

## Committee Report

Item 7D

Reference: DC/17/02782  
Case Officer: Mark Russell

Ward: Thurston

Ward Members: Cllr Harry Richardson, Cllr Wendy Turner

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### RECOMMENDATION – Grant Outline Planning Permission

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#### Description of Development

Outline Planning Application (Access to be considered)- Erection of 15 dwellings (including 5 affordable bungalows)

#### Location:

Land Off Church Road Access Via Garden Of 'The Firs' Thurston

Parish: Thurston

Expiry Date: 23.08.2017

Application Type: Outline planning application

Development Type: Major Small Scale - Dwellings

Applicant: Honeycroft Properties Ltd

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### PART ONE – REASON FOR REFERENCE TO COMMITTEE

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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

None

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### PART TWO – POLICIES AND CONSULTATION SUMMARY

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#### Summary of Policies

Relevant policies in the Core Strategy Focused Review 2012 and Mid-Suffolk Local Plan 1998:

CS01 - Settlement Hierarchy

CS03 - Reduce Contributions to Climate Change  
CS04 - Adapting to Climate Change  
CS05 - Mid Suffolk's Environment  
CS06 - Services and Infrastructure  
CS09 - Density and Mix  
CL 11 - Retaining high quality agricultural land  
FC03 - Supply Of Employment Land  
FC01 - Presumption In Favour Of Sustainable Development  
FC01\_1 - Mid Suffolk Approach To Delivering Sustainable Development  
GP01 - Design and layout of development  
H 13 - Design and layout of housing development  
H 15 - Development to reflect local characteristics  
H 16 - Protecting existing residential amenity  
T1 0 - Highway Considerations in Development  
FC02 - Provision and Distribution of Housing  
H07 - Restricting housing development unrelated to needs of countryside  
H14 - A range of house types to meet different accommodation needs  
H17 - Keeping residential development away from pollution  
T09 - Parking Standards  
RT04 - Amenity open space and play areas within residential development  
RT12 - Footpaths and bridleways  
CL08 - Protecting wildlife habitats  
National Planning Policy Framework (NPPF)

### **Supplementary Planning Documents**

SCC Suffolk Adopted Parking Standards (2015)

### **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**

### **Thurston Parish Council**

OBJECTION due to being unsustainable; CIL yield not being sufficient to offset cumulative effects of this and other developments on infrastructure; poor highway visibility and lack of footways, lack of priority to pedestrians and cycle users; outside of settlement boundary and isolated from services; failure to respect local character; flood risk; negative impact on existing residents; this site should be considered as part of the cohesive approach of the other Thurston sites.

### **Contaminated Land**

No objection, but a standard contaminated land condition required.

### **Environmental Health: Noise/Odour/Light/Smoke**

No objection – condition hours of work.

### **Floods**

Recommended approval, subject to conditions relating to details of a SUDS scheme, management of the scheme and a Construction Surface Water Management Plan.

### **Heritage**

No harm to a designated heritage asset because the site makes little contribution to the setting of nearby listed buildings (Thurston House, Pepper Cottage and others) and the proposal has no material impact.

### **Environment Agency**

No objection, subject to the development being contained outside of Flood zones 2 and 3. Also recommended a Flood Evacuation Plan.

### **Anglian Water**

Advised that a sewage pumping station was nearby and that the applicant should ensure that no part of the development was within 15 metres of it.

The foul sewerage network is capable of taking the required flows, however the submitted drainage assessment was insufficient.

A condition was proposed requiring a drainage strategy.

### **SCC Highway Authority**

We have reviewed the data supplied with this application, the summary of our findings are as follows: □ The proposed visibility splays for the accesses are sufficient for this application. □ The proposal for 15 dwellings would create approximately 9 vehicle movements within the peak hour (1 vehicle every 6 minutes) therefore the additional vehicles from the development will not have a severe impact on the capacity of the highway network in the area. □ The closest bus stop is within 300m from the centre of the site with public transport services. □ There is a proposal to create a footway from the site to the existing footway network in Church Road provided links for pedestrians and cyclists to bus stops, schools and the amenities within the village. □ Thurston rail station is approx 0.6 miles from the site which is within cycling

distance. The development would not have a severe impact on the highway network (NPPF para 109) therefore we do not object to the proposal.

### **Arboricultural Officer**

Based on this information, the two mature Lime trees proposed for removal form part of a prominent natural feature that contributes considerably to the character of the local area. Loss of the trees will weaken this feature to a notable degree and therefore I'm unable to support the application in its current form. If the loss is unavoidable to facilitate the development and you are minded to recommend approval I would advise significant replacement planting in mitigation subject to agreement.

### **Place Services (Ecology)**

Following an initial holding objection due to the lack of ecological information about residual impacts on priority species, Ecology is now satisfied that there is sufficient ecological information available for determination, subject to following recommendations which will enable LPA to demonstrate its compliance with its statutory duties including its biodiversity duty under s40 NERC Act 2006.

### **Place Services (Landscapes)**

No objection, but suggested improvements and mitigation.

### **Archaeology**

No objection, standard conditions.

### **Countryside and Public Realm**

There is a sufficient amount of amenity space planned for a development of this size. Further details should be submitted under reserved matters concerning any amenity facilities.

### **Communities**

No comments.

### **SCC Fire and Water**

Standard comments (i.e. supply of fire hydrants and development to comply with Building Regulations).

### **SCC Strategic Infrastructure**

In addition to the standard CIL charging, Infrastructure advised that contributions were also required through a s.106 agreement as follows:

Total primary school S106 contribution towards a new school:

£65,716 + £7,060 = £72,776 (£4,852 per dwelling);

Total early years S106 contribution towards a new facility:

£29,060 (£1,937 per dwelling).

NOTE – these comments were just over six months ago and the amounts quoted will need to be index linked.

## **Strategic Housing**

The composition of the affordable homes needs to be changed to 2 x 2 bed houses and 3 x 2 bed bungalows – all built to meet Nationally Described Space standards. The **open market mix is not supported** as it does not meet the needs of those in the village/district wishing to buy their first home or to downsize/right-size for those currently living in larger 3, 4 and 5 bed homes.

OFFICER COMMENT – The application at hand is Outline and for access only. The required mix of affordable housing can be secured by s.106 at this stage. With a recommendation that this s.106 be signed within six months of committee's resolution (and refused if this is not done). The open market mix can be revisited at the Reserved Matters stage.

## **B: Representations**

Thirteen letters of representation were received from nearby properties, twelve of these were objections, with one mixed.

The neighbour objections covered the following points:

- Dangerous access on a narrow country lane;
- Volume of traffic;
- Traffic calming measures required;
- Ecology;
- Boundary issues;
- Building work;
- Dominating/overbearing;
- Drainage issues;
- Increase in pollution;
- Landscape impact;
- Loss of privacy;
- Loss of view;
- Loss of parking;
- Loss of light;
- Inadequate public transport provision;
- More open space required;
- Out of character;
- Strain on facilities;
- Decreased property value;
- Effect on trees;
- Already too many planned houses in Thurston;
- Cycle lane should be provided;
- Historic area should be protected from development

The neutral comment came from the owners of a nearby new dwelling, they requested a 2.4 metre high brick and flint wall and that the Reserved Matters layout follow that being shown at Outline.

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## **PART THREE – ASSESSMENT OF APPLICATION**

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### **1.0 The Site and Surroundings**

- 1.1 The site is outside of the settlement boundary on agricultural land to the south of the village of Thurston. To the north is the Ipswich – Bury railway line, to the east is Church Road including the bungalow cul-de-sac Woodland Close, a newly-approved dwelling and a lightly-treed area. The remainder of the site is bordered by agricultural land, which is bordered by trees to the south and sweeping north-westwards. The westernmost boundary is a 75 metre stretch of open field, with no distinct boundary separating it from the remaining agricultural field.
- 1.2 The site does not contain any constraints other than part of it falling within flood zone 3.

### **2.0 The Proposal**

- 2.1 The application seeks Outline Planning permission (access to be considered) for the erection of 15 dwellings.
- 2.2 The site area is 4 ha, giving a very low density of just under four dwellings per hectare. When allowing for the indicated pond and amenity land (approximately 10 per cent of the site) the density is just over four per hectare, giving average plot sizes of 2,400m<sup>2</sup>.

### **3.0 Policy Background**

- 3.1 Core Strategy and Focused Review
- 3.2 Policy CS1 provides that the majority of employment, retail and housing development shall be directed to towns and key service centres. Policy CS2 provides a list of possible development in the countryside.
- 3.3 Members will be aware that the above policies were recently criticised in the Woolpit public enquiry and should be given limited weight.
- 3.4 Policy CS4 provides that all development will contribute to the delivery of sustainable development and reflect the need to plan for climate change and then outlines issues of flood risk, pollution and biodiversity. Also included is encouragement of the implementation of Sustainable Urban Drainage Systems (SUDs). There are no principle issues raised in CS4 to resist the proposed development or make it contrary to the development plan.
- 3.5 Policy CS5 provides that all development will maintain and enhance the environment, including the historic environment, design and landscape and retain the local distinctiveness. There are no principle issues involved in this policy given this is an outline application.
- 3.6 Policy CS9 provides requirements on the density and mix of new housing development. The policy seeks a mix of types, sizes and affordability in terms of residential schemes, but does not set any

specific levels or percentages to achieve. The policy also provides that new development should provide an average density of at least 30 dwellings per hectare.

- 3.7 In this proposal, the density is significantly below 30 per ha, but is held to be commensurate with this rural, edge of settlement location.
- 3.8 The CSFR was adopted by Full Council on 20 December 2012 and should be read as a supplement to Mid Suffolk's adopted Core Strategy (2008). This document updates some of the policies of the 2008 Core Strategy as already addressed above. The CSFR document does introduce new policy considerations, including Policy FC 1 - Presumption in favour of sustainable development that refers to the National Planning Policy Framework (NPPF) objectives and Policy FC 1.1 - Mid Suffolk approach to delivering Sustainable Development that provides "development proposals will be required to demonstrate the principles of sustainable development and will be assessed against the presumption in favour of sustainable development as interpreted and applied locally to the Mid Suffolk context through the policies and proposals of the Mid Suffolk new style Local Plan.
- 3.9 Proposals for development must conserve and enhance the local character of the different parts of the district. They should demonstrate how the proposal addresses the context and key issues of the district and contributes to meeting the objectives and the policies of the Mid Suffolk Core Strategy and other relevant documents."
- 3.10 Members will be aware that the weight to be attached to the 1998 Local Plan must be considered carefully by reference to the NPPF to ensure consistency.
- 3.11 The saved Local Plan through policies GP1, H 13, H 15, H 16, and T10 supports good design that reflects Suffolk character, avoids adverse impacts on amenity and considered traffic and highway implications of development. Policy HB1 while not wholly NPPF compliant refers to setting of historic buildings and along with other policies including employment matters shall be considered in the detailed assessment below.
- 3.12 During the course of this application, Thurston's Neighbourhood Plan has been examined and once changes are made will advance to a local referendum. This gives it an increased weight when considering the application at hand. The Plan does not promote any allocations as such, but instead focuses policies to retain and enhance residential design, address highway capacity, secure contribution requirements to the provision of key infrastructure, and dwelling mix proportions.
- 3.13 Whilst the plan does not support housing at this location, the scheme does provide for the required contributions and does not impact on Highway capacity such that it should be refused. Matters of design and dwelling mix can be assessed at the Reserved Matters stage, by which time it is possible that the Neighbourhood Plan will be "made."

#### **4.0 The Principle of Development**

- 4.1 Sustainability. The site is outside of the Built Up Area Boundary of Thurston, but is contiguous with the village.
- 4.2 Thurston is a Key Service Centre, one of a dozen within Mid Suffolk. The Mid Suffolk Core Strategy states at Policy CS1 that these should be "the main focus for development outside of the towns." This is further emphasised at CS8 "Provision and Distribution of Housing" which states that such settlements should be the focus for housing growth in preference to Primary and Secondary villages.

- 4.3 The site is detached from the main village by the railway line in the same way that, to the west, the area between the line and Beyton Road is fully built-out with houses, as is the small area to the east (Woodland Close),
- 4.4 The railway station (in effect a 1.3km walk) has direct trains to Bury St. Edmunds, Newmarket, Cambridge and Ipswich. Thurston Primary School, a butcher's and hair salon are 350 metres away, St. Peter's Church 400 metres.
- 4.5 Many of the village's facilities are approximately 1.3 – 1.5 kilometres away, in the vicinity of the station i.e. a pharmacy, a day nursery, a sandwich bar, an estate agent's, a fish and chip shop, grocery, post office and the Fox and Hounds public house.
- 4.6 The site's environmentally sustainable credentials are, therefore, mixed, with non-car-borne access to some facilities a very real possibility, but some dependence on car use to access these facilities equally likely.
- 4.7 The economic strand to sustainability sees the usual transient boost whilst the development is built out. In addition, a potential 40-plus residents would add spend to local concerns. It is accepted that most spend by locals will be in Bury or further afield, but these extra residents will contribute to the local economy.
- 4.8 Socially, the development is physically severed from the main part of Thurston. The new residents will call on the same services, such as schools, as existing residents. Given this, and the provision of affordable housing, the development is held to be socially inclusive and socially sustainable.

## **5.0 Infrastructure**

- 5.1 The Infrastructure team has indicated that there is a shortfall in education provision in the area. It confirms that a new primary school is proposed. The issue of a five scheme limit contributing towards new builds has been mentioned.
- 5.2 However, the school is to be built in two phases, and the Infrastructure team has confirmed that monies can be allocated from this scheme.

## **6.0 Site Access, Parking and Highway Safety Considerations**

- 6.1 The Highway Authority requested a footpath link underneath the railway bridge, this has now been shown on the submitted drawings. The required access and visibility splays are also shown to be achievable. Whilst in Outline, it is clear that sufficient parking is also possible.

## **7.0 Design and Layout**

- 7.1 Policy CS5 requires development to be of a high-quality design that respects the local distinctiveness and the built heritage of Mid Suffolk, enhancing the character and appearance of the district. Policies H13 and GP1 contain further commentary as to what is expected of developers in this regard. Paragraph 56 of the NPPF attaches great importance to the design of the built environment, stating that good design is a key aspect of sustainable development.
- 7.2 As the proposal is Outline (with only access being sought here), matters of layout and design are left to the Reserved Matters stage. However, it is beholden on the applicant to demonstrate that the desired quantum of development can be satisfactorily achieved.
- 7.3 The submitted drawing show that the site is more than capable of containing the quantum of development applied for, albeit that some of the units may have to be reduced in size.

## **8.0 Landscape Impact, Trees, Ecology, Biodiversity and Protected Species**

- 8.1 Policy CS5 of the Core Strategy seeks to protect and conserve landscape qualities taking into account the natural environment and the historical dimension of the landscape as a whole rather than concentrating solely on selected areas, protecting the District's most important components and encouraging development that is consistent with conserving its overall character.
- 8.2 The Ecology specialist, after raising concerns over several omissions in the submitted documents, has withdrawn their objection.
- 8.3 A point of contention is the proposal to remove two trees. Our tree specialist has advised that these are of landscape value and, if they have to be removed, significant replacement planting should be provided in mitigation.

## **9.0 Impact on Residential Amenity**

- 9.1 Policy H13 of the Local Plan seeks to ensure new housing development protects the amenity of neighbouring residents. Policy H16 of the Local Plan seeks to protect the existing amenity of residential areas.
- 9.2 Paragraph 17 of the NPPF sets out a number of core planning principles as to underpin decision-taking, including, seeking to secure a good standard of amenity for all existing and future occupants of land and buildings.
- 9.3 As this Outline application seeks Access only, the height of buildings will be established at Reserved Matters. It is therefore not technically necessary to assess potential overlooking or overshadowing in any detail. It is worth noting, however, that two-storey dwellings are the most probable.
- 9.4 With the exception of plots 1-5 at the eastern edge of the site, there is not likely to be any issue arising. The mentioned plots would be back-to-back with the bungalows of Woodland Close. This matter would need to be carefully looked at during the Reserved Matters application to ensure no adverse overlooking, especially to numbers 7 and 8 Woodland Close, which are shown as being approximately 25 metres from the rear walls of the proposed dwellings.
- 9.5 There would not be any issue of overshadowing, given the proposed layout and the spaces around the site.

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## **PART FOUR – CONCLUSION**

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### **10.0 Planning Balance and Conclusion**

- 10.1 The site in question is not allocated, but the lack of a five-year housing supply is a serious material consideration.
- 10.2 The site is contiguous with the built form of Thurston and, whilst separated from the main village by a railway, is reasonably well connected to some, if not all, facilities and services. It is, therefore, held to be reasonably sustainable environmentally, economically and socially.

- 10.3 There are no concerns in terms of Highway safety and efficiency or ecology and, whilst concerns about the loss of trees have been raised, these can be overcome with comprehensive planting.
- 10.4 Given the proposed density, the separation from existing dwellings and the proposed planting buffer to ensure residential amenity, the quantum of development sought is achievable, whilst ensuring adequate garden size and parking provision.
- 10.5 Whilst some major trees stand to be lost, these can be replaced by a comprehensive planting scheme.
- 10.6 The proposal also offers affordable housing, which will help towards the Council's objectives regarding affordable provision.
- 10.7 The proposal is, therefore, on balance acceptable and Approval is recommended.

## **11.0 RECOMMENDATION**

That authority be delegated to the Acting Chief Planning Officer to grant outline planning permission:

**(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:**

- Affordable Housing – 2 x 2-bed (Affordable Rent), 3 x 2-bed (Shared Ownership).
- Primary school S106 contribution: £72,776
- Early years S106 contribution: £31,966

**(2) That the Acting Chief Planning Officer be authorised to grant Planning Permission upon completion of the legal agreement subject to conditions as summarised below and those as may be deemed necessary by the Acting Chief Planning Officer:**

- Approved Plan showing indicative layout and access
- Reserved Matters
- Visibility splays as SCC Highways recommend
- Footway (including under the rail bridge) to be provided
- Carriageway widening
- Details of loading/unloading
- Construction Management Plan including working hours to agree
- Archaeology to be agreed
- Surface water drainage scheme (details of)
- Surface water drainage scheme (implementation/maintenance of)
- Construction Surface Water Management Plan
- Surface Water Management Strategy
- No buildings within flood zones 2 or 3
- Removal of pd for flood zone areas
- Land contamination
- Farmland bird survey
- Biodiversity Method Statement
- Wildlife-friendly lighting

- Phasing Condition (To allow phasing of the development and allows spreading of CIL payments)
- Fire hydrants and hard standing
- Sustainability and Energy Strategy to be agreed
- Bin storage and presentation areas to be agreed
- Provision of ecology measures including Hedgehog Fencing.

**(3) And the following informative notes as summarised and those as may be deemed necessary by the Corporate Manager:**

### 11.3 Informatives

- At Reserved Matters, the landscaping scheme should show significant re-planting to mitigate the loss of two lime trees
- At Reserved Matters, details of the provision for public access to the proposed open space should be provided
- Reference to Land Drainage Act 1991, Water Environment (Water Framework Directive) (England and Wales) Regulations 2003, Section 50 license under the New Roads and Street Works Act.
- Land Contamination advisory note.
- Highway informative

**(4) That in the event of the Planning obligations referred to in Resolution (1) above not being secured within 6 months of the committee resolution that the Acting Chief Planning Officer be authorised to refuse the application on appropriate grounds.**