

Committee Report

Item 7C

Reference: DC/19/01236

Case Officer: Alex Scott

Ward: Thurston

Ward Member/s: Cllr Wendy Turner & Cllr Harry Richardson

RECOMMENDATION – GRANT OUTLINE PLANNING PERMISSION WITH CONDITIONS

Description of Development

Outline Planning Application (Access to be considered) - Erection of 20 dwellings and construction of vehicular access, pedestrian link, and vehicle passing bay.

Location

Land Off Hawes Lane , Norton, Bury St Edmunds, IP31 3LS

Expiry Date: 18/10/2019

Application Type: OUT - Outline Planning Application

Development Type: Major Small Scale - Dwellings

Applicant: Ash Property Consortium Ltd

Agent: Phil Cobbold Planning Ltd

Parish: Norton

Site Area: 1.25 ha

Density of Development:

Gross Density (Total Site): 16 dph

Net Density (Developed Site, excluding open space and SuDs): 16.8 dph

Details of Previous Committee / Resolutions and any member site visit: None

Has a Committee Call In request been received from a Council Member (Appendix 1): No

Has the application been subject to Pre-Application Advice: Yes – Pre-application advice (ref: DC/18/02723) given in August 2018 which concluded: “The general location of the proposal is considered acceptable, subject to agreed layout and number of units, and resolution of technical issues, as part of the assessment of other material planning considerations.”

PART ONE – REASON FOR REFERENCE TO COMMITTEE

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

It is a ‘Major’ application for a residential development for 15 or more dwellings.

PART TWO – POLICIES AND CONSULTATION SUMMARY

Summary of Policies

NPPF - National Planning Policy Framework
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 & 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
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
RT04 - Amenity open space and play areas within residential development
RT12 - Footpaths and Bridleways
CL08 - Protecting wildlife habitats

Neighbourhood Plan Status

This application site is not within a Neighbourhood Plan Area.

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

Town/Parish Council (Appendix 3)

Norton Parish Council

Object : Proposal is outside the Village Settlement Boundary and would: Result in Highway Safety Issues; Put undue strain of existing Village services and facilities; and Impact the nearby Wildlife and Nature reserve.

National Consultee (Appendix 4)

Anglian Water

The foul drainage from this development is in the catchment of Norton (Suffolk) 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.

Suffolk Wildlife Trust

Request that the recommendations made within the ecological survey report are implemented in full, via a condition of planning consent.

County Council Responses (Appendix 5)

SCC - Highways

No Objection - Subject to compliance with suggested Conditions.

Have reviewed the data supplied with this application and summarise findings as follows:

- The proposed visibility splays for the development are sufficient for this application;
- The proposal for 20 dwellings would create approximately 14 vehicle movements within the peak hour (1 vehicle every 4 minutes) therefore, the development will not have an impact on the capacity of the highway network in the area;
- The nearest bus stop is on Station Road with services running approx every 2 hours - the stops are within 100m from the application site with minimal public transport services but the stops are considered acceptable distance to walk to catch public transport;
- Hawes Lane is a narrow rural road with sub-standard visibility at it's junction with Heath Road. However, there is an alternative route from the proposed development and it could be considered that drivers can chose this routes to avoid the junction;
- The application shows a footway between the site and Ixworth Road which provides a safe link to the Bus Stops and footway network in the village. This development would not have an unacceptable impact on highway safety (NPPF para 109) therefore, we do not object to the proposal.

SCC - Fire & Rescue

Suffolk Fire and Rescue Service recommends that fire hydrants be installed within this development on a suitable route for laying hose, i.e. avoiding obstructions. However, it is not possible, at this time, to determine the number of fire hydrants required for fire fighting purposes. The requirement will be determined at the water planning stage when site plans have been submitted by the water companies.

Suffolk Fire and Rescue Service recommends that proper consideration be given to the potential life safety, economic, environmental and social benefits derived from the provision of an automatic fire sprinkler system.

SCC - Archaeological Service

There is high potential for the discovery of below-ground 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 NPPF (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.

SCC - Development Contributions Manager,

Planning Obligations will form the basis of one or more bids for CIL funds by Suffolk County Council (Details Provided) if planning permission is granted.

Internal Consultee Responses (Appendix 6)

Heritage Team

The proposed development would result in negligible to a very low level of less than substantial harm to the designated and non-designated heritage assets within the vicinity of the proposal site - The scheme should be weighed against public benefits. Should the LPA be minded to grant permission, The Heritage Team would expect to be consulted on any Reserved Matters application to ensure appropriateness of the details.

Environmental Health - Land Contamination

No objection to the proposed development from the perspective of land contamination - Request that the LPA are contacted in the event of unexpected ground conditions being encountered during construction and that the minimum precautions are undertaken until such time as the LPA responds to the notification - Advise that the developer is made aware that the responsibility for the safe development of the site lies with them.

Arboricultural Officer

No objection to this application as any trees potentially affected by the proposal are of limited amenity value.

Communities (Major Development)

No response received.

Public Realm

No response received.

Strategic Housing (Affordable/Major Dwel/G+T)

This is an open market development and based on 20 units should offer 7 affordable housing units = 35% policy compliant position.

B: Representations

At the time of writing this report at least 34 letters/emails/online comments have been received. It is the officer opinion that this represents 29 objections, 4 support and 1 general comment. A verbal update shall be provided as necessary.

Views are summarised below:-

- Highway safety - Hawes Lane is too narrow for the projected traffic increase; lack of visibility splay;
- Inconsistent with the Norton Village Local Plan
- Biodiversity impacts including on the nature reserve of the Blackbourne Valley
- Lack of open space and landscaping

- Outside the settlement boundary and therefore should not be considered especially as Mid-Suffolk has a 5 year land bank
- Overlooking and loss of light/airflow
- Inadequate local infrastructure
- Construction noise
- No analysis of the landscape and visual impacts by a Landscape professional
- Estate development out of keeping with village character
- Inadequate emergency vehicle access

- Support Proposal
- Good use of land within existing 'L' shape in settlement pattern
- Would not extend significantly into Countryside
- Right place for new housing development in the village
- Would deliver much needed housing and affordable housing
- Proposed new pedestrian link to Ixworth Road, Crossing and Passing Bay all welcome

(Note: All individual representations are counted and considered. Repeated and/or additional communication from a single individual will be counted as one representation.)

PLANNING HISTORY

No relevant Site History

PART THREE – ASSESSMENT OF APPLICATION

1. The Site and Surroundings

- 1.1. The application site is located on the eastern side of Hawes Lane, on the north-western periphery of the village of Norton, a designated 'Primary Village' in the Core Strategy 2008. The land is in agricultural use and abuts the village settlement boundary.
- 1.2. Land to the east and south comprises conventional residential development that forms part of the body of the village. Land to the north and west is in arable use.
- 1.3. The site is not in or near an area designated for special landscape significance, e.g. Special Area of Conservation, Special Landscape Area, or AONB.
- 1.4. There are no protected trees on or adjacent the subject land. The land is Grade 3 agricultural land. The site is in Flood Zone 1. The nearest bus stop is located east of the site, on Ixworth Road north of the Dog at Norton (service 385).

2. The Proposal

- 2.1. The application seeks Outline Planning Permission, with all matters reserved save for access, for the erection of 20 dwellings, new vehicular access to Hawes Lane, a footpath connection to Ixworth Road, and a vehicle passing bay on Hawes Lane.
- 2.2. Although matters of appearance, landscaping, layout and scale are not formally submitted for determination, an indicative layout has been submitted to demonstrate how development could be taken forward. The indicative layout suggests a conventional residential layout, with plot sizes

generally consistent with those nearby in the village. Six affordable dwellings are proposed on smaller plots that front Hawes Lane. The dwellings comprise, in the main, detached and semi-detached housing types. Most dwellings, other than the affordable units, are served by detached or integral vehicle garaging.

3. The Principle Of Development

- 3.1. The starting point for determination of any planning application is the development plan, as identified in Section 38(6) of the Planning and Compulsory Purchase Act 2004. Determination of any application must be made in accordance with the plan unless material considerations indicate otherwise. A key material consideration regarding the principle of development is the National Planning Policy Framework (NPPF).
- 3.2. The proposal site is outside of the settlement boundary for Norton and is considered to be formally defined as greenfield land. Relevant local plan policies are policy H7 which seeks to restrict housing development unrelated to the needs of the countryside, and core strategy policy CS1 which identifies a settlement hierarchy and CS2 which also seeks to resist development in the countryside other than those listed in the policy. The NPPF has changed direction since these policies were adopted as detailed further below, so as to affect the weight of these policies in determining this application.
- 3.3. The Core Strategy Focused Review (2012) identified this change in line with the National Planning Policy Framework. Reflecting this policies FC1 – Presumption in favour of sustainable development and FC1.1 – Mid Suffolk approach to delivering sustainable development identify a more positive approach to proposed development.
- 3.4. It should be noted however that policy FC2 – Provision and distribution of housing seeks to identify the number of dwellings in Primary Villages that should come forward on greenfield sites, 100 between 2017 to 2022 and 100 from 2022 to 2027.
- 3.5. The NPPF identifies in paragraph 213 that the weight attributed to policies should be according to their degree of consistency with the NPPF. The closer the aims of the policy are to the NPPF the greater the weight that can be attributed to them.
- 3.6. The NPPF also identifies that planning decisions should apply the presumption in favour of sustainable development (paragraph 11): “For decision-taking this means: c) approving development proposals that accord with an up-to-date development plan without delay; or d) where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless: i. the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.”
- 3.7. Footnote 7 of the NPPF identifies out-of-date includes the situation where the local planning authority cannot demonstrate a five year supply of deliverable housing sites or where the Housing Delivery Test indicates that the delivery of housing was less than 75% of the housing requirement over the previous three years. In this instance it is considered that the Council is able to demonstrate a five year housing land supply, as set out in the Council's Housing Land Supply Position Statement, and Joint Annual Monitoring Report, both published in September 2019.

- 3.8. Notwithstanding the Council's current housing land supply position, the development plan policies most important for determining the application (policies: H7, CS1, CS2 and FC2) are considered to be out-of-date as a result of not being consistent with the aims of the NPPF and, therefore, are accorded significantly less weight than they would have been prior to the publication of the NPPF. This position was identified in the appeal decision for appeal APP/W3520/W/18/3194926 at land at east side of Green Road, Woolpit (September 2018) which is a material consideration. Policy FC1 of the Core Strategy Focused Review repeated the requirements of the former paragraph 14 of the NPPF (2012), which is replaced now with paragraph 11 (NPPF 2019) which is the more relevant consideration, and so this policy is given less weight. Policy FC1.1 seeking to conserve and enhance the local character of different parts of the District, is up-to-date and relevant to this application. These two policies seek to promote the principles of sustainable development.
- 3.9. The presumption in favour of sustainable development should apply in this instance given the above considerations, except for the provisions of paragraph 177 of the NPPF.
- 3.10. It cannot be ignored that the policies most important for determining the application do not accord with the NPPF. Therefore less weight will still be given to these policies as identified above. Whilst tension with the development plan exists and is noted, that tension is considered to be less significant as a consequence, in light of the lesser weight afforded to the most important development plan policies relevant to this application where they are not consistent with the NPPF.
- 3.11. Therefore an assessment against the development plan is made, considering the material consideration of the NPPF and the purpose of the planning system to contribute to the achievement of sustainable development.
- 3.12. The development plan and NPPF share the same approach of contributing to the achievement of sustainable development.
- 3.13. There are three overarching objectives to achieve sustainable development, which are interdependent and need to be pursued as a whole so that opportunities can be taken to secure net gains across different objectives. These objectives are social, environmental and economic. The merits of the scheme against these objectives and the up-to-date requirements of the development plan are considered below, and a conclusion will be drawn as to whether the development is considered to contribute to the achievement of sustainable development.
- 3.14. In addition to the NPPF sustainability balancing exercise referred to above, the proposed development is considered to lie within the settlement pattern and character of an existing Primary Village settlement, bounded by existing housing developments to the south and east, and not to be overly intrusive into open countryside. The proposed dwelling is not, therefore, considered to be isolated, as per the meaning in paragraph 79 of the NPPF.
- 3.15. The subject land comprises site Ref: SS0387 allocated in the Draft Strategic Housing and Employment Land Availability Assessment (SHELAA) (August 2017). In respect to development suitability the Draft SHELAA states that: "The site is potentially considered suitable for residential development, taking identified constraints into consideration". The estimated yield recommended in the Draft SHELAA (August 2017) is 30 dwellings. It is considered that this technical study can be attributed due weight in consideration of this planning application, as part of the Council's on-going development plan evidence base.

4. Nearby Services and Connections Assessment Of Proposal

- 4.1. The site is located in the countryside in policy terms, however, it abuts the village settlement boundary. The site has a strong functional relationship to the village and is not considered isolated in a functional sense. Norton is served by a range of local services and facilities, as expected given its Primary Village designation.
- 4.2. The village amenities are within walking distance of the site, noting in particular the proximity of the Norton Pre-School and Norton Primary School. The proposal includes a pedestrian link connecting with Ixworth Road, which incorporates a footpath on its eastern side which connects into the broader village footpath network and to local amenities and services. Located on Ixworth Road is a bus stop associated with service 385, providing public transport to settlements along the routes to Stowmarket and Bury St Edmunds. As such, there is the opportunity for residents to choose more sustainable modes of transport other than the private vehicle.
- 4.3. The site is a sustainable location for housing given the conveniently accessible facilities within walking distance that the village provides, and the bus service on offer locally.

5. Site Access, Parking And Highway Safety Considerations

- 5.1. Access is the only matter of detail sought for approval by way of this outline application. Saved 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 which is generally consistent with Section 9 of the NPPF on promoting sustainable transport. Its safety focus is also consistent with paragraph 108 of the NPPF which requires development proposals, incorporate safe and suitable access that can be achieved for all users. Saved Policy T10 is therefore attached substantial weight.
- 5.2. 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.
- 5.3. Many of the representations received object to the proposal on traffic grounds, in particular the capacity of the existing road network to absorb the traffic generated by the development. Many are concerned with the current condition of the local road network and that the majority of movements generated by the development must travel down the rather Narrow Hawes Lane and at the Junction of Heath Road and Ixworth Road in particular.
- 5.4. Following revisions to the scheme SCC - Local Highway Authority does not object to the anticipated increase in traffic generated by the proposal on the local road network and consider that the proposal for 20 dwellings would create approximately 14 vehicle movements within the peak hour (1 vehicle every 4 minutes) therefore the additional vehicles from the development will not affect the capacity of the highway network in the area.
- 5.5. SCC-Highways acknowledge that Hawes Lane is a narrow rural road with sub-standard visibility at it's junction with Heath Road. However, it is considered there is an alternative route from the proposed development and it could be considered that drivers can chose this routes to avoid the junction. It is also considered that the addition of a passing bay on Hawes Lane, as proposed, would have wider benefits to the highway safety and convenience of vehicles using the lane.
- 5.6. SCC-Highways advise that the application shows a footway between the site and Ixworth Road which provides a safe link to the Bus Stops and footway network in the village.

- 5.7. SCC-Highways and your officers conclude that the proposed development would not have an unacceptable impact on highway safety, in accordance with NPPF para 109. Therefore, no objection is made with respect of the proposed development on highway safety.
- 5.8. The internal layout of the site is currently indicative only, and there would be the opportunity, at a reserved matters stage, to assess how the final design performs in respect to the quantum of parking spaces, turning areas, internal access roads and footway layout. Significant scrutiny of the proposed layout, against current Suffolk Adopted Parking Standards, is a matter for the detailed design stage.

6. Design, Layout and Landscape Impact

- 6.1. Design, Layout and Landscaping are currently indicative only, and there would be the opportunity, at a reserved matters stage, to assess how the final details impact the existing character and quality of the locality. Significant scrutiny of the proposed layout, against current the design policies of the NPPF and development plan is a matter for the detailed design stage.
- 6.3. The indicative layout provided is considered to satisfactorily demonstrate, that the site can comfortably accommodate the number of dwellings proposed, at a density comparable to existing similar developments adjacent to the south and east of the site.
- 6.3. 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.
- 6.4. 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.
- 6.5. The site does not lie within, nor near any landscape designation. The site is open owing to its undeveloped agricultural nature. It is however well screened on its northern boundary by tall vegetation. The body of the village abuts the site's eastern and southern boundaries. The site is therefore well contained in a visual sense.
- 6.6. Developments of the scale proposed, on sites that are undeveloped, inevitably lead to an obvious landscape change. There will be an urbanising effect and loss of rural character, this is inevitable when developing open countryside. However, the landscape effect is limited by its close visual relationship to the body of the village and the natural boundary offered by the northern screen planting. Officers agree with the Planning Statement which observes that the proposed dwellings will be appreciated against a backdrop of existing dwellings and that the site does not occupy a prominent position in the landscape. Landscape impacts will therefore be localised.
- 6.7. The appearance of the development will depend to a large extent on matters yet to be determined through approval of the reserved matters. However, the proposed indicative layout shows a general approach to the development that is acceptable. The density is consistent with the neighbouring development pattern and noting it is less than the quantum anticipated for the site in the draft SHELAA 2017. Landscaping, including retention of most existing trees, shrubs and hedges on the site, will be important. Also important will be ensuring that the northern landscape screen is considerably strengthened as this will form the new settlement edge. With open countryside beyond this boundary, an effective vegetation screen is warranted.

- 6.8. Concern have been raised with regards the development layout during the consultation period, contending that it would significantly deviate from the settlement typology which is largely linear. Concerns are also raised with regards the backland nature of the development in the context of the prevailing linear village pattern. However your officers consider that the site fronts Hawes Lane and will not appear as backland development, presenting to this existing streetscene. In any event, whilst the prevailing village development pattern is linear, there is evidence of other backland developments, most notably immediately south of the site. Your officer consider that the development would strengthen the linear form of development along Hawes Lane, consistent with the properties south of the site. The majority of the housing internal to the site will not be visible from outside of the site, owing to the backdrop of the village. The effects on the urban grain of the village resulting from the proposal's deviation from the settlement typology will, as a result, be limited. Your officer do not consider that and significant harm to village character would result, should (as expected) a good standard of design and layout be secured at reserved matters stage.

7. Heritage Issues [Including The Impact On The Character And Appearance Of The Conservation Area And On The Setting Of Neighbouring Listed Buildings]

- 7.1. Policy HB1 of the Local Plan seeks to protect the character and appearance of buildings of architectural or historic interest, particularly protecting the settings of Listed Buildings. Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 states that special attention shall be paid to the desirability of preserving or enhancing the character or appearance of a Listed Building or its setting.
- 7.2. As noted by your Heritage officers, the nearest designated heritage assets are located east of Ixworth Road – 2 no. Grade II listed buildings, the Dog Inn and Maltings Cottage. Your Heritage officers consider the proposal will cause a negligible level of harm to the designated heritage assets. There is one non-designated heritage asset nearby, Suffolk House, and the your officers conclude that the proposal would result in a very low level of less than substantial harm to this asset, noting its significance has been already diminished by the more modern development that has occurred around it.
- 7.2. Paragraph 196 of the NPPF states that where harm is less than substantial, as is the case with this proposal, the harm must be weighed against the public benefits of the proposal. The principal public benefits relate to economic and social dimensions of sustainable development. These must all be weighed, together with the identified (near negligible) heritage harm, in the planning balance. Your officers consider that the social benefits of the provision of additional housing, and affordable housing, in a sustainable centre of village location outweigh the near negligible harm to the significance of heritage assets identified in this instance.
- 7.3. The SCC-Archaeological Unit has assessed the application proposal and advises that there is high potential for the discovery of below-ground heritage assets at the site. SCC-Archaeology recommends that there are no grounds to consider refusal of permission, should a programme of archaeological works be secured by way of conditions. Your officers concur with the recommended approach.

8. Impact On Residential Amenity

- 8.1. 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. Paragraph 127 of the NPPF sets out a number of core

planning principles as to underpin decision-taking, including, seeking to secure a high standard of amenity for all existing and future occupants of land and buildings.

- 8.2. Representation have been received raising concern with regards potential overlooking and loss of light to neighbouring properties. These are elements that will be afforded close scrutiny at the relevant reserved matters stage of the development process. There is nothing in the application to suggest that such elements cannot be suitably resolved. A construction management plan condition is recommended given the abuttal of the site to multiple residential properties, the scale of development, the access arrangement and the concerns raised by residents.
- 8.3. The application does not conflict with saved Policy H13 or Policy H16.

9. Flood Risk and Drainage

- 9.1. The proposal site is located on land located completely within Environment Agency Flood Zone 1 and, as with the remainder of the village, does not lie within close proximity of EA Flood Zones 2 or 3. The site occupies an elevated position up and away from the Black Bourne River valley, to the east, and is well drained. The site is not, therefore considered to be at significant Flood Risk.
- 9.2. The application is supported by a Flood Risk Assessment (FRA) and drainage report which does not indicate future occupants of neighbouring land would be put at significant risk of flooding as a result of the proposed development. Your officers consider that a detailed sustainable surface water drainage scheme can be secured and managed by way of condition, as per standard industry approach.
- 9.3. With regards disposal of Foul Water: it should be noted that Anglian Water do not object to the proposal. AW state that the foul drainage from the development is in the catchment of Norton (Suffolk) Water Recycling Centre which does not have capacity to treat the flows. AW advice is that necessary upgrades would be undertaken, to ensure sufficient capacity, should the development be approved, and that the capacity issues identified should not represent a reason for refusal.

10. Biodiversity / Ecology

- 10.1. 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.
- 10.2. The application is supported by an ecology report that has been reviewed by the Suffolk Wildlife Trust. The Trust concludes that the development would represent a net loss of habitat however acknowledge some level of development and request the ecology report recommendations be secured by planning condition(s). The proposal is not considered to result in a direct impact on the nearby nature reserve, as indicated in representations received, and no objection is raised in this regard. Officers agree with the Trust and the recommended conditional approach.

11. Land Contamination

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

12. Planning Obligations / CIL (delete if not applicable)

- 12.1. The application is liable to CIL which would be managed through the standard independent CIL process triggered at the reserved matters stage.
- 12.2. As noted above, the application, if approved, would require the completion of a S106 agreement to secure on-site delivery of 35% affordable housing.

PART FOUR – CONCLUSION

13. Planning Balance and Conclusion

- 13.1. Council benefits from a five year housing supply. The tilted balance at paragraph 11(d) of the NPPF is not engaged.
- 13.2. The site is outside the settlement boundary and therefore the proposal conflicts with CS1, CS2 and H7. Having regard to the advanced age of the Mid Suffolk settlement boundaries and the absence of a balanced approach as favoured by the NPPF, the statutory weight to be attached to the above policies is reduced and therefore the conflict is afforded limited weight in the planning balance.
- 15.3. Development of the site for residential purposes is consistent with the recommendations of the Draft SHELAA (August 2017). The proposed quantum of dwellings accords with the estimated quantum specified in the draft SHELAA.
- 15.4. The provision of 7 affordable housing units is a social benefit, as is the 20 dwelling contribution to the local housing stock, albeit these considerations are attached less than moderate weight given Council's positive housing supply position. The addition of 20 new dwellings would offer meaningful support for the local services in the town, both during construction and following occupation of the development. The public footpath connection to Ixworth Road and road passing bay improvements offer positive social and environmental value for the local community.
- 15.5. The site is a sustainable location, offering pedestrian connectivity to local services complemented by a good local bus network connecting to settlements nearby. Car dependency will be low, limiting environmental harm. The proposal would not be physically, visually or functionally isolated. Paragraph 79 of the NPPF does not engage. The site's sustainable location is a positive.
- 15.6. There is no evidence that the local highway network does not have the capacity to safely absorb the traffic generated by 20 dwellings, as confirmed by the Highways Authority. The proposed access arrangements are deemed acceptable, a neutral factor in the planning balance. The development has the ability to offer biodiversity gains and will result in no significant impact on the nearby nature reserve.
- 15.7. CIL contributions will be used to ensure existing infrastructure capacity is enhanced to meet additional demand, a neutral outcome in the planning balance. Matters such as archaeology and drainage can be resolved or mitigated to an acceptable level by planning conditions.
- 15.8. Harm to heritage assets will be negligible. There will be no effect on the village's historic core. There will be landscape harm however it will be relatively localised and offset by the backdrop of

the village immediately adjacent to it. The level of harm is deemed less than moderate. Design detail, and performance against relevant NPPF and development plan policies will be a focus for subsequent reserved matters applications. The loss of productive agricultural land is unfortunate but is of such relatively small scale (in the context of the quantum of BMV land in the district) that it is attached only very modest weight.

15.9. There is some conflict with the development plan. However when account is taken of the weight that can be ascribed to many of the relevant policies in the development plan in light of their consistency with the NPPF, officers are satisfied that the adverse impacts of the development would not significantly and demonstrably outweigh the benefits when assessed against the policies in the NPPF taken in the round. On balance, the proposal can be considered as comprising sustainable development and thus benefits from the presumption in favour of such as set out in the NPPF.

15.10. Your officers have taken full and careful account of all the representations that have been made, which have been balanced against the provisions of the development plan and the National Planning Policy Framework. For the reasons set out above, the evidence is such that the outline application is recommended for approval.

RECOMMENDATION

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

- 35% Affordable housing

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

- Standard time limit
- Reserved matters outline
- Standard Plans and Documents
- Those required by the Local Highway Authority
- Provision of footpath connection to Ixworth Road prior to occupation
- Provision of passing bay on Hawes Lane prior to occupation
- Construction Management Plan
- Surface water drainage and management conditions (as advised by the LLFA)
- Foul water strategy
- Programme of archaeological work
- No occupation until archaeological assessment complete
- Unexpected contamination
- Fire hydrant provision details
- Sustainable efficiency measures
- Secure mitigation and ecology enhancement measures (including Hedgehog Fencing)
- Lighting scheme – biodiversity
- Phasing Plan

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

- Pro active working statement
- SCC Highways notes
- Land Contamination Note
- Ecology / Biodiversity Note

(4) That in the event of the Planning obligations or requirements referred to in Resolution (1) above not being secured and/or not secured within 6 months that the Chief Planning Officer be authorised to refuse the application on appropriate ground