages. I would have liked to have seen more 2 bed houses and a reduction in the number of 3 and 4 bed houses particularly in view of the other planning permissions granted in Bacton where there is also a significant supply of 3 and 4 bed homes. For the re-consult there has been no change to the mix proposed.

The most recent information from the Mid Suffolk's Council's Housing Register shows 780 applicants registered who have a connection to Mid Suffolk.

The application has listed the proposed affordable housing as: -

4 x 1 bed 2-person flats @ 50 sqm - the applicant has changed these following my request to ensure they comply with NDSS.

17 x 2 bed 4-person houses @ 79 sqm - as above

5 x 2 bed 4-person houses @ 79 sqm - as above

4 x 3 bed 5-person houses @ 93 sqm - as above

5 x 2 bed 4-person bungalows @ 70.5 sqm.

There is no comment on the mix of tenures within the affordable housing provision, but we would seek the following: -

Rented: - 26 dwellings

4 x 1 bed flats

3 x 2 bed bungalows

17 x 2 bed houses
2 x 3 bed houses

Shared Ownership: - 9 dwellings
2 x 2 bed bungalows
5 x 2 bed houses
2 x 3 bed houses

The location of the affordable homes has changed from the Drawing 003 Revision E. On drawing 003 revision G, of the 35 affordable homes to be provided, 14 are located on the north west segment, 5 in the centre of the scheme and the remainder (15) in the south east corner so the applicant has amended in accordance with my request.

The above mix is agreed and to be included in the S106 agreement. As a result of the changes to the sizes and layout of the affordable housing I have no objection to this application.

Other requirements for affordable homes:

- . Properties must be built to current Homes England standards
- . The council is granted 100% nomination rights to all the affordable units on first lets and 75% on relets
- . Affordable housing units must be transferred freehold to an approved RP.
- . Shared ownership to have a maximum initial share purchase limit of 70%.
- . Where there are more than 15 affordable units, they should not be located in clusters of more than 15 units.
- . Adequate parking provision is made for the affordable housing units

BMSDC Arboricultural

I have no objection to this application subject to it being undertaken in accordance with the measures outlined in the accompanying arboricultural report. Although a small number of trees are proposed for removal they are of limited amenity value and are not of sufficient landscape importance to warrant being a constraint.

BMSDC Air Quality

No objection.

BMSDC Sustainability

We have reviewed the application, the references to sustainability/energy/carbon are very scant and so we do not have anything which we can assess and hence pass comment. Therefore we must recommend refusal. We acknowledge this is an outline application but due to the importance of sustainability climate change etc we require some thought and commitment to this topic even at this early stage.

Place Services Ecology

The ecological mitigation and enhancement measures identified in the Ecological Impact Assessment (Greenlight Environmental Consultancy Ltd, December 2018) should be secured and implemented. This is necessary to conserve Protected and Priority species.

We note the presence of small population of Barbastelles bats using the Western hedgerow as a foraging and commuting route. Barbastelles are listed under Annex II & IV of the Habitats Directive and therefore should be attributed with greater conservation effort. However, we consider that the design of the development will maintain this foraging route if lighting avoids this western hedgerow boundary. Therefore, an appropriate wildlife friendly lighting design must be undertaken for this development prior to occupation.

In addition, it is recommended that a Skylark Mitigation Strategy should be implemented for this application. This is because the Ecological Impact Assessment (Greenlight Environmental Consultancy Ltd, December 2018) identifies that approximately two skylarks were likely to be present within the red line boundary. Therefore, to compensate for the loss of ground nesting habitats, a total of 4 skylark plots (two plots per Skylark territory lost) should be provided within nearby arable land for this application. The plots should follow the recommend measures contained within the ecological assessment and must be maintained for a period of 10 years.

If an appropriate location for the Skylarks can be provided within land owned by the applicant then this compensation measure can be secured as a condition of any consent. If this cannot be undertaken then the Skylark Plots must be secured via unilateral legal agreement.

Impacts will be minimised such that the proposal is acceptable subject to conditions.

BMSDC Environmental Health – Contamination

No objection.

NHS England

The proposal comprises a development of up to 100 residential dwellings, which is likely to have an impact of the NHS funding programme for the delivery of primary healthcare provision within this area and specifically within the health catchment of the development. NHS England would therefore expect these impacts to be fully assessed and mitigated by way of a developer contribution secured through the Community Infrastructure Levy (CIL).

There is 1 branch GP practice within a 2km radius and the main GP practice within a relatively close radius of the proposed development. These practices do not have sufficient capacity for the additional growth resulting from this development and cumulative development growth in the area. Therefore a developer contribution, via CIL processes, towards the capital funding to increase capacity within the GP Catchment Area would be sought to mitigate the impact.

This development is not of a size and nature that would attract a specific Section 106 planning obligation. Therefore, a proportion of the required funding for the provision of increased capacity by way of extension, refurbishment or reconfiguration at Manor Farm Surgery and/or Mendlesham Surgery, servicing the residents of this development, would be sought from the CIL contributions collected by the District Council.

Fire and Rescue

No objection.

SCC Strategic Development

Education:

- a) Primary school age range, 5-11: 24 pupils. Cost per place is £16,429 (2018/19 costs).
- b) Secondary school age range, 11-16: 17 pupils. Cost per place is £18,355 (2018/19 costs).
- c) Secondary school age range, 16+: 4 pupils. Costs per place is £19,907 (2018/19 costs).

SCC anticipates the following minimum pupil yields from a development of 100 dwellings, namely:

The local catchment schools are Bacton Primary School, and Stowupland High School.

Based on existing forecasts SCC will have no surplus places available at the catchment secondary school for which a future CIL funding bid of at least £391,663 (2018/19 costs) will be made to Mid Suffolk District Council.

The agreed strategy at primary school level is to reserve part of the former middle school site in Bacton for the relocation of the existing primary school.

The County Council will require proportionate developer contributions for land and build costs for a new primary school from this proposed development, which will need to be secured by way of a planning obligation. A proportionate developer contribution based on the 17 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 100 dwellings it is forecast that 24 primary-age pupils will arise.
- Therefore, 24 pupils x £16,429 per place = £394,296 (2018/19 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 £494,200 for a 2-hectare site and equates to £1,177 per pupil place. For the proposed development, this equates to a proportionate land contribution of 24 places x £1,177 per place = £28,248.

In respect of the developer contributions sought to mitigate the harm arising from this proposed scheme the following trigger points are required:

- a) Build cost contribution (BCIS linked) of £394,296 (2018/19 costs) to be payable in 2 equal instalments – triggers being 50% prior to 1st & 50% prior to 50th dwelling occupations. To be secured by way of a planning obligation.
- b) Land contribution of £28,248 to be payable prior to 1st dwelling occupation. To be secured by way of a planning obligation.
- c) The developer contributions will be secured for a period of up to 10 years and returned if not spent.

Use of the developer contributions – to be used towards the site acquisition and build costs of a new primary school in the locality to serve the new pupils of the proposed development. The developer contributions will be secured for a period of up to 10 years and returned if not spent.

Pre-School Provision

From these development proposals SCC would anticipate up to 10 pre-school children arising. This proposed development is in the ward of Bacton and Old Newton, where there is an existing surplus of places.

Libraries

A CIL contribution of £216 per dwelling is sought i.e. £21,600, which will be spent on enhancing provision at the nearest library.

Waste

SCC requests that waste bins and garden composting bins should be provided before occupation of each dwelling and this will be secured by way of a planning condition. SCC would also encourage the installation of water butts connected to gutter down-pipes to harvest rainwater for use by occupants in their gardens

Household Waste and Recycling Centre – Old Bury Road, Stowmarket IP14 1JQ:

Already at capacity and significantly challenged. Current issues are:

Footprint (m²) is small for number of visitors and tonnages received

Restricted parking space for visitors to utilise and access all recyclables containers

Restricted number of containers on site

No available space to add material streams to recycle or add reuse facility

Traffic queuing at busy times due to challenging access arrangements

Access off the highway is from one way only

Complaints regarding queues and noise

No available land around current site to expand

Site closes for safety reasons when containers are exchanged

SCC has a project underway to identify a new HWRC site for the Stowmarket catchment area. Likely cost of a new HWRC is between £3m and £5m. This is a priority site in the Waste Infrastructure Strategy and it is hoped that budget will be identified for this purpose. However, the Waste Service would expect CIL contributions of £110 per household from any significant development in this area. In this case a sum in the region of £11,000 would be applicable

B: Representations

Six objections received based on the following grounds (summary):

Cumulative impact on village given number of dwellings approved or at appeal to date

Highway safety concerns.

Strain on infrastructure

Distance to services will mean high car dependency

Affordable housing smaller than national standard

Affordable housing cluster exceeds 15 dwellings and contravenes standard

Loss of sunlight, outlook and privacy

Construction traffic will disrupt residents

PART THREE – ASSESSMENT OF APPLICATION

1. The Site and Surroundings

- 1.1. The 4.93ha site is located south of Pretymen Avenue, beyond the southern fringe of Bacton. Bacton is designated as a 'Key Service Centre'. The site's northern boundary adjoins the village's defined settlement boundary.
- 1.2. The site comprises agricultural land in arable use. Residential development (Pretymen Avenue and Birch Avenue estate) is to the north, with the site's northern boundary bordered by the rear gardens of properties fronting Pretymen Avenue. A row of power lines run across the northern boundary. The site's western boundary is demarcated by a track and mature trees, classified as a bridleway from its junction with Pound Hill to the start of the development site. The eastern boundary is bounded by the Norwich to Liverpool Street rail line. The southern boundary is open. Arable fields are beyond the western and southern site boundaries. Beyond the rail-line to the east are sports playing fields and a clubhouse for Bacton United FC. There are some trees on the perimeter, two in the north-west corner and a small group adjacent to the Birch Avenue open space.
- 1.3. The main vehicular access to this site is from an existing access road located towards the western end of Pretymen Avenue.
- 1.4. The site is not in, adjoining or within proximity of a Conservation Area, nor is there a Conservation Area in Bacton. The site is also not in a Special Area of Conservation or Special Landscape Area. Listed buildings are clustered around Church Road and The Street, the closest being approximately 200m from the site.
- 1.5. The site is in Flood Zone 1.

2. The Proposal

- 2.1 Outline planning permission is sought for the erection of up to 100 dwellings incorporating 35% affordable housing. All matters are reserved except access. An indicative layout plan features the following:
- Residential density of 20 dwellings per hectare.
 - A proposed new village hall, including car parking.
 - A new play area adjacent the village hall.
 - Landscaped public open space areas to the western and southern boundaries and north-eastern corner of the site.
 - Provision of a 9m wide gap between the rear boundaries of the existing and proposed properties to the north.
 - Relocation and undergrounding of the northern electricity lines.
 - Bungalows to be provided along the northern boundary with long rear gardens.
 - Perimeter landscaping.
 - Attenuation pond in the north western corner.
 - Acoustic fencing and earth bund along the eastern boundary adjoining the rail line.
 - A single point of vehicular access provided from an existing road link which is located in the south western part of Pretyman Avenue. 2.4m x 43m visibility splays achieved at the junction of the link with Pretyman Avenue. The visibility splays at the junction from Pretyman Avenue with Pound Hill and Church Road are to remain unaltered.
 - Replacement parking for properties situated adjacent to the access point.

3. Housing Land Supply

- 3.1 Mid Suffolk cannot currently demonstrate a five-year housing supply. In accordance with paragraph 11 of the NPPF, relevant policies for the supply of housing are not up-to-date if the local planning authority cannot demonstrate a five year supply of deliverable housing sites. Where policies are not up-to-date, the NPPF 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. In other words, the 'tilted balance' is engaged.

4. Sustainability of the Proposal

- 4.1 Policy CS1 of the Core Strategy identifies a settlement hierarchy as to sequentially direct development. The Policy identifies categories of settlement within the district, with Towns representing the most preferable location for development, followed by the Key Service Centres, Primary then Secondary Villages. The countryside is identified as the areas outside of those categories of settlement referred to above.
- 4.2 Policy CS2 of the Core Strategy restricts development in the countryside to defined categories. The proposed development does not fall within any of the listed categories.
- 4.3 Policy H7 of the Local Plan 1998 seeks to restrict housing development in the countryside in the interests of protecting its existing character and appearance.
- 4.4 The proposal site is located in the countryside and is therefore inconsistent with policies CS1, CS2 and H7.

- 4.5 However, the Local Plan was published in 1998 prior to the first publication of the NPPF and some 20 years prior to the most recently issued NPPF. The Core Strategy was also published prior to the current NPPF. Policy CS1 and CS2 of the Core Strategy and H7 of the Local Plan do not fully accord with the approach set out in the NPPF, which acknowledges that sustainable development may still occur outside rural settlements. They are contrary to paragraphs 77 and 78 of the NPPF. Thus, although the development would conflict with these policies, the weight attached to this conflict is significantly reduced.
- 4.6 In the light of this it is not considered that the proposal should be refused simply by reason of its location in Local Plan/Core Strategy terms, regardless of the 5-year housing land supply position, without appropriate consideration of the proposal with regards to the requirements of the NPPF and sustainable development.
- 4.7 The three dimensions of sustainable development, in the context of the proposed development, are assessed in detail below.

5. Economic Dimension

- 5.1 The provision of 100 dwellings will give rise to significant employment during the construction phase of the development. Future occupiers of the development would be likely to use local services and facilities in Bacton, making a positive contribution to their vitality and viability. The economic benefits extend over the longer term, are significant, and therefore weigh positively in the planning balance.

6. Social Dimension

- 6.1 As noted above Mid Suffolk does not benefit from a five-year housing supply and in light of this the addition of 100 dwellings offers a substantial social benefit. Of particular planning benefit is the diversity of housing types indicated, which will meet the needs of families, young couples, singles and retirees. The inclusion of a significant number of bungalows is particularly welcomed in social terms, offering both market and affordable units. Bungalows are particularly suited to the aging population as well as those with limited mobility, in support of paragraph 10 of the NPPF.
- 6.2 The addition of 35 affordable homes will make a positive contribution to the district's housing affordability. The level of affordable housing provision is compliant with Policy H4. Paragraph 59 of the NPPF states that to support the Government's objective of significantly boosting the supply of homes, it is important that a sufficient amount and variety of land can come forward where it is needed, that the needs of groups with specific housing requirements are addressed and that land with permission is developed without unnecessary delay. The addition of 35 affordable homes furthers paragraph 59 of the NPPF.
- 6.3 The application is also proposing a serviced village hall site and a play area. Landscaped public open space areas are also proposed. These scheme elements offer significant benefits to the local Bacton community. The provision of social and recreational facilities that will serve community needs is a positive response to, and consistent with, paragraph 92 of the NPPF. Contributions will be secured via a S106 agreement towards education facilities.
- 6.4 The social benefits are extensive, are attached significant weight and are favourable considerations in the planning balance.

7. Environmental Dimension

Access to Services and Facilities

- 7.1 The application is supported by a Travel Plan that makes a strong case in respect to the sustainability credentials of the site in terms of accessibility to local services. A Key Service Centre, Bacton features a church, primary school and doctors surgery along with several other facilities such as post office, garage, public house and recreational facilities. As noted in the Travel Plan, existing footway facilities are provided from the site, running northwards to connect with Pretyman Avenue and Birch Avenue providing a continuous footway into the village. Bacton Primary School is within 800m of the site, connected by an existing footway, easily accessed by both pedestrians and cyclists. The majority of services are within convenient walking and cycling distance of the site. Importantly, the pedestrian routes are designated footways and lit, providing a safe and sustainable network connection.
- 7.2 In addition to the principal access, a secondary pedestrian/cycle only access is proposed to the north-east of the site which will serve as a secondary connection to Pretyman Avenue/Birch Avenue to the north. It is noteworthy that an extensive internal footway network is proposed as part of the development. An additional route is enabled by the bridleway along the western site boundary which provides a route to the primary school and the facilities to the west of the site. This path is segregated from the road thereby offering a safe route to the school. For these reasons the scheme will result in improved pedestrian/cyclist connectivity.
- 7.3 The siting of the proposed village hall has been well considered, located adjacent the existing public open space adjoining Pretyman Avenue. It will be easily accessible for residents in the village, with the public open space area providing an excellent pedestrian access direct to the community facility.
- 7.4 The nearest bus stops on Pound Hill and B1113 (at the T-junction) are approximately 600m from the site and therefore, like the local facilities, within easy walking and cycling distance. The bus services connect to Diss and Stowmarket via Route 456. The service runs Mondays to Saturdays, providing both a school and shopper/leisure service. The bus service offers sustainable connections to Diss, Eye and Stowmarket.

Impact on the Landscape

- 7.5 Paragraph 109 of the NPPF states that the planning system should contribute to and enhance the natural and local environment by protecting and enhancing valued landscapes, geological conservation interests and soils.
- 7.6 The site is not within the boundary of a protected landscape. The application is supported by a comprehensive Landscape and Visual Impact Appraisal (LVIA) that has been reviewed by the Landscape Consultant. The Landscape Consultant agrees with the conclusions of the LVIA which asserts that the site has a medium sensitivity to change and that the effects will be moderate. The Consultant agrees with the recommended landscape mitigation measures that are proposed and suggests some further more detailed design refinements. The design detail is not a matter for this outline stage. The design matters will be carefully considered at the appropriate reserved matters stage.
- 7.7 The site will result in a change in character, an inevitable landscape outcome given its current undeveloped condition. The landscape effects of the change are however relatively localised and will not be significantly adverse. The site benefits from a

suburban backdrop to the north. The eastern rail line offers effective visual containment and serves as a natural development boundary along this edge of the site. The proposed eastern earth bund will offer additional visual containment. The new hard edge settlement boundary to the south is not an unacceptable landscape outcome noting it is considerably softened by the extent of southern landscape planting that is proposed. The development will appear as a logical extension of the body of the village given the current termination of the link road. The design and layout has been carefully considered in landscape terms, with landscaped open space corridors to much of the periphery. The proposed lower density of development, indicated at 20dph, is a respectful response to the site's edge of settlement location. The northern row of bungalows is consistent with the prevailing bungalow character along Pretymen Avenue. On the whole, landscape harm is considered moderate.

- 7.8 Landscaping conditions have been recommended by referral parties. Such conditions are more appropriately considered at the landscaping reserved matters stage, but would nonetheless offer appropriate mitigation of the proposal at the relevant stage.

Impact on Heritage Assets

- 7.9 There are no designated heritage assets within close proximity of the site. Bacton does not feature a conservation area. The setting of the nearest listed buildings (to the east on the B1113 and to the northwest off Church Road) will be unaffected by the scheme. Noteworthy is the absence of any comments from Council's Heritage Team. Officers find no harm in regard to heritage matters.

Archaeology

- 7.10 The application is supported by a desktop archaeological survey and a geo-physical survey, both reviewed by SCC Archaeology (SCCA). SCCA note that the site is near to a medieval moated site, to the south east there is the medieval Church of St Mary, and that there are archaeological finds recorded in the surrounding area. SCCA concludes there is potential for the discovery of below ground heritage assets of archaeological importance within the site. SCCA does not object to the scheme, but recommends via planning condition the need to ensure a programme of archaeological work is undertaken prior to development commencing. This is an industry-standard approach and is supported.

Residential Amenity

- 7.11 Saved Policy H13 of the Local Plan seeks to ensure new housing development protects the amenity of neighbouring residents. Saved Policy H16 of the Local Plan seeks to protect the existing amenity of residential areas. These saved policies are consistent with paragraph 127 of the NPPF which seeks to secure a high standard of amenity for all existing and future occupants of land and buildings, and therefore they are up-to-date and attached significant weight.
- 7.12 The applicant has gone to some length to ensure the sensitive amenity interface to the north is appropriately addressed. The indicative layout plan shows a 9m deep open space buffer. The gap between the proposed dwellings and the existing northern dwellings is set aside as rear gardens and associated landscaping. A particularly welcome aspect of the scheme in residential amenity terms is the undergrounding of the power lines at this sensitive amenity interface. These works will result in a significantly improved amenity outcome for the existing residents who occupy the southern side of Pretymen Avenue. Some objectors raise concern regarding loss of outlook, privacy and sunlight. Officers do not consider that the residential amenity

levels for residents in Pretyman Avenue will be unduly compromised. There will be a change in outlook however this is not to be unexpected at the edge of a Key Service Centre. The indicative plan shows clearly that residential amenity levels for neighbouring residents can be maintained.

- 7.13 The eastern interface is a potentially sensitive one for future occupants of the development owing to the proximity of the rail line. However, again, the applicant has arrived at a design that responds to this constraint. The siting and layout of the proposed dwellings limits their direct exposure to the rail line. Mitigating measures have been incorporated including an earth bund, acoustic fence and landscaping buffer. For these reasons officers are comfortable with the eastern residential interface.
- 7.14 The proposal does not conflict with saved Policy H13 and H16 or paragraph 127 of the NPPF.

Access and Parking

- 7.15 Access is a matter sought for approval. Policy T10 of the Local Plan requires the Local Planning Authority to consider a number of highway matters when determining planning applications, including; the provision of safe access, the safe and free flow of traffic and pedestrian safety, safe capacity of the road network and the provision of adequate parking and turning for vehicles. Policy T10 is a general transport policy consistent with Section 9 of the NPPF on promoting sustainable transport, and therefore is up-to-date and afforded considerable weight.
- 7.16 Paragraph 109 of the NPPF confirms that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.
- 7.17 The Highways Authority has reviewed the supporting Transport Assessment and states *'it is our opinion that this development should not be prevented or refused on highways grounds as there are no unacceptable impacts on highway safety, or the residual cumulative impacts on the road network would be severe (paragraph 109 NPPF).'*
- 7.18 The Highways Authority recommends a number of standard conditions to ensure highway safety outcomes are appropriately managed and these are imposed as recommended. Some localised highway improvements are required and these can be secured by s278 agreement. The proposal will not conflict with Policy T10 provided the aforementioned conditions and agreements are secured and implemented.
- 7.19 Concerns in respect of construction traffic in respect of Pretyman Avenue and Birch Avenue both with regards to highways issues and amenity, a construction management condition is proposed, including construction working hours to secure appropriate control in this respect.
- 7.20 The internal layout of the site is currently indicative only, and the opportunity would exist at the reserved matters stage to assess how the final design performs in respect to the quantum of parking spaces, turning areas and internal road layout. Noting attention will be paid to the level of parking proposed for the new village hall. Performance against the Suffolk Adopted Parking Standards (2015) is a matter for the detailed design stage. It is noteworthy at this outline stage to note the indicative parking areas either side of the vehicle access. These have been provided to offset the impact on the on-street parking network that will result from the loss of the

uncontrolled parking spaces that currently exist at the end of the link road. This is a welcome highway safety response and the applicant is to be commended in this regard.

Flood Risk

- 7.21 The land is located in Flood Zone 1. There is no evidence of flood risk. Drainage details are capable of being adequately managed by condition, noting that SCC Flood and Water do not object to the scheme.

Land Contamination

- 7.22 The application is supported by a Phase 1 Contaminated Land Survey. The Council's Environmental Protection Team has reviewed the information and raise no objection.

Biodiversity

- 7.23 Policy CS5 of the Core Strategy requires development to protect, manage and enhance Mid Suffolk's biodiversity. Regulation 9(5) of the *Conservation of Habitats and Species Regulations 2010 (Implemented 1st April 2010)* requires all 'competent authorities' (public bodies) to 'have regard to the Habitats Directive in the exercise of its functions.' For a Local Planning Authority to comply with regulation 9(5) it must 'engage' with the provisions of the Habitats Directive.
- 7.24 The application is supported by an ecology report that has been reviewed by the Ecology Consultant. The consultant agrees with the ecological enhancements recommended in the report and these are to be imposed as suggested. This will include, amongst other matters, the submission and implementation of a wildlife-friendly lighting design to mitigate effects on the local population of Barbastelles bats, a Skylark Mitigation Strategy and the provision of four skylark plots in nearby arable land.

Arboricultural Impacts

- 7.25 The proposal results in very little vegetation removal. The substantial landscape planting that is proposed will result in a net gain in arboricultural (and biodiversity) terms. The Council's Arboricultural Officer does not object to the loss of on-site vegetation.

8. Planning Obligations / CIL

- 8.1 The application is liable to CIL which would be managed through the standard independent CIL process triggered at the reserved matters stage.

- 8.2 Planning obligations would be sought for the following:

To provide, manage and maintain the public open space and Local Equipped Area for Play (LEAP).

For the provision of 35% affordable housing and mix

SCC Travel Plan Contribution

Education contributions as requested by SCC to be used towards the site acquisition and build costs of a new primary school in the locality to serve the new pupils of the proposed development.

Skylark mitigation

A serviced site including parking for the community hall.

9. Details of Financial Benefits / Implications (S155 Housing and Planning Act 2016)

9.1 Section 143 of the Localism Act 2011 on local financial considerations requires consideration to be given to the financial benefits a development would bring to the council through grant income, such as New Homes Bonus, Community Infrastructure Levy, Council Tax and Business Rates. However, the financial benefits this scheme would deliver need to be weighed against the different issues raised and form part of the balance when considering the merits of the application.

9.2 Granting this development will result in the following financial benefits:

- New Homes Bonus
- Council Tax
- CIL

PART FOUR – CONCLUSION

10. Statement Required By Article 35 of the Town and Country Planning (Development Management Procedure) Order 2015

10.1 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.

10.2 Council officers have worked with the applicant through the life of the application.

11. Identification of any Legal Implications and/or Equality Implications (The Equalities Act 2012)

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

12. Planning Balance

12.1 The Council cannot demonstrate a five-year housing supply. The tilted balance at paragraph 11(d) of the NPPF is engaged. Notwithstanding the 5-year housing land supply position, Policy CS1, CS2 and H7 are inconsistent with the NPPF. Only moderate weight is attached to the proposal's conflict with these policies which lessens the significance of that conflict.

12.2 The development's social and economic benefits are compelling. The addition of 100 dwellings will significantly boost the housing supply, a particular benefit given the housing shortfall. The provision of 35 affordable homes is a significant social benefit. The scale of the scheme will result in sustained job creation over an extended period. Residents of the 100 dwellings will enhance the vitality and vibrancy of the village's services, further supported in respect of the proposed community hall site. Substantial weight is attached to these planning benefits.

- 12.3 The site has excellent pedestrian and cycling connectivity to local facilities in a Key Service Centre. These networks will be enhanced by the scheme through the inclusion of additional dedicated pedestrian and cycling connections. Regular bus services are nearby and bus stop improvements offer a net gain in sustainable transport accessibility terms. A safe pedestrian and cyclist route to the primary school is welcomed. Car dependency will be low. The environmental benefits, in the context of paragraph 148 of the NPPF which supports the transition to a low carbon future in a changing climate, are persuasive.
- 12.4 The change in character from rural to urban will be obvious and direct however landscape harm is moderated by the development's visual and functional relationship to the body of the village. Landscape effects are localised owing to the suburban backdrop and rail line to the east and mitigation can be secured in respect of landscaping. The development will read as a natural extension to the village. There are no streetscene impacts as such, given the site context, tucked away behind the Pretyman Avenue estate. Council's Landscape Consultant raises no objection. The scheme does not give rise to any adverse effects on designated or non-designated heritage assets. Council's Heritage Team raise no objection. Although only indicative, the development layout responds very well to the opportunities and constraints of the site.
- 12.5 Whilst the SHELAA discounts the site as being suitable for residential because it is poorly related to the functional settlement this relates to strategic planning decisions for settlements, and is not a policy based consideration on which this decision turns.
- 12.6 The extension of the link road as the primary vehicle access to the development satisfies the Highways Authority. Residential amenity of neighbouring residents is respected and internal amenity for future occupants of the development can be secured to the appropriate level. Ecology, drainage and archaeology matters can all be managed by planning conditions, noting an absence of objection from the relevant referral parties.
- 12.7 The benefits of the scheme are substantial. Some elements of the scheme do not amount to harm and these are neutral considerations. The identified harm is not more than moderate. The bulk of the identified policy conflict relates to policies that are not up-to-date. Officers therefore conclude that the adverse impacts of granting planning permission would not significantly and demonstrably outweigh the benefits of the scheme when assessed against the policies in the NPPF as a whole and that the proposal represents sustainable development. On this basis outline planning permission is recommended.

RECOMMENDATION

(1) Subject to the prior agreement of a Section 106 Planning Obligation on appropriate terms to the satisfaction of the Acting Chief Planning Officer to secure:

(a) Provision, management and maintenance of public open space including LEAP, outdoor gym and SUDs.

(b) 35% Affordable housing provision and mix

(c) SCC Travel Plan contribution and travel pack

(d) School Contributions

Build cost contribution (BCIS linked) of £394,296 (2018/19 costs)

Land contribution of £28,248

The developer contributions will be secured for a period of up to 10 years and returned if not spent.

(e) Skylark Mitigation Strategy

(f) Serviced site and parking for community hall

(2) That the Acting Chief Planning Officer be authorised to grant Outline Planning Permission subject to conditions including:

- Standard time limit
- Reserved matters outline
- Approved plans
- Provision of private resident replacement parking
- Highways - details of estate roads
- Highways – carriageways and footways
- Highways - provision and retention of manoeuvring and parking areas
- Highways - surface water discharge details
- Highways - Construction Management Plan
- Highways - Travel plan website
- Highways – Refuse/recycling bin storage
- Details of sustainable urban drainage system components and piped networks
- Surface water drainage scheme
- Details of implementation, maintenance, and management of surface water drainage scheme
- Construction Surface Water Management Plan
- Programme of archaeological work
- No occupation until archaeological assessment complete
- Arboricultural Report implementation
- Unexpected contamination
- Fire hydrant provision details
- Sustainable efficiency measures
- Ecology Report recommendations
- Secure mitigation and ecology enhancement measures
- Landscape Ecological Management Plan
- Biodiversity Enhancement Strategy
- Wildlife Sensitive Lighting Design Scheme

- Construction Management Plan
- Acoustic fencing and bund

(3) And the following informative notes as summarised and those as may be deemed necessary by the Acting Chief Planning Officer:

- Pro active working statement
- SCC Highways notes
- SCC PROW notes

(4) That in the event of the Planning obligations referred to in Resolution (1) above not being secured that the Corporate Manager – Planning for Growth be authorised to refuse the application on appropriate grounds.