

## **Committee Report**

**Item No: 7A**

**Reference:** DC/20/01716  
**Case Officer:** Vincent Pearce

**Ward:** Thurston.

**Ward Member/s:** Councillor Austin Davies and Councillor David Bradbury

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### **RECOMMENDATION:–**

**That the Committee delegates ‘Authority’ to the Chief Planning Officer (CPO) to GRANT conditional PERMISSION in HYBRID (full and outline)**

### **SUBJECT TO**

- a. The **prior completion** of a S106 Agreement to the CPOs satisfaction to secure the obligations described in this report
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### **Description of Development**

**AMENDED Hybrid Application: Erection of 112 dwellings (inc. 43no affordable) together with associated access, infrastructure, landscaping and amenity space (applied for in full) and 9 self-build plots (applied for in outline with all matters reserved, access to be considered)**

FULL: 112 dwellings

OUTLINE: 9 self-build

TOTAL: 121

**The application now before the Committee involves an overall increase in dwellings, on the Linden Homes site, of 61 beyond those approved within the original outline planning permission. (ie the overall total, if this application is approved, will be 261 as opposed to up to 200)**

**The application refers to 112 dwellings because the applicants hope to replace the layout for a part of the site previously agreed and add 61 dwellings at the same time. This means that of the 112 dwellings, 51 have been previously approved but in a different layout.**

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CLASSIFICATION: Official

**PLEASE NOTE:**

The application currently before Members has been amended since its initial submission in 2020.

1. It was originally described as:

Hybrid application for the construction of 171 dwellings together with associated access, infrastructure, landscaping and amenity space (applied for in full) and 9 self-build plots (applied for in outline with all matters reserved except access) (application form dated 13.11.2019)

The red line plan that accompanied it was as shown in figure 1a:

2. That application was revised and amended in May 2023 (the current application) to read Hybrid Application: Erection of 112 dwellings (inc. 43no affordable) together with associated access, infrastructure, landscaping and amenity space (applied for in full) and 9 self-build plots (applied for in outline with all matters reserved, access to be considered)

The red line plan that accompanied it is shown at figure 1b.

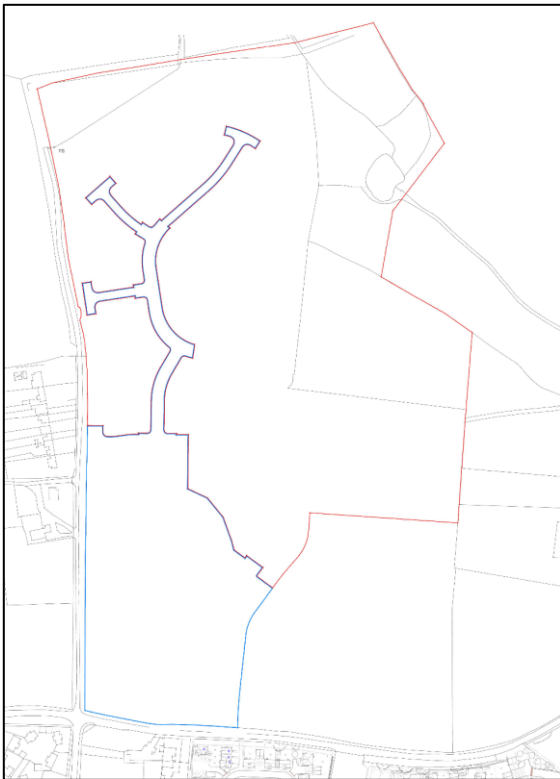


figure 1a: **Original red line plan 2020**

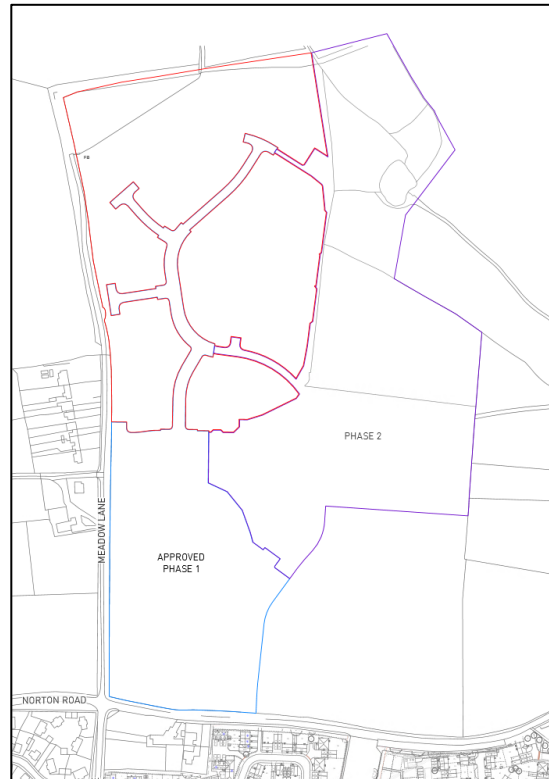


figure 1b: **Amended red line plan 2023**

**For the avoidance of doubt the revised application now seeks FULL permission for 112 units and outline permission for nine self-build units. All reference to 171 dwellings and 9 self-build has been withdrawn and deleted by Linden Homes.**

## **Location**

Land on The North Side of, Norton Road, Thurston, Suffolk  
Development known as 'Cavendish View'.

**Expiry Date:** extension of time agreed

**Application Type:** RES - Reserved Matters

**Development Type:** Major Small Scale - Dwellings

**Applicant:** Linden (Thurston) LLP

**Agent:** Savills (UK) Ltd

**Parish:** Thurston

**Site Area:** Revised application site = 6.18ha (including estate roads which are outside the redline) (estate road = approx. 0.5ha)

**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



figure 2: **The Proposed Revised Development**

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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.

- The number of dwellings contained in this application exceeds the threshold prescribed in the Council's formal Scheme of Delegation below which applications may be determined by the Chief Planning Officer

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## **EXECUTIVE SUMMARY**

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The main issues raised by this application include:

- To what extent does the proposal conform with the development plan and with the most important policies for the determination of the application? These include Policy 1 and 2 of the Adopted Thurston Neighbourhood Development Plan 2019 (ATNDP) and CS1 of the Adopted Core Strategy and FC1 and FC1\_1 Core Strategy Focused Review.
- How can this site which already benefits from outline planning permission for up to 200 dwellings and Reserved Matters approvals for 191 of these with the first phase having largely been delivered (87 dwellings) accommodate an uplift in overall dwellings of 61 more dwellings .
- Does the ATNDP set a limit on development in Thurston and if so has that limit been reached?
- Can the local highway network cope with the additional dwellings without harming safety and capacity (congestion)?
- Does the development provide sufficient public benefit to outweigh any less than substantial harm to designated heritage assets. (paragraph 202 of the NPPF 2021)?
- Is the higher density of development now proposed capable of being satisfactorily accommodated on the site and of producing a high-quality place, good design, no significant adverse impacts on residential amenity whilst respecting areas of landscape sensitivity?
- Is the proposed development sustainable and does it include sufficient infrastructure to support additional pressure on existing facilities and services?

Officers are of the opinion that the proposed development accords with Policies 1, 2 and 7 of the ATNDP, CS1 of the Adopted Core Strategy 2008, FC1 and FC1\_1 of the Core Strategy Focused Review and emerging SP01, 02 & 03 of the Joint Local Plan and is therefore acceptable in principle for reasons that are explored in this report.

It is acknowledged that this is not the view of Thurston Parish Council but it is considered the proposal will focus development within the defined settlement boundary for Thurston as defined in the ATNDP and therefore meets the primary test therein.

It is further acknowledged that the Council can demonstrate that it has a 10.88 year housing land supply. The Parish Council and others question the need for another 61 dwellings in such circumstances particularly when Thurston has experienced massive expansion in recent years and is still coming to terms with its impact as dwellings already approved are still being built as a legacy of the *Thurston Five* permissions .

The NPPF 2021 does not preclude approving sustainable development in highly sustainable locations such as this ( a defined Key Service Centre) if it is in accord with the Adopted Development Plan policy and is not contrary to other determinative policies and/or does not raise other material planning considerations that make the proposal unacceptable.

With planning merit in mind, the principle of 9 self-build units ( the outline component of this hybrid application) is acceptable.

In considering all aspects of the proposal (the FULL application for 112 dwellings) officers find the details to be acceptable.

The uplift in the overall number of units can be satisfactorily accommodated on the site , largely as a result of the unusually low density of development approved on that part of the site that now comprises the current application site, when details were previously approved for Reserved Matters to Phase 2 of the wider development. There is some physical overlap between the area approved as Phase 2 and the current application. This may pose questions as to implementability that are highlighted in the report.

The current proposal comes with a comprehensive package of S106 benefits that include some 'probably first time ever in the District' energy obligations agreed by the applicant which if the development is approved will raise the bar in terms what can be expected from national housebuilders wishing to build in Mid Suffolk.

The imminent start of the approved Beyton Road development by Bloor Homes on land south of Thurston railway bridge will deliver extensive highway improvement to amongst other locations, Fishwick Corner, Pokeridge Corner, Beyton Road/New Road junction and the footway under the railway bridge. These are all identified in the ATNDP as first being required to accommodate additional development. The current proposal also includes its own commitments to deliver enhanced connectivity which will further improve cycle and walking safety.

The application site includes a large area of open space secured earlier and previous S1-6 commitments will be transferred across to the current proposal if approved – along with the uplift in extra S106 obligations that arise from the additional 61 dwellings.

The proposed development will also provide a further 43 affordable homes.

Officers consider the development to be acceptable subject to obligations and conditions set out in the report and the recommendation, subject to such provisos being met, is that hybrid permission should be GRANTED.

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## **PART TWO – POLICIES AND CONSULTATION SUMMARY**

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### **Summary of Relevant Policies**

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that applications under the Planning Acts be determined in accordance with the development plan unless material considerations indicate otherwise. The principle of residential development has been established by the previous grant of outline planning permission. Everything else in respect of the 112 dwellings is for determination today.

Asterisked policies indicate those considered by officers to be the most important for the determination of this application.

### **Development Plan**

The Development Plan comprises the following:

- Thurston Neighbourhood Development Plan 2019
- Mid Suffolk Focused Review Core Strategy 2012
- Mid Suffolk Core Strategy 2008
- Mid Suffolk Local Plan 1998 and H4 Alteration

**Adopted Thurston Neighbourhood Development Plan [2019]** abbreviated. herein as ATNDP

Thurston has a 'Made' / 'Adopted' Neighbourhood Development Plan (2019). It is part of the Council's Adopted Development Plan and carries full weight.

Policy 1 Thurston Spatial Strategy\*

Policy 2 Meeting Thurston's Housing Needs\*

Policy 4 Retaining and Enhancing Thurston Character Through Residential Design

Policy 5 Community Facilities

Policy 6 Key Movement Routes

Policy 7 Highway Capacity at Key Road Junctions

Policy 8 Parking Provision

Policy 9 Landscaping and Environmental Features

Policy 11 Provision for Wildlife in New Development

**Core Strategy [2008]** abbreviated herein as CS

CS1 - Settlement Hierarchy\*

CS2 - Development in the Countryside & Countryside Villages

CS3 - Reduce Contributions to Climate Change

CS4 - Adapting to Climate Change

CS5 - Mid Suffolk's Environment  
CS6 - Services and Infrastructure\*  
CS9 - Density and Mix

**Core Strategy Focused Review [2012]** abbreviated herein as CSFR

FC1 - Presumption In Favour of Sustainable Development\*  
FC1\_1 - Mid Suffolk Approach to Delivering Sustainable Development\*  
FC2 - Provision And Distribution Of Housing\*

**Local Plan [1998]** abbreviated herein as LP

GP1 - Design and layout of development  
Altered H4 - Proportion of Affordable Housing  
H2 - Housing development in towns  
H3 - Housing development in villages  
H7 - 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  
CL8 - Protecting wildlife habitats

**Status of the Babergh Mid Suffolk Joint Local Plan**

Following the further Examination hearing sessions in June 2023 that after the Main Modifications Consultation the BMSJLP is considered to carry increasing weight as a material planning consideration in the determination of planning applications but cannot currently be considered to carry full weight. It does not, in any case, play a determinative role in the assessment of this application but it is observed that the application would accord with policy SP03 as currently modified because the site is within the Thurston settlement boundary.

**NPPF [2021]** abbreviated herein as NPPF

Section 2: Delivering Sustainable Development  
Section 3: Plan-Making  
Section 4: Decision-Making  
Section 6: Building a Strong, Competitive Economy  
Section 8: Delivering a sufficient Supply of Housing  
Section 9: Promoting Sustainable Transport  
Section 11: Making Effective use of Land

Section 12: Achieving Well-Designed Places

Section 14: Meeting the challenge of climate change, flooding and coastal change

Section 15: Conserving and enhancing the natural environment

Section 16: Conserving and enhancing the natural environment

**National Design Guide [2021]** abbreviated herein as NDG

**Building for a Healthy Life [2020]** abbreviated herein as BfaHL

**Adopted Guidance for Parking [3<sup>rd</sup> Edition May 2019]** abbreviated herein as GfP

## **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**

[Click here to view Consultee Comments online](#)

#### **Town/Parish Council**

- **Thurston Parish Council – 02/06/2023 (latest)**

**(This response relates to the revised proposal for 112 dwellings [FULL] + 9 self-build [OUTLINE] )**

*“The Parish Council, having considered this application in light of the revised drawings, would like to confirm that it continues to strongly object to this application in its entirety. The revised drawings submitted for re-consultation are considered not to contain any significant amendments to enable the Parish Council to change its original stance of objection, the substance of which were made in its submissions of, 27th May 2020, 5th November 2020, 22nd February 2021, 24th May 2021 and 5th November 2021 which remain very much relevant. It should therefore be noted that they continue to form part of the Parish Councils continuing objection.”*

#### **Officer comment**

Noted

*“It is still considered that this application fails to be in conformity with the Thurston Neighbourhood Development Plan (NDP) in relation to housing numbers, character and design and therefore fails to provide demonstrable evidence that it meets the objective*



*of sustainable development by meeting the needs of the present without compromising the ability of future generations to meet their own needs.”*

**Officer comment**

These points are noted and are carefully considered in later in this report. Contrary to the Parish Council's opinion officers, do believe the proposed development is sustainable and the justification for this opinion will be set out elsewhere in this report.

*“The Parish Council would request that the comments made under the submissions listed above be considered in the recommendation for refusal. Furthermore it is the Parish Council’s submission that this application, as it fails to meet with a positive response, should be rejected as it is contrary to the Thurston NDP in that it exceeds the approved number of dwellings (200) permitted in the outline application and as incorporated within the made Thurston NDP. It has been accepted within the Thurston NDP that this site is to deliver 200 dwellings which should be sympathetic in design and enhance the established character of Thurston. The uplift in numbers fails to accord with the adopted NDP in that it will deliver a scheme that is overcrowded and fails to promote high quality design along with sympathetic landscaping to create a varied biodiversity that complements the area in which it is located.”*

**Officer comment**

Noted and explored elsewhere in this report

***The following responses relate to pre-latest revised versions of the proposal but the Parish Council wishes them to be taken into account, as they remain in their view, relevant.***

- **Thurston Parish Council – 5/11/2021 [this response provided at the time in response to the original submission and not specifically to the current version]**

*“The Parish Council, having considered this application in light of the revised drawings, would like to confirm that it continues to strongly object to this application in its entirety. The revised drawings submitted for re-consultation are considered not to contain any significant amendments to enable the Parish Council to change its original stance of objection, the substance of which were made in its submissions of, 27th May 2020, 5 th November 2020, 22nd February 2021 and 24th May 2021 which remain very much relevant. It should therefore be noted that they continue to form part of the Parish Councils continuing objection.*

*It is still considered that this application fails to be in conformity with the Thurston Neighbourhood Development Plan (NDP) in relation to housing numbers, character and*

*design and therefore fails to provide demonstrable evidence that it meets the objective of sustainable development by meeting the needs of the present without compromising the ability of future generations to meet their own needs. It is also considered that this proposal continues to repeat all of the negative aspects that were criticised in Phase 1 for this site and that concerns raised in earlier submissions for this site have not been addressed.*

*The Parish Council would request that the comments made under the submissions listed above be considered in the recommendation for refusal. Furthermore it is the Parish Council's submission that this application, as it fails to meet with a positive response, should be rejected as it is contrary to the Thurston NDP in that it exceeds the approved number of dwellings (200) permitted in the outline application and as incorporated within the made Thurston NDP. It has been accepted within the Thurston NDP that this site is to deliver 200 dwellings which should be sympathetic in design and enhance the established character of Thurston. The uplift in numbers fails to accord with the adopted NDP in that it will deliver a scheme that is overcrowded and fails to promote high quality design along with sympathetic landscaping to create a varied biodiversity that complements the area in which it is located."*

- **Thurston Parish Council – 24/5/2021 [this response provided at the time in response to the original submission and not specifically to the current version]**

*"The Parish Council, having considered this application in light of the revised drawings and minor amendments, would like to confirm that it continues to strongly object to this application in its entirety.*

*The changes that are shown on the revised drawings submitted for re-consultation are considered not to be sufficient to enable the Parish Council to change its original stance of objection, the substance of which were made in its submissions of 6th November, 27th May 2020 and 22nd February 2021 and which remain very much relevant. It should therefore be noted that they continue to form part of the Parish Councils continuing objection.*

*It is still considered that this application fails to be in conformity with the Thurston Neighbourhood Development Plan (NDP) in relation to housing numbers, character and design and therefore fails to provide demonstrable evidence that it meets the objective of sustainable development by meeting the needs of the present without compromising the ability of future generations to meet their own needs.*

*Thurston NDP, as has been documented widely, was adopted unanimously by members of Mid Suffolk's District Council (MSDC) in October 2019 and has statutory weight which alongside the rest of the development plan must be the starting point for decision making. The NPPF states that planning policies and decisions should play an active role in guiding development towards sustainable solutions, but in doing so should take local circumstances into account, to reflect the character, needs and opportunities of each area. First and foremost, the Parish Council contends that the adopted NDP should therefore be afforded full weight in the determination of this application.*

*Overall the Parish Council feels that the overall proposal fails to take into account the made Thurston Neighbourhood Development Plan (NDP) and has repeated all of the negative aspects that were criticised in Phase 1 for this site and have failed to address the concerns raised in earlier submissions for this site.*

*The Parish Council would request that the comments made under the submissions listed above be considered in the recommendation for refusal noting that a number of its comments made under its response to Planning Application DC/20/01249 are also valid.*

*Furthermore it is the Parish Council's submission that this application as it fails to meet with a positive response should be rejected as it is contrary to the Thurston NDP in that it exceeds the approved number of dwellings (200) permitted in the outline application and as incorporated within the made Thurston NDP. It has been accepted within the Thurston NDP that this site is to deliver 200 dwellings which should be sympathetic in design and enhance the established character of Thurston. The uplift in numbers fails to accord with the adopted NDP in that it will deliver a scheme that is overcrowded and fails to promote high quality design along with sympathetic landscaping to create a varied biodiversity that complements the area in which it is located.*

*The Parish Council also draws reference to the proposed changes to better design (Building Better Building Beautiful Commission Report) which will set an expectation that good quality design will be approved while poor quality will be rejected and includes a commitment to ensure that all streets are lined with trees. Furthermore, the Rt Hon Robert Jenrick MP has stated that developments should ensure that they reflect and enhance their surroundings and preserve local character and identity. The Parish Council therefore submits furthermore that the Local Planning Authority should ensure that this application is rejected as it fails to ensure that current and new residents are able to benefit from a well-designed neighbourhood that preserves and enhances the location in which it is set".*

- **Thurston Parish Council – 22/2/2021 [this response provided at the time in response to the original submission and not specifically to the current version]**

*"The Parish Council, having considered this application in light of the revised drawings, would like to confirm that it continues to strongly object to this application in its entirety. The changes that are shown on the revised drawings submitted for re-consultation are considered not to be sufficient to enable the Parish Council to change its original stance of objection, the substance of which were made in its submissions of 6<sup>th</sup> November and 27<sup>th</sup> May 2020 and which remain relevant. It should therefore be noted that they continue to form part of the Parish Councils continuing objection.*

*It is still considered that this application fails to be in conformity with the Thurston Neighbourhood Development Plan (NDP) in relation to housing numbers, character and design and therefore fails to provide demonstrable evidence that it meets the objective of sustainable development by meeting the needs of the present without compromising the ability of future generations to meet their own needs.*

*Thurston NDP, as has been documented widely, was adopted unanimously by members of Mid Suffolk's District Council (MSDC) in October 2019 and has statutory weight which alongside the rest of the development plan must be the starting point for decision making. The NPPF states that planning policies and decisions should play an active role in guiding development towards sustainable solutions, but in doing so should take local circumstances into account, to reflect the character, needs and opportunities of each area. First and foremost, the Parish Council contends that the adopted NDP should therefore be afforded full weight in the determination of this application.*

*Overall the Parish Council feels that the overall proposal fails to take into account the made Thurston Neighbourhood Development Plan (NDP) and has repeated all of the negative aspects that were criticised in Phase 1 for this site.*

*The Parish Council would request that the following comments be considered in the recommendation for refusal noting that a number of its comments made under its response to Planning Application DC/20/01249 are also valid:*

#### *Layout*

- 1. As has also been mentioned by the Parish Council previously the density and layout of the proposal fails to accord with Policy 1Cc of the Thurston NDP which requires all new development coming forth to design high quality buildings and deliver them in layouts with high quality natural landscaping in order to retain the rural character and physical structure of Thurston.*
- 2. The layout proposed does not conform with a site siting at the very edge of a rural village abutting a rural landscape. Given the location of the housing to be allocated on the site there should be more connection with the rural landscape surrounding the site and the use of soft landscaping to shape views and enclose space is also sought. The proposal shows a dominant road system with a rigid building line with terraced housing creating an area that is more akin to an urban town centre development, thereby creating a layout more suited for an urban rather than a rural setting.*
- 3. Generally, within the site there has been no attempt to create spaces between areas or groups of houses by creating green open spaces. It is noted that the "communal areas" are to the north of the development with little attempt made to use the topography of the area to allow for a design that would create a more interesting street scene.*
- 4. Furthermore the layout fails to take into account guidance as given within Suffolk County Council's (2000 revised) Suffolk Design for Residential Areas, the Government's Manual for Streets and Manual for Streets 2 as well as Historic England's Streets for All documents. The Thurston NDP provides exemplar information on the street scenes that are acceptable – Chapter 5 Housing and Design – at page 39 has an example of Spatial Organisation that would be supported. House Design/Residential Design*

5. *Thurston's NDP Policy 4 expects all new development to reflect the scale, mass height and form of neighbouring properties. There is a disappointing lack of intention in ensuring that the density is spread around the development in order to ensure that there is a loose, more organic layout with reduced densities to provide a stepped transition from a semi-rural position to rural.*
6. *As has been mentioned previously by the Parish Council on this and on other significant planning applications within Thurston, it is disappointed to note that there are a number of 2.5 storey dwellings. As has been previously stated, the Parish Council is concerned that their inclusion at different roof heights from the surrounding dwellings will provide for a street scene that is neither in keeping with the surrounding area nor enhancing of the area as a whole.*
7. *The Parish Council questions the lack of clarity as to whether all dwellings comply with the sizes laid out under the Nationally Described Space Standard as issued by the government. The Parish Council would request that the comments and recommendations of the Strategic Housing Officer be fully explored.*
8. *The housing provision for elderly / retired is inadequately catered for within the proposals submitted as there is no change from the provision previously offered. The lack of such a provision fails to take into account the aging population in Thurston as identified within the Thurston NDP and has failed to demonstrate that the proposal has sought to offer future-proofed bungalows and houses suitable for those wishing to downsize.*
9. *Furthermore, the proposal fails to take account of the Babergh Mid Suffolk District Homes and Housing Strategy 2019-2024 which exemplifies this point by referencing that currently (2019) there are 1 in 5 people over the age of 65 in Suffolk which is expected to rise to 1 in 3 over 20 years' time.*
10. *As outlined by the NDP Policy 2 - all new housing proposals will be expected to address the evidence-based needs of the Thurston Neighbourhood area. It is expected that this should also take into account the findings of the Strategic Housing Market Assessment (2019) which stated that over 34.4% of owner-occupied homes by 2036 would require a smaller house.*
11. *The Parish Council requires the mix of properties being offered to reflect an increase in the number of bungalows offered with a mix of 2 bed and 3 or 4 bed bungalows. Climate Emergency*
12. *In 2019 Babergh and Mid Suffolk Council declared a climate emergency with aspiration to be carbon neutral by 2030. In line with this, they released the document - Suffolk Guidance for Parking in which it states "Following on from DfT's recent Road to Zero10 publication and Suffolk County Council's commitment to make the county of Suffolk carbon neutral by 2030, sufficient provision of electric vehicle charging infrastructure must be made to help meet the governments ambition of all cars and vans being zero emission by 2050".*

13. *There are no measures that enable all to contribute to tackling climate change, reducing carbon emissions and waste and making the county cleaner and greener and this limitation does not support the measures that are being taken and should be part of all planning applications submitted for consideration.*
14. *The Thurston Neighbourhood plan in its commitment to a cleaner, greener alternative to diesel and petrol cars, has highlighted the fact that there are currently no electric charging points in the village and is committed to changing this as part of the infrastructure and future proofing of the village ready for this change in 2030.*
15. *It is therefore expected that any plans for development submitted show that this commitment to the community is being recognised. There is no evidence to suggest that the latest application has made any provisions to future proof the dwellings with regards to electric vehicles. There is no indication that they intend to fit the required infrastructure for EV's in the 198 houses that do not have garages – some 88% of the proposed build. There is similarly no indication that there will be areas put aside for electric charging stations.*
16. *In accordance with Policy 4, the Parish Council cannot support new development coming forward that fails to incorporate electric charging points and as such requires that all dwellings should be equipped with EV charging infrastructure.*
17. *In a declared Climate Emergency, it is essential that all new housing is both passive and sustainable. The Parish Council is concerned to see that there is no detail and/or little reference to sustainability in the shape of a report on Energy Use. All new development coming forth should show a commitment focusing on not only ensuring that all new dwellings have sufficient insulation but also ensuring how dwellings will be adequately ventilated for future residents to ensure that the periods of intense heat in the summer months are experienced in a comfortable manner.*
18. *Again all new development should demonstrate commitments to alternative energy sources such as the use of renewable, solar panel heating (in all forms) and why there is no provision for water conservation. The Local Planning Authority should be at the forefront of ensuring that this will be fully explored, and developers required to implement such measures. Ecological & Landscape*
19. *The Parish Council makes the comment that overall, the layout, on such a tight scale is generally considered to be incompatible with the wider rural open countryside character and visual appearance and would therefore have a negative adverse effect on the rural character of the area. The proposed development, on the edge of the village, will therefore appear discordant when viewed against the established grain of development which would have a significantly detrimental effect on the character of the area.*
20. *Policy 9 of the Thurston NDP requires all new development to be designed to ensure that its impact on the landscape and the high-quality rural environment of Thurston is minimised. To accord with the Thurston NDP, measures should be implemented to ensure that no existing trees or shrubs are removed or cut without written*

*agreement of the Local Planning Authority Tree Officer; that all existing trees are retained and protected; that any shrubs to be removed are done so by hand to protect roots and that there is protection of tree canopies and that protected species are unharmed. Play Provision*

- 21. Overall the Parish Council considers the proposals for play provision fails to provide any facilities of recreational or amenity value. The limited proposals for the North West Corner of the Open Space as referenced under LIN22824-15 and that for a play area and path through the north of Lady Greene's Plantation as referenced on Drawing LIN22824-11c are vague in location and lacking in quality and quantity given that the proposals are being located to the north of the site and not within reasonable walking distance of the facilities and services of the village.*
- 22. As has been stated previously, the Parish Council is committed to ensure that any new play provision within the village is strategically placed to ensure it complements existing provision and meets any known deficits. The Parish Council would like to see a facility offered which will be of a demonstrable recreational or amenity value and should be multi-functional and should be in conformity with Policy 5C of the NDP. In general, it has been acknowledged that there is a need for 'adventure style provision' particularly attractive to juniors and older children but this should not be at the exclusion of the toddlers up to 10–12-year-old children. Woodland*
- 23. Lady Green Plantation – the Revised Management Plan drawing: LIN22275-51d, dated 23/12/20, shows this wood as being under the management of Thurston Parish Council. Clarification on this is required.*
- 24. Copse to the North of Lady Greene Plantation – it is noted from the above drawing that this area is to be maintained by the Management Company alongside the bulk of the open space areas. As this area is an area of woodland listed as a Priority Habitat woodland through which the Thurston stream runs, there are no details on how such a valuable wildlife habitat will be maintained. Allotments*
- 25. The lack of allotments within the village along with their provisioning is mentioned within the made Thurston NDP and the Parish Council cannot support an application that fails to take note of the demand for such a facility. It should be noted that the NDP states that allotments should be provided in groups that have appropriate care, cycle and foot access and should ideally be on the periphery of housing development. Policy 5 states that the provision of allotments or community spaces will be strongly supported. Transport/Highways*
- 26. The Parish Council notes the response from SCC Highways dated 3 February 2021 in which it is stated that the Transport Assessment has indicated that the Trip Generation from additional 67 Dwellings indicates that the number of vehicles using Bunbury Arms Junction are as follows: additional vehicles in the AM peak hour and 6 additional vehicles in the PM peak hour. SCC have considered that as this is a low number of vehicles, they will not affect the capacity of the proposed signalised junction. The Parish Council is concerned that, to date, SCC does not have an*

*installed traffic management solution that works on that junction and despite concluding that the junction will be over capacity with the proposed traffic signal mitigations, no tested workable solution has been achieved. Without the mitigation measures in place the junction is clearly over capacity at times both in the am and pm periods.*

- 27. The Parish Council also questions the assumption that traffic from the development will use Fishwick Corner and Pokeriage Corner rather than the A143.*
- 28. Given this assumption, the Parish Council questions why there has been no assessment of the impact on the rail crossing bridge of the additional traffic flows as well as the impact that additional use will have on all users of the highway and in particular cyclists.*
- 29. There is also a concern that SCC Highways Authority is recommending that to improve sustainable transport and connectivity for the residents of the development as pedestrians and cyclists, a contribution is given to improve the footway along Station Hill and provide a controlled crossing point near the Rail Station.*
- 30. In applying such a recommendation the Parish Council is keen to ensure that a full assessment of this area is carried out as such a recommendation, if not implemented correctly, will likely have a further impact on traffic flows in that part of the village, the type of impact SCC has previously indicated they did not want when looking at possible mitigation solutions for under the Railway Bridge on Barton Road/New Road. New Primary and Pre-School*
- 31. The Parish Council having noted the comments made by the Senior Planning and Infrastructure Officer Planning Section, Strategic Development (8th October 2020) that this application relates to a new proposal and seeks consent for a total of 180 dwellings on part of the redline boundary which originally secured outline for up to 200 dwellings secured through outline application 2797/16, fails to find full details as to how this application for increased numbers does not jeopardise the access and services for the new primary school which adjoins this site.*

*In summary, it is the Parish Council's submission that this application has still failed to meet with a positive response and should be rejected as it is contrary to the Thurston Neighbourhood Plan in that it exceeds the approved number of dwellings (200) permitted in the outline application and as incorporated within the made Thurston NDP.*

*The Parish Council also draws reference to the proposed changes to better design (Building Better Building Beautiful Commission Report) which will set an expectation that good quality design will be approved while poor quality will be rejected and includes a commitment to ensure that all streets are lined with trees. Furthermore, the Rt Hon Robert Jenrick MP has stated that developments should ensure that they reflect and enhance their surroundings and preserve local character and identity. The Parish Council therefore submits furthermore that the Local Planning Authority should ensure that this application is rejected as it fails to ensure that current and new residents are*



*able to benefit from a well-designed neighbourhood that preserves and enhances the location in which it is set.”*

- **Thurston Parish Council – 5/11/2020 [this response provided at the time in response to the original submission and not specifically to the current version]**

*“The Parish Council, having considered this application in light of the revised drawings, would like to confirm that it continues to strongly object to this application in its entirety. The changes that are shown on the revised drawings submitted for re-consultation are considered not to be sufficient to enable the Parish Council to change its original stance of objection the substance of which is repeated below.*

*It is considered that this application fails to be in conformity with the Thurston Neighbourhood Development Plan (NDP) in relation to housing numbers, character and design and therefore fails to provide demonstrable evidence that it meets the objective of sustainable development by meeting the needs of the present without compromising the ability of future generations to meet their own needs.*

*The Parish Council is disappointed that the applicants have failed to engage in any meaningful manner with the Parish Council over this application for increased numbers on the site. It acknowledges that a meeting was held with Representatives from Linden Homes on 13 th March 2020 to discuss, or so the Parish Council thought, the content of the reserved matters to be submitted for the balance of the approved houses on this site. This application was submitted on 30th April (and validated within two days by the Local Planning Authority) which gave Linden Homes no time at all to consider or even respond to the Parish Council’s comments.*

*At this meeting, the submitted plan was shown to the Parish Council which is in direct conflict with the original phase 2 expectations of this site and with the outline planning permission granted for the whole site. The Parish Council’s viewpoint was made very clear to the representatives and yet despite there being clear opposition to the plan being discussed, the applicant failed to engage in any meaningful debate with the Parish Council or even the community in which the site is located. A copy of the notes taken at that meeting were submitted in the Parish Council’s response dated 27th May 2020.*

*Thurston NDP, as has been documented widely, was adopted unanimously by members of Mid Suffolk’s District Council (MSDC) in October 2019 and as has been stated has statutory weight which alongside the rest of the development plan must be the starting point for decision making.*

*The NPPF states that planning policies and decisions should play an active role in guiding development towards sustainable solutions, but in doing so should take local circumstances into account, to reflect the character, needs and opportunities of each area. First and foremost, the Parish Council contends that the adopted NDP should therefore be afforded full weight in the determination of this application. The made Thurston NDP, as described by the examiner, and as supported by the parishioners of Thurston, is described as providing a strong practical framework against which decisions*

*on development can be made and it is against this document that this application should be determined as it has significant weight.*

*Overall the Parish Council feels that the overall proposal fails to take into account the made Thurston Neighbourhood Development Plan (NDP) and has repeated all of the negative aspects that were criticised in Phase 1 for this site.*

*As the Thurston NDP prevails the publication of the Joint Local Plan Consultation Document which has just completed Regulation 18 phase, the Parish Council draws reference to the approved number of dwellings for this site which, as identified in the NDP is 200.*

*The Parish Council would request that the following comments be considered in the recommendation for refusal:*

- There is a significant urban feel to the design which neither complements nor enhances the village. Overall the density, by increasing the numbers to be incorporated into the scheme has failed to not only respect the spatial strategy within the village but also that of Phase 1. The number of houses for this site has been identified as 200 in the NDP – the uplift is therefore contrary to the Policy Maps as shown in the NDP.*
- The Parish Council holds that the layout as submitted will result in an overdevelopment of the area which will fail to enhance, protect, or conserve the environmental conditions of the area in which it is located and will fail to enhance or protect the local character of the area.*
- Furthermore the layout fails to take into account guidance as given within Suffolk County Council's (2000 revised) Suffolk Design for Residential Areas, the Government's Manual for Streets and Manual for Streets 2 as well as Historic England's Streets for All documents. The Thurston NDP provides exemplar information on the street scenes that are acceptable – Chapter 5 Housing and Design – at page 39 has an example of Spatial Organisation that would be supported.*
- The current proposal not only fails to take into account the Spatial Organisation as mentioned in the Thurston NDP and the Thurston Character Assessment 2017 but it would appear that the applicant has decided to use Page 38 of the Thurston NDP (Spatial Organisation – how not to) as its design model.*
- The applicant has failed to take into account the Officer Comment submitted in the Officer Report for Phase 1 in which it is stated that “it is considered appropriate for phase 1 to have what is an urban/suburban feel where it adjoins other development but as later phases move northward to may be appropriate to spread density around in order that elements over-look the adjacent woodland and/or the planned large area of open space have a looser more organic layout with reduced densities to provide a stepped transition from urban to rural”.*
- The Parish Council also contends that any application coming forth should have had more of a rural feel to the development and should have had less of a regimented form*

*of design with the use of cul-de-sacs to avoid the 'tunnel' effect. Given the location of the housing to be allocated on the site there should be more connection with the rural landscape surrounding the site and the use of soft landscaping to shape views and enclose space is sought.*

- *The lack of allotments within the village along with their provisioning is mentioned within the made Thurston NDP and the Parish Council cannot support an application that fails to take note of the demand for such a facility and one which has removed the space allocated in the outline stage for allotment. It should be noted that the NDP states that allotments should be provided in groups that have appropriate care, cycle and foot access and should ideally be on the periphery of housing development. Policy 5 states that the provision of allotments or community spaces will be strongly supported.*

- *The Parish Council acknowledges that there is a mix of house types and sizes but once again has a concern with the size of the smaller dwellings and would request that all properties are built to current Nationally Described Space Standards as published March 2015 and endorse the comments made by the Strategic Housing Officer.*

- *As has been mentioned previously by the Parish Council on other significant planning applications within Thurston, it is disappointed to note that, contained within this phase, there are a number of 2 and a half storey dwellings. As has been stated previously, within the northern side of the village, there are no 2.5 storey dwellings. The Parish Council is concerned that their inclusion at different roof heights from the surrounding dwellings will provide for a street scene that is neither in keeping with the surrounding area nor enhancing of the area as a whole. Acknowledging that a number of 2.5 dwellings were approved at Phase 1 stage, the Parish Council draws reference to that fact that these were to be sited on the crescent which would read as a place in its own right and that at the Planning Referral Meeting of 24th July 2019, the Committee was in agreement that there was a need to ensure that Linden Homes, the Parish Council and the Planning Officers continued discussions for future areas coming forth in terms of there being no 2.5 dwellings and no urban layout.*

- *Mid Suffolk District Council, at its meeting on 25th July 2019, voted on motions to support Suffolk's county-wide aim of becoming carbon neutral by 2030. It was claimed that this would give (MSDC) the mandate we need help the Government to deliver its 25-year Environment Plan and increase the powers and resources available to local authorities to address climate change. This proposal demonstrates no measures to discourage the use of cars for residents to travel to work. The use of vehicles to access areas of employment outside of the village – as this proposal fails to offer any employment opportunities - will increase congestion and carbon emissions.*

- *The Parish Council supports the submission by Suffolk County Council (of 26th October 2020) that due to the increase within the proposal of an additional 67 dwellings and the impact that such an increase will have in terms of cumulative impact on the highway network, on the there is a need for a Transport Assessment or Statement (as per their original submission of 2 June 2020).*

- *Within the Public Open Space to the north of the site it is noted that there is to be additional planting, but it is still unclear as to the treatment of protection offered to Lady Green Woods. • Within the plans submitted there is insufficient detail on the landscaping that will be offered or the protection of existing trees and hedgerow to soften the development. To accord with the Thurston NDP the Parish Council would have wished to have been given further details of wildlife trees and planting to be incorporated into the site with proposals that retain the rural village feel of Thurston. The landscape buffer that abuts the countryside and the Primary School should be of a native species and will need to be enhanced.*
- *It is noted in the Arboricultural Method Statement that Point 8.1 states that no trees are to be removed as a direct result of the proposed development. The Parish Council expects all levels of local government to ensure that statements made in documents such as these are fully endorsed.*
- *The Parish Council notes the comment from Place Services at Essex County Council “The Site Layout and Enclosure Plan shows trees along the boundaries of the housing parcels and the woodland. However, these are not replicated on the soft landscape proposals”.*
- *Although it is stated that the scheme has complied with the Suffolk County Council Parking Standards (2015), there is a concern at the overall provision of parking spaces with only a number of garages being incorporated (53). Whilst the Design Statements states a desire to include cycle routes which promote active travel, given the few garage spaces, it is difficult to see how the security of cycles will be accommodated.*
- *Furthermore the Parish Council supports the submission by Suffolk County Council (of 26th October 2020) that there is a need to revisit the parking proposal in that the width between houses/fences should be 3.1m (6.2m minimum for parking next to each other) to accommodate sufficient space for car parking.*
- *The Parish Council is concerned that in light of the Climate Emergency declared by not only MSDC but also Suffolk County Council as the Principal Authority, it is only proposed to have electric vehicular charging points for dwellings with garages only. The Parish Council would like to see measures that enable all to contribute to tackle climate change, reduce carbon emissions and waste and make the county cleaner and greener and this limitation does not support the measures that are being taken and should be part of all planning applications submitted for consideration.*
- *The Parish Council is further concerned that there is insufficient regard to the requirement of an expectation that visitors will require parking facilities which will lead to congestion on the spinal road as well as private roads thereby impacting on highway safety for all users. Visitor parking spaces total 45 for the development and the Parish Council would like to see a revised layout showing adequate visitor parking suitably located and accessible for use. It also questions the strategy for distribution of visitor car parking spaces as there are several areas where visitor spaces are provided but not necessarily required – in the main on private drives off a shared access.*

- *The Parish Council is also concerned that the layout shows a significantly reduced level of parking provision for rented/shared ownership homes.*
- *The new dwellings, on such a tight scale are now considered to be incompatible with the wider rural open countryside character and visual appearance and would therefore have a negative adverse effect on the rural character of the area. The proposed development, on the edge of the village, will therefore appear discordant when viewed against the established grain of development which would have a significantly detrimental effect on the character of the area. Policy 9 of the Thurston NDP requires all new development to be designed to ensure that its impact on the landscape and the high-quality rural environment of Thurston is minimised.*
- *With regards to play provision the Parish Council is disappointed, that there is limited provision for formal play equipment to be provided at the site in accordance with the S106 Planning Obligation accompanying the outline planning permission. The Parish Council has stated during the discussion of the 1st submission for Reserved Matters for this site that it feels that given the wooded area to the north – east of the site layout there should be some form of recreational activity provided and it further expected that further details on the type of equipment coming forth would be submitted under Phase 2 and should have been include within this application provided. Whilst it acknowledges there is a proposal for a woodland play area and the natural play experiences, yet again, there is a concern that the proposal does nothing to address the paucity of play equipment / areas aimed at wider groups of the community. The Parish Council formally requests that such facilities should be a discussion point and condition of any planning permission going forward as it will be of a demonstrable recreational and amenity value. As has been stated previously the Parish Council is committed to ensure that any new play provision within the village is strategically placed to ensure it complements existing provision and meets any known deficits. In general, it has been acknowledged that there is a need for ‘adventure style provision’ particularly attractive to juniors and older children but this should not be at the exclusion of the toddlers up to 10-12 year old children).*
- *Whilst the site retains the same ingress and egress, there are concerns that any proposed increase will further increase the safety risks with the new school being effectively part of the same site. The Transport Assessment undertaken by MLM Group at Table 6.2 demonstrates that the Phase 2 proposals would generate an additional 85 two-way people trips in the AM peak and 73 two-way people trips in the PM peak compared to the extant planning approval for the site. Of these trips, there would be 43 two-way vehicle trips in both the AM and PM peak hours. However, it fails to address the concern that this is on a site upon which a Primary School is to be located – 630 places with additional 60 pre-school places. This increase in traffic movement will have a significant impact on the safety of pedestrians and cyclists accessing the educational facility from across the village.*
- *Thurston Parish Council notes that, to date, SCC Highways Authority have not shown positively that identified mitigation measures will provide solutions to the severe negative impact that additional growth will have on the Highway Network and draws reference to*

*the letter submitted by SCC Highways (Steve Merry (SCC) to Ben Elvin (MSDC) 13 Oct 2017) who raised concerns that, following mitigation measures being implemented (for those planning applications approved at the meeting of 1st November 2017), the roads in and around Thurston will be operating at capacity if all the developments go ahead.*

- The position stated above has been referenced in the letter submitted by SCC Highways (Samantha Harvey (SCC) to Vincent Pearce (MSDC) 22 May 2019) which has confirmed that the improvements planned for the permitted developments north of the railway line were only to a level to mitigate their harm and had little, if any, residual capacity in terms of congestion and road safety. The letter further identifies that a suite of improvements, in the opinion of the Local Highways Authority, mitigated the harm of these five developments but took the infrastructure to its maximum in terms of safety and capacity. • Whilst the Parish Council acknowledges that some mitigation measures have been / are being discussed (due to further applications being considered in Thurston ) in relation to • Highway junction improvements at Fishwick Corner.*

- Highway junction improvements at Pokeriage Corner. • Highway junction improvements at Beyton Road / Barton Road.*

- Highway junction improvements at A143/Thurston Road (Samantha Harvey (SCC) to Vincent Pearce (MSDC) 7 January 2020), the Parish Council is concerned that additional growth such as that now being considered, is unsustainable, unsafe and will have a severe impact on the Highway Network in and around Thurston. It has overall concerns that this application has not considered the cumulative impact it will have on highway safety for all users of the highway network.*

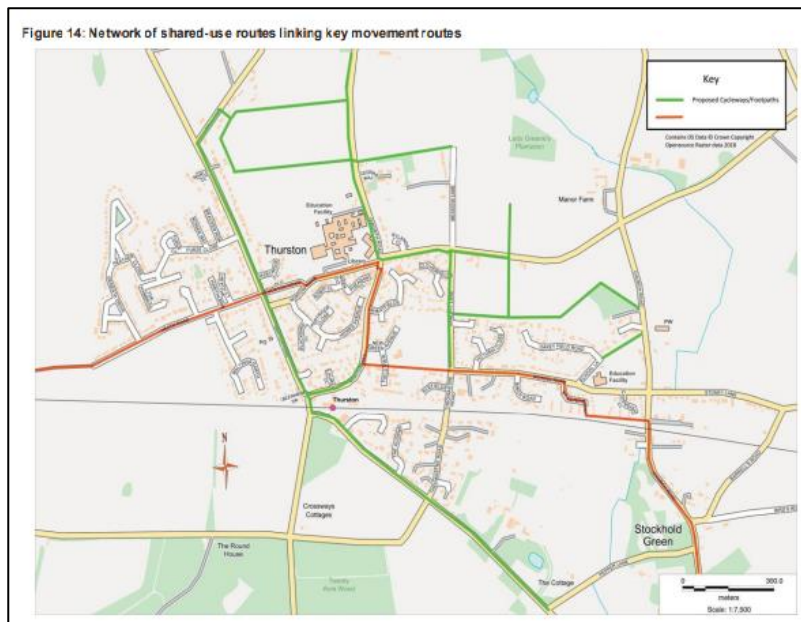
- The Parish Council would also expect to see transport assessment also taking into account the change in the Suffolk County Council School Travel and Post-16 Travel Policy, the proposed expansion of the Thurston Community College (in response to growth in its catchment area) and to provide sufficient information to allow the impact of the additional traffic from the development on the highway network as a whole.*

- Given the desire to promote sustainable travel further, the proposal fails to consider the impact on passenger safety on the Thurston Level Crossing at the railway station as the proposal is likely to increase the numbers using the railway station which will negatively impact the risk to users of the railway. The Parish Council contends that whilst there has been approval, at District level, to fund a feasibility study into mitigation measures that might be appropriate, there are still no workable proposals to be implemented that that will allow those to access the Ipswich to Cambridge platform in a manner that is deemed to be safe for all users. The Parish Council notes that the detailed assessment of the cumulative risk to users of the railway station has been updated (2020) and seeks reassurance that the Local Planning Authority will undertake measures to ensure that the most upto-date information on the cumulative impact on the railway station from development planned for Thurston is obtained from Network Rail and seek further comments from Network Rail on the cumulative impact this further application will have.*

- The Parish Council draws reference to comments submitted by West Suffolk District Council "Assuming the present application for Land North of Norton Road is approved*

with a higher number of dwellings (267 dwellings), there is 1475 dwellings proposed/ under construction around Thurston, a Core Village. If site allocations LA085 and LA086 are also developed this would rise to 1610 new dwellings. The cumulative impact of such a large scale of residential development from Thurston (and to a lesser extent Elmswell and Woolpit,) will impact on infrastructure and public services in West Suffolk, especially health, highways and leisure, and is causing us concerns” and reiterates its previously identified concerns that the infrastructure of a rural village such as Thurston is unable to cope with the increase in numbers on such a short timescale.

- The Parish Council is not in agreement with the comment from Place Services that there should be a connection onto Meadow Lane from this development (two have been created in this revised version) and feels that there is sufficient manner in which to gain access to this Quiet Lane from the footpath that borders Norton Road. This departure from the approved outline planning application is not supported by the Parish Council nor has it requested such a departure.
- At no time has a request come from the Parish Council to vary the route of the public footpath nor create extra further accesses onto Meadow Lane.
- Figure 14 of the Adopted Thurston Neighbourhood Plan (as adopted by Mid Suffolk District Council in October 2019), shows the proposed footpath routes that are supported by the Parish Council: Figure 14: Network of shared-use routes linking key movement routes • The Parish Council supports the comment made by the Highways PROW Planning requesting that the Applicant accommodates FP7 within their plans in the public open space area only. It is further stated that the Applicant must also ensure that FP7 remains unobstructed at both ends where it crosses the site boundary, and that it is not obstructed by planting along its length.



Extract from ATNDP

*The Parish Council further notes the comment within the submission from the PROW team of 26th May 2020 “The granting of planning permission IS SEPARATE to any consents that may be required in relation to PROW. It DOES NOT give authorisation for structures such as gates to be erected on a PROW, or the temporary or permanent closure or diversion of a PROW. Nothing may be done to close, alter the alignment, width, surface or condition of a PROW, or to create a structure such as a gate upon a PROW, without the due legal process being followed, and permission being granted from the Rights of Way & Access Team as appropriate. Permission may or may not be granted depending on all the circumstances,” and requires clarification as to why there are now two entrances from the site onto Meadow Lane.*

*The Parish Council is further disappointed that the request by the Mid Suffolk Planning Referrals Committee of 24th July 2019 for Linden Homes, the Parish Council and Planning Officers at Mid Suffolk to continue discussions for future areas coming forth in terms of no 2.5 dwellings; no urban layout and provision of play equipment in accordance with the requirements of the Parish Council and the overall maintenance of the very small grassed areas has not come to fruition. The Parish Council does however note from the Planning Statement as submitted by the agent that the applicant has met with Mid Suffolk District Council Planning Officers and Housing Officer to discuss the proposals and received a positive response from Officers to the proposed increased amount of housing at the site. Members of the project team have also engaged with Suffolk County Council Highways regarding the proposals and the scope for the accompanying Transport Assessment. The Parish Council confirms that it was not made aware of any of these meetings and in response to the agents comment that “The applicant met with Thurston Parish Council to share the proposals” this, as previously mentioned, was only once the plans had already been drawn up and that all engagement has taken place with District and County Officers and not the Parish Council.*

*Furthermore the Parish Council notes the comments made by the Senior Planning and Infrastructure Officer Planning Section, Strategic Development (8th October 2020) that this application relates to a new proposal and seeks consent for a total of 180 dwellings on part of the redline boundary which originally secured outline for up to 200 dwellings secured through outline application 2797/16. When taking into consideration the 87 dwellings approved under Phase 1 (DC/19/001602), this application therefore seeks to increase the capacity of the development by 67 dwellings over the original 200 dwellings and agrees with the comment that it is essential that this application does not jeopardise the access and services for the new primary school which adjoins this site.*

*The Parish Council also suggests that, in light of the comments made by the Senior Planning and Infrastructure Officer Planning Section, Strategic Development at Suffolk County Council made under application DC20/01249, if more than 200 dwellings are being brought forward a review of essential infrastructure that underpins growth in the village such as education and highways must now be carried out and an additional deed entered into to secure further s106 contributions and draws the Planning Officer’s attention to the planning obligation dated 20 March 2018 made between Mid Suffolk District Council, Suffolk County Council and Peter Andrew Hay.*



*In summary, it is the Parish Council's submission that this application has not met with a positive response and should be rejected as it is contrary to the Thurston Neighbourhood Plan in that it exceeds the approved number of dwellings (200) permitted in the outline application and as incorporated within the made Thurston NDP."*

- **Thurston Parish Council – 27/5/2020 [this response provided at the time in response to the original submission and not specifically to the current version]**

*The Parish Council, having considered this application at its Planning Committee Meeting on 20th May 2019, would like to confirm that it objects to this application in its entirety.*

*It is considered that this application fails to be in conformity with the Thurston Neighbourhood Development Plan (NDP) in relation to housing numbers, character and design and therefore fails to provide demonstrable evidence that it meets the objective of sustainable development by meeting the needs of the present without compromising the ability of future generations to meet their own needs.*

*It should also be noted that the grounds for refusal are also common to Reserve Matter Application: DC/19/01602 but for the sake of clarity they are also repeated below.*

*The Parish Council is disappointed that the applicants have failed to engage in any meaningful manner with the Parish Council over this application for increased numbers on the site. It acknowledges that a meeting was held with Representatives from Linden Homes on 13th March 2020 to discuss, or so the Parish Council thought, the content of the reserved matters to be submitted for the balance of the approved houses on this site. This application was submitted on 30th April (and validated within two days by the Local Planning Authority) which gave Linden Homes no time at all to consider or even respond to the Parish Council's comments.*

*At this meeting, the submitted plan was shown to the Parish Council which is in direct conflict with the original phase 2 expectations of this site and with the outline planning permission granted for the whole site. The Parish Council's viewpoint was made very clear to the representatives and yet despite there being clear opposition to the plan being discussed, the applicant failed to engage in any meaningful debate with the Parish Council or even the community in which the site is located. A copy of the notes taken at that meeting can be viewed at Appendix A.*

*Thurston NDP, as has been documented widely, was adopted unanimously by members of Mid Suffolk's District Council (MSDC) in October 2019 and as has been stated has*

*statutory weight which alongside the rest of the development plan must be the starting point for decision making.*

*The NPPF states that planning policies and decisions should play an active role in guiding development towards sustainable solutions, but in doing so should take local circumstances into account, to reflect the character, needs and opportunities of each area. First and foremost, the Parish Council contends that the adopted NDP should therefore be afforded full weight in the determination of this application. The made Thurston NDP, as described by the examiner, and as supported by the parishioners of Thurston, is described as providing a strong practical framework against which decisions on development can be made and it is against this document that this application should be determined as it has significant weight.*

*Overall the Parish Council feels that the overall proposal fails to take into account the made Thurston Neighbourhood Development Plan (NDP) and has repeated all of the negative aspects that were criticised in Phase 1 for this site.*

*As the Thurston NDP prevails the publication of the Joint Local Plan Consultation Document which has just completed Regulation 18 phase, the Parish Council draws reference to the approved number of dwellings for this site which, as identified in the NDP is 200.*

*The Parish Council would request that the following comments be considered in the recommendation for refusal:*

- There is a significant urban feel to the design which neither complements nor enhances the village. Overall the density, by increasing the numbers to be incorporated into the scheme has failed to not only respect the spatial strategy within the village but also that of Phase 1. The number of houses for this site has been identified as 200 in the NDP – the uplift is therefore contrary to the Policy Maps as shown in the NDP.*
- The Parish Council holds that the layout as submitted will result in an overdevelopment of the area which will fail to enhance, protect, or conserve the environmental conditions of the area in which it is located and will fail to enhance or protect the local character of the area. • Furthermore the layout fails to take into account guidance as given within Suffolk County Council's (2000 revised) Suffolk Design for Residential Areas, the Government's Manual for Streets and Manual for Streets 2 as well as Historic England's Streets for All documents. The Thurston NDP provides exemplar information on the street scenes that are acceptable – Chapter 5 Housing and Design – at page 39 has an example of Spatial Organisation that would be supported.*
- The current proposal not only fails to take into account the Spatial Organisation as mentioned in the Thurston NDP and the Thurston Character Assessment 2017 but*

*it would appear that the applicant has decided to use Page 38 of the Thurston NDP (Spatial Organisation – how not to) as its design model.*

- The applicant has failed to take into account the Officer Comment submitted in the Officer Report for Phase 1 in which it is stated that “it is considered appropriate for phase 1 to have what is an urban/suburban feel where it adjoins other development but as later phases move northward to may be appropriate to spread density around in order that elements over-look the adjacent woodland and/or the planned large areas of open space have a looser more organic layout with reduced densities to provide a stepped transition from urban to rural”.*
- The Parish Council also contends that any application coming forth should have had more of a rural feel to the development and should have had less of a regimented form of design with the use of cul-de-sacs to avoid the ‘tunnel’ effect. Given the location of the housing to be allocated on the site there should be more connection with the rural landscape surrounding the site and the use of soft landscaping to shape views and enclosed space is sought.*
- The lack of allotments within the village along with their provisioning is mentioned within the made Thurston NDP and the Parish Council cannot support an application that fails to take note of the demand for such a facility and one which has removed the space allocated in the outline stage for allotment. It should be noted that the NDP states that allotments should be provided in groups that have appropriate care, cycle and foot access and should ideally be on the periphery of housing development. Policy 5 states that the provision of allotments or community spaces will be strongly supported.*
- The Parish Council acknowledges that there is a mix of house types and sizes but once again has a concern with the size of the smaller dwellings and would request that all properties are built to current Nationally Described Space Standards as published March 2015 and endorse the comments made by the Strategic Housing Officer.*
- As has been mentioned previously by the Parish Council on other significant planning applications within Thurston, it is disappointed to note that, contained within this phase, there are a number of 2 and a half storey dwellings. As has been stated previously, within the northern side of the village, there are no 2.5 storey dwellings. The Parish Council is concerned that their inclusion at different roof heights from the surrounding dwellings will provide for a street scene that is neither in keeping with the surrounding area nor enhancing of the area as a whole. Acknowledging that a number of 2.5 dwellings were approved at Phase 1 stage, the Parish Council draws reference to that fact that these were to be sited on the crescent which would read as a place in its own right and that at the Planning Referral Meeting of 24th July 2019, the Committee was in agreement that there was a need to ensure that Linden Homes, the Parish Council and the Planning Officers continued discussions for future areas coming forth in terms of there being no 2.5 dwellings and no urban layout.*

- *Mid Suffolk District Council, at its meeting on 25th July 2019, voted on motions to support Suffolk's county-wide aim of becoming carbon neutral by 2030. It was claimed that this would give (MSDC) the mandate we need help the Government to deliver its 25-year Environment Plan and increase the powers and resources available to local authorities to address climate change. This proposal demonstrates no measures to discourage the use of cars for residents to travel to work. The use of vehicles to access areas of employment outside of the village – as this proposal fails to offer any employment opportunities - will increase congestion and carbon emissions.*
- *Within the Public Open Space to the north of the site it is noted that there is to be additional planting, but it is unclear as to the treatment of protection offered to Lady Green Woods. • Within the plans submitted there is insufficient detail on the landscaping that will be offered or the protection of existing trees and hedgerow to soften the development. To accord with the Thurston NDP the Parish Council would have wished to have been given further details of wildlife trees and planting to be incorporated into the site with proposals that retain the rural village feel of Thurston. The landscape buffer that abuts the countryside and the Primary School should be of a native species and will need to be enhanced.*
- *It is noted in the Arboricultural Method Statement that Point 8.1 states that no trees are to be removed as a direct result of the proposed development. The Parish Council expects all levels of local government to ensure that statements made in documents such as these are fully endorsed.*
- *The Parish Council notes the comment from Place Services at Essex County Council "The Site Layout and Enclosure Plan shows trees along the boundaries of the housing parcels and the woodland. However, these are not replicated on the soft landscape proposals". • Although it is stated that the scheme has complied with the Suffolk County Council Parking Standards (2015), there is a concern at the overall provision of parking spaces with only a number of garages being incorporated (53). Whilst the Design Statements states a desire to include cycle routes which promote active travel, given the few garage spaces, it is difficult to see how the security of cycles will be accommodated. The submitted plans identify parking provision for the dwellings and*
- *The Parish Council is concerned that in light of the Climate Emergency declared by not only MSDC but also Suffolk County Council as the Principal Authority, it is only proposed to have electric vehicular charging points for dwellings with garages only. The Parish Council would like to see measures that enable all to contribute to tackle climate change, reduce carbon emissions and waste and make the county cleaner and greener and this limitation does not support the measures that are being taken and should be part of all planning applications submitted for consideration.*
- *The Parish Council is further concerned that there is insufficient regard to the requirement of an expectation that visitors will require parking facilities which will lead to congestion on the spinal road as well as private roads thereby impacting on*

highway safety for all users. Visitor parking spaces total 45 for the development and the Parish Council would like to see a revised layout showing adequate visitor parking suitably located and accessible for use. The Parish Council is also concerned that the layout shows a significantly reduced level of parking provision for rented/shared ownership homes.

- *The new dwellings, on such a tight scale are now considered to be incompatible with the wider rural open countryside character and visual appearance and would therefore have a negative adverse effect on the rural character of the area. The proposed development, on the edge of the village, will therefore appear discordant when viewed against the established grain of development which would have a significantly detrimental effect on the character of the area. Policy 9 of the Thurston NDP requires all new development to be designed to ensure that its impact on the landscape and the high-quality rural environment of Thurston is minimised.*
- *With regards to play provision the Parish Council is disappointed, that there is limited provision for formal play equipment to be provided at the site in accordance with the S106 Planning Obligation accompanying the outline planning permission. The Parish Council has stated during the discussion of the 1st submission for Reserved Matters for this site that it feels that given the wooded area to the north – east of the site layout there should be some form of recreational activity provided and it further expected that further details on the type of equipment coming forth would be submitted under Phase 2 and should have been include within this application provided. Whilst it acknowledges there is a proposal for a woodland play area and the natural play experiences, yet again, there is a concern that the proposal does nothing to address the paucity of play equipment / areas aimed at wider groups of the community. The Parish Council formally requests that such facilities should be a discussion point and condition of any planning permission going forward as it will be of a demonstrable recreational and amenity value. As has been stated previously the Parish Council is committed to ensure that any new play provision within the village is strategically placed to ensure it complements existing provision and meets any known deficits. In general, it has been acknowledged that there is a need for ‘adventure style provision’ particularly attractive to juniors and older children but this should not be at the exclusion of the toddlers up to 10-12 year old children).*
- *Whilst the site retains the same ingress and egress, there are concerns that any proposed increase will further increase the safety risks with the new school being effectively part of the same site. The Transport Assessment undertaken by MLM Group at Table 6.2 demonstrates that the Phase 2 proposals would generate an additional 85 two-way people trips in the AM peak and 73 two-way people trips in the PM peak compared to the extant planning approval for the site. Of these trips, there would be 43 two-way vehicle trips in both the AM and PM peak hours. However, it fails to address the concern that this is on a site upon which a Primary School is to be located – 630 places with additional 60 pre-school places. This*

- increase in traffic movement will have a significant impact on the safety of pedestrians and cyclists accessing the educational facility from across the village.*
- *Thurston Parish Council notes that, to date, SCC Highways Authority have not shown positively that identified mitigation measures will provide solutions to the severe negative impact that additional growth will have on the Highway Network and draws reference to the letter submitted by SCC Highways (Steve Merry (SCC) to Ben Elvin (MSDC) 13 Oct 2017) who raised concerns that, following mitigation measures being implemented (for those planning applications approved at the meeting of 1st November 2017), the roads in and around Thurston will be operating at capacity if all the developments go ahead.*
  - *The position stated above has been referenced in the letter submitted by SCC Highways (Samantha Harvey (SCC) to Vincent Pearce (MSDC) 22 May 2019) which has confirmed that the improvements planned for the permitted developments north of the railway line were only to a level to mitigate their harm and had little, if any, residual capacity in terms of congestion and road safety. The letter further identifies that a suite of improvements, in the opinion of the Local Highways Authority, mitigated the harm of these five developments but took the infrastructure to its maximum in terms of safety and capacity.*
  - *Whilst the Parish Council acknowledges that some mitigation measures have been / are being discussed (due to further applications being considered in Thurston ) in relation to
    - *Highway junction improvements at Fishwick Corner.*
    - *Highway junction improvements at Pokeriage Corner.*
    - *Highway junction improvements at Beyton Road / Barton Road.*
    - *Highway junction improvements at A143/Thurston Road*(Samantha Harvey (SCC) to Vincent Pearce (MSDC) 7 January 2020), the Parish Council is concerned that additional growth such as that now being considered, is unsustainable, unsafe and will have a severe impact on the Highway Network in and around Thurston. It has overall concerns that this application has not considered the cumulative impact it will have on highway safety for all users of the highway network.*
  - *The Parish Council would also expect to see transport assessment also taking into account the change in the Suffolk County Council School Travel and Post-16 Travel Policy, the proposed expansion of the Thurston Community College (in response to growth in its catchment area) and to provide sufficient information to allow the impact of the additional traffic from the development on the highway network as a whole.*
  - *Given the desire to promote sustainable travel further, the proposal fails to consider the impact on passenger safety on the Thurston Level Crossing at the railway station as the proposal is likely to increase the numbers using the railway station which will negatively impact the risk to users of the railway. The Parish Council contends that whilst discussions are ongoing with relevant bodies, there are still no proposals to be implemented that that will allow those to access the Ipswich to Cambridge platform in a manner that is deemed to be safe for all users. The Parish Council*

*notes that the detailed assessment of the cumulative risk to users of the railway station has been updated (2020) and seeks reassurance that the Local Planning Authority will undertake measures to ensure that the most up-to-date information on the cumulative impact on the railway station from development planned for Thurston is obtained from Network Rail and seek further comments from Network Rail on the cumulative impact this further application will have.*

- The Parish Council draws reference to comments submitted by West Suffolk District Council “Assuming the present application for Land North of Norton Road is approved with a higher number of dwellings (267 dwellings), there is 1475 dwellings proposed/ under construction around Thurston, a Core Village. If site allocations LA085 and LA086 are also developed this would rise to 1610 new dwellings. The cumulative impact of such a large scale of residential development from Thurston (and to a lesser extent Elmswell and Woolpit,) will impact on infrastructure and public services in West Suffolk, especially health, highways and leisure, and is causing us concerns” and reiterates its previously identified concerns that the infrastructure of a rural village such as Thurston is unable to cope with the increase in numbers on such a short timescale.*

*It is further disappointed that the request by the Mid Suffolk Planning Referrals Committee of 24th July 2019 for Linden Homes, the Parish Council and Planning Officers at Mid Suffolk to continue discussions for future areas coming forth in terms of no 2.5 dwellings; no urban layout and provision of play equipment in accordance with the requirements of the Parish Council and the overall maintenance of the very small grassed areas has not come to fruition. The Parish Council does however note from the Planning Statement as submitted by the agent that the applicant has meet with Mid Suffolk District Council Planning Officers and Housing Officer to discuss the proposals and received a positive response from Officers to the proposed increased amount of housing at the site. Members of the project team have also engaged with Suffolk County Council Highways regarding the proposals and the scope for the accompanying Transport Assessment. The Parish Council confirms that it was not made aware of any of these meetings and in response to the agents comment that “The applicant met with Thurston Parish Council to share the proposals” this, as previously mentioned, was once the plans had already been drawn up and engagement had previously taken place with District and County Officers.*

*In summary, it is the Parish Council’s submission that this application has not met with a positive response and should be rejected as it is contrary to the Thurston Neighbourhood Plan in that it exceeds the approved number of dwellings (200) permitted in the outline application and as incorporated within the made Thurston NDP.”*

## Ward Member/s

- **Cllr Austin Davies – 23/05/2023**

The increased housing density between outline and detailed planning is completely counter to the Neighbourhood plan and appears to be disingenuous to many residents.

## National Consultee

- **Network Rail – 23/06/2023**

No comment.

- **Natural England – 01/06/2023**

No objection.

- **Sport England – 23/05/2023**

Sport England has not provided a detailed response in this case but would wish to give the following advice to aid the assessment of this application. General guidance and advice can however be found on our website: [https://www.sportengland.org/how-we-can-help/facilities-and-planning/planning-for-sport#planning\\_applications](https://www.sportengland.org/how-we-can-help/facilities-and-planning/planning-for-sport#planning_applications)

- **Historic England – 18/05/2023**

No comment.

## County Council Responses

- **Suffolk County Council Development Contributions Manager – 02/07/2023**

*“I refer to the proposal: hybrid application: erection of 112no. dwellings (including 43no. affordable) together with associated access, infrastructure, landscaping, and amenity space (applied for in full) and 9no. self-build plots (applied for in outline with all matters reserved, access to be considered).*

*Reason(s) for re-consultation: necessary to re-start the application due to agreed change of proposal description, change in red line site location plan, and amended documents submitted 28 April 2023.*

*This letter updates and replaces the previous consultation response letters dated 17 November 2021, 05 May 2022, and 18 May 2023.*

*By way of background, outline planning permission under reference 5070/16 was granted **for up to 200 dwellings** which has an associated planning obligation dated 20 March 2018. The infrastructure contributions secured by way of the planning obligation dated 20 March 2018 **must still apply and be binding** against DC/20/01716/Hybrid i.e., up to 200*



dwellings. If a total of more than 200no. dwellings, as approved under the original outline planning permission 5070/16, are promoted then an assessment of extra infrastructure contributions will need to be made and secured by way of a new Deed – the total for the whole site can be expressed as 87no. dwellings phase 1 reserved matters, 53no. dwellings phase 2 reserved matters, 9 self-build units, and 112no dwellings = **261no. dwellings**. The LPA will need to seek legal advice to ensure that the infrastructure contributions already secured against 5070/16 are also secured against DC/20/01716/Hybrid.

Summary of infrastructure requirements split between CIL/s106 based on 61 dwellings:

CIL	Education	
	- Secondary school expansion @ £25,253 per place	£277,783
	- Sixth form expansion @ £25,253 per place	£75,759
CIL	Libraries improvement @ £216 per dwelling	£13,176
CIL	Waste infrastructure @ £141 per dwelling	£8,601
S106	Education	
	- new primary school land cost @ £1,294 per place	£19,410
	- new primary school build cost @ £16,829 per place	£252,435
S106	New early years build cost @ £18,893 per place	£113,358
S106	Monitoring fee for each separate trigger point in a Deed	£476
S106	Highways	tbc

Estimated pupil yields from 61 dwellings are as follows:

- Early years – 6 (FTE)
- Primary-age – 15
- Secondary-age – 11
- Sixth form – 3

### **Early years and primary education contributions**

The Department for Education (DfE) publication ‘Securing developer contributions for education’ [November 2019], which should be read in conjunction with the Planning Practice Guidance (PPG) advice on planning obligations [last updated September 2019].

The primary school strategy has seen the delivery and opening of a new primary school with an early-years setting on land to the north of Norton Road in Thurston. The planning application under reference SCC/0073/19MS granted permission to Suffolk County Council for the ‘Construction of a new 420 place Primary School and a 30 place Pre-School and associated landscape works.’

*The cost of the new build project which can be summarised as follows:*

- *The total cost of the school build project is £7,635,000.*
- *This includes the new early years setting element which is budgeted at £566,800.*
- *Therefore, the remainder of the build cost, which is for primary provision, is £7,068,200.*

Education type	Cost of relevant school build project	Number of pupils accommodated in school build project	Cost per pupil	Number of pupils generated	Proposed S106 contribution
Early years	£566,800	30	£18,893	6 (FTE)	£113,358
Primary	£7,068,200	420	£16,829	15	£252,435
<b>Total</b>	<b>£7,635,000</b>				<b>£365,793</b>

*In addition, a proportionate land acquisition contribution of £19,410 (indexed by the RPI) is required.*

*If the district council resolve to grant planning permission for reference DC/20/01716/Hybrid this must be on the basis that the planning obligation dated 20 March 2018 is binding on a new permission and that additional section 106 developer funding is secured by way of a planning obligation for early years and primary education provision. Contributions required:*

*a) Early years provision – £113,358, increased by the BCIS. Contribution to be used towards the costs of new early years provision serving the development. Payment trigger point: prior to the 1st dwelling occupation. Contributions held for a minimum period of 10 years from the date of first occupation of the final dwelling.*

*b) Primary school provision – £252,435, increased by the BCIS. Contribution to be used towards the costs of new primary school provision serving the development. Payment trigger point: prior to the 1st dwelling occupation. Contributions held for a minimum period of 10 years from the date of first occupation of the final dwelling.*

*c) Land contribution – £19,410, increased by the RPI. Contribution to be used towards the costs incurred of purchasing the school site serving the development. Payment trigger*

*point: prior to the 1st dwelling occupation. Contribution held for a minimum period of 10 years from the date of first occupation of the final dwelling.*

### **Highways**

*A new transport assessment will be required. However, there is also still the need to secure the contributions under reference 5070/16.*

### **Monitoring fee**

*The CIL Regulations 2019 allow for the charging of monitoring fees. In this respect, the county council charges £476 for each trigger point in a planning obligation which is payable upon completion of a new Deed.*

### **Legal fees**

*SCC will require an undertaking from the applicant for the reimbursement of its reasonable legal costs associated with work on a S106, whether or not the matter proceeds to completion.*

*The above information is time-limited for 6 months only from the date of this letter.”*

- **Suffolk County Council Archaeological Services – 06/06/2023**  
No comment.
- **Suffolk County Council Highway Services – 26/05/2023**  
The proposal remains acceptable to the Highway Authority (as set out in our previous consultation responses dated 03/02/21 and 15/10/21) subject to the planning conditions.
- **Suffolk County Council Floods and Water Management – 18/05/2023**  
Approval subject to conditions.
- **Suffolk County Council Fire & Rescue Service – 07/06/2023**  
The Suffolk Fire and Rescue Service made comment on this application 6th June 2020, we requested a condition be placed for fire hydrants.

### **Internal Consultee Responses**

- **Strategic Housing – 20/06/2023**  
*“This development triggers Local Plan Amended Policy H4 and therefore up to 35% affordable housing would be required on this site. 43 affordable units have been offered in this instance.*

*The most recent partial update of the Strategic Housing Market Assessment completed in 2019 confirms a minimum need of 127 affordable homes per annum in Mid Suffolk. The Council's Choice Based Lettings system currently has circa. 690 applicants registered for the Mid Suffolk area as of January 2020. As this is a planning gain site, it would be required to meet district wide need so the 690 figure is the one to be applied in this case.*

*It is considered good practice not to develop a large number of affordable dwellings in one location within a scheme and therefore it is recommended that no more than 15 affordable dwellings should be located in any one part of the development.*

*Our 2014 Housing Needs Survey shows that there is a need across all tenures for smaller units of accommodation, which includes accommodation suitable for older people, wishing to downsize from larger privately-owned family housing, into smaller privately-owned apartments, bungalows and houses. It would also be appropriate for any open market apartments and smaller houses on the site to be designed and developed to Lifetime-Homes standards, making these attractive and appropriate for older people.*

*In accordance with the OPP covering the site, 9 self-build plots are provided in this scheme. The applicant has advised that these will be provided as serviced plots, and it is envisaged that units built in this location will reflect the local vernacular and be 2-storeys in accordance with the sensitive green edge location. We would seek that the 9 plots are tied into the S106 agreement and Committee recommendation as Self-Build plots only. The Council could circulate the plot availability to applicants on the Self-Build register.*

*Having looked at the relevant housing plans for each house type it does look like house types meet NDSS 'person' standards, but no information has been provided on dwellings sizes. Please can the applicant provide this information as soon as possible emailed to: [strategic.housing@babberghmidsuffolk.gov.uk](mailto:strategic.housing@babberghmidsuffolk.gov.uk)*

*Other requirements:*

- Properties must be built to current Nationally Described Space Standards as published March 2015.*
- The council is granted 100% nomination rights to all the affordable units on first lets and subsequent lets through the Gateway to Homechoice system.*
- The Shared Ownership properties must have an initial purchase limit of 70% and a starting point of a 25% share. Shared ownership purchasers will have the right of staircasing up to 100% equity if they choose to.*
- The Council will not support a bid for Homes England grant funding on the affordable homes delivered as part of an open market development. Therefore, the affordable units on that part of the site must be delivered grant free.*

- *The location and phasing of the affordable housing units must be agreed with the Council to ensure they are integrated within the proposed development according to current best practice.*
- *On larger sites the affordable housing should not be placed in groups of more than 15 units. The distribution on the layout plan looks to be acceptable.*
- *Adequate parking and cycle storage provision is made for the affordable housing units*
- *It is preferred that the affordable units are transferred to one of Mid Suffolk's partner Registered Providers or the Council itself."*

- **Ecology – 15/06/2023**

No objection subject to securing ecological mitigation and enhancement measures.

- **Strategic Housing – 12/06/2023**

No further comment. Note: the applicant has agreed to 35% affordable housing and a S106 has been signed in agreement.

- **Mid Suffolk District Council Waste Services - 07/06/2023**

No further comment.

- **Strategic Planning Policy - 06/07/2023**

"The Strategic Planning team now wish to withdraw our consultee comment to this application"

The reason given is that the site is within the defined settlement boundary for Thurston where development is to be focused and neither Network Rail or Local Highway Authority have objected on infrastructure grounds ,

- **Environmental Health (Air Quality) – 07/06/2023**

No comment.

- **Public Realm Officer – 23/05/2023**

Public Realm Officers have no comment to make further to comments on the previous consultations.

- **Heritage Team – 19/05/2023**

No further comment.

**Officer comment:**

That part of the site where the Heritage Team previously identified 'less than substantial harm' is not included within the current application site and so the current application is therefore considered to have no harm.

- **Environmental Health (Noise/Odour/Light/Smoke) – 18/05/2023**

No objection subject to conditions.

- **Place Services (Landscaping) – 12/06/2023**

Since our previous consultation we note there have been changes to the layout

- plot 117 would now appear to be sited over a drainage easement which will have implications for proposed planting. Clarification is sought on this matter. *(note since this comment was submitted the applicant has confirmed the easement is a drafting error. There is ne easement in that location)*
- Generally, we would advise against the use of parking courts, unless they can be designed in a way which ensures they are overlooked for security and provide a pleasant space which will be used. There are several missed opportunities to provide planting to soften the appearance and provide additional security to the rear gardens of the properties who abut them (for example plots 231, 212-215 and 108-114).
- Alternative access to the properties of these dwellings, via rear gardens is likely to be desirable and should therefore be considered in the detailed landscape design along with provision of electric vehicle charging points or retrofitting of charging points. #
- Furthermore, visitor parking has been provided within one of the parking court, off a private drive area and we would question if this is an acceptable arrangement.
- The fundamental design considerations for private amenity space, such as rear gardens are its quality and usability. The size, shape and slope of this space is key to its usability. Awkwardly shaped, narrow and very steeply sloping spaces should be avoided. In designing high quality garden spaces, consideration should be given to privacy, outlook, sunlight, trees and planting, materials (including paving), lighting and boundary treatment.
- The rearrangement of the dwellings and parking has resulted in some irregular shaped gardens such as plots 116 and 161.
- A bin collection point has also been proposed which encroaches into the garden space of plot 231. We would recommend that these are reviewed and revised accordingly.
- We have previously recommended a more naturalistic/ informal approach to the tree planting on the edge of the POS which does not appear to have been considered. As a fruit bearing variety we would raise concerns regarding the use of Prunus padus for hedging around the children's play area.
- Details of some hard landscape elements are still to be provided. We have previously recommended that these are secured by condition.

## Other consultee responses

- **Mid Suffolk Disability Forum – 07/06/2023**

No further comment.

- **Mid Suffolk Disability Forum – 27/05/2023**

The Mid Suffolk Disability Forum would draw attention to the lack of equipment in the playground that can be used by disabled children and would request that further consideration is given to this area to make it more inclusive.

- **Ramblers Group Forum – 08/06/2023**

No comment.

- **Suffolk County Council Fire & Rescue Service – 07/06/2023**

The Suffolk Fire and Rescue Service made comment on this application 6th June 2020, we requested a condition be placed for fire hydrants.

- **Suffolk Preservation Society – 07/06/2023**

No further comment.

- **Suffolk and North East Essex Integrated Care Board (ICB) – 06/06/2023**

There are three GP practices within a 6km 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.

- **Anglian Water – 19/05/2023**

- There are assets owned by Anglian Water or those subject to an adoption agreement within or close to the development boundary that may affect the layout of the site. Advice should be included should permission be granted.
- The foul drainage from this development is in the catchment of Thurston Water Recycling Centre that will have available capacity for these flows
- The sewerage system at present has available capacity for these flows, a gravity connection to the west of the site is acceptable. If the developer wishes to connect to our sewerage network they should serve notice under Section 106 of the Water Industry Act 1991.
- The preferred method of surface water disposal would be to a sustainable drainage system (SuDS) with connection to sewer seen as the last option.
- From the details submitted to support the planning application the proposed method of surface water management does not relate to Anglian Water and the submitted drawings indicate that surface water discharge from this site runs to an attenuation pond and ultimately discharges to a ditch. On this basis, Anglian Water can confirm

this is outside our jurisdiction for comment and the Planning Authority will need to seek the views of the Environment Agency.

## **B: Representations**

At the time of writing this report **29 comments** have been received. It is the officer opinion that this represents 28 objections and 1 general comments. A verbal update shall be provided as necessary.

Views are summarised below: -

- Affects local ecology/wildlife (12)
- Conflicts with Neighbourhood Plan (18)
- Conflicts with District Plan (3)
- Conflict with NPPF (2)
- Increased traffic/highways issues (26)
- Landscape impact (14)
- Light pollution (7)
- More open space needed on development (10)
- Noise pollution (4)
- Overdevelopment of site (19)
- Strain on existing community facilities (18) – no proposed doctors' surgery, dental practice, schools
- Sustainability (6)
- Design concerns (5) – urban design is not acceptable in countryside setting.
- Dominating/Overbearing (5)
- 2.5 level houses are too high (10)
- Increase pollution (8)
- Health & Safety (6)
- Inadequate public transport provisions (8)
- Drainage issues
- Inadequate parking provisions (7)
- Increase danger of flooding (4)
- Increase anti-social behaviour (2)
- Trees (5)
- Loss of open space (5)
- Loss of outlook (7)
- Out of character with the area (10)
- Boundary issues
- Building Work (4)
- More housing not required (10)
- Loss of privacy/overlooking (5)
- Scale (6)



- Loss of parking
  - Allotments have been removed which are required in the village.
  - Object to position of the pedestrian access from this development into Meadow Lane (3)
  - Proposal has not taken the effects of climate change into consideration (2)
  - Boundary issues

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

## **RELEVANT PLANNING HISTORY**

### **5070/16**

Outline planning permission GRANTED for up to 200 dwellings  
29.03.2018

### **DC/19/01602**

Reserved Matters Phase 1 (87 dwellings) APPROVED  
16.10.2019

### **DC/20/01249**

Reserved Matters Phase 2 (104 dwellings) APPROVED  
08.11.2022

## **Background**

The wider site of which this application is but a part is being developed by Linden Homes as a phased development with significant levels of construction under way and numerous dwellings occupied.

An earlier Reserved Matters approval (DC/20/01249 - Reserved Matters) has already been granted by the Council which, when combined with a built out earlier Reserved Matters approval (DC/19/01602,) will take the overall number of dwellings with approval to 191 (just 9 below the maximum limit described in the outline planning permission. That 9 represents the self-build units which have yet to be the subject of a Reserved Matters submission)

The application now before the Committee involves an overall increase in dwellings of 61 beyond those approved within the original outline planning permission. (ie the overall total, if this application is approved, will be 261 as opposed to up to 200)

The current application also includes a physical spatial overlap of areas between the approved second Phase of Reserved Matters and the current application.

This invariably complicates matters, particularly if the current application is approved because:

1. If the current application was to be approved, one might legitimately ask which application/Reserved Matters approval is being implemented and at what point might the implementation of Phase 2 details morph into what the applicant describes as Phase 3 under a fresh planning permission with its added units? and,
2. If the fresh permission (*assuming it were to be granted*) is implemented then what happens to the S106 benefits secured under then original outline planning permission because what the applicant describes as Phase 3 would be a freestanding permission? If the current application and any S106 required to accompany it (*if members were minded to grant planning permission*) was not also linked to the earlier S106 some of those contributions/obligations might be lost if triggers in the Agreement were not reached as a result of a different permission being implemented part way through construction and they were not picked up in any new agreement.

These questions will be answered later in this report

The diagram below illustrates how the existing permissions (not the current application before Members) combine to produce the 200 dwellings allowed by the outline planning permission.

A summary of the number of dwellings approved to date is provided below:

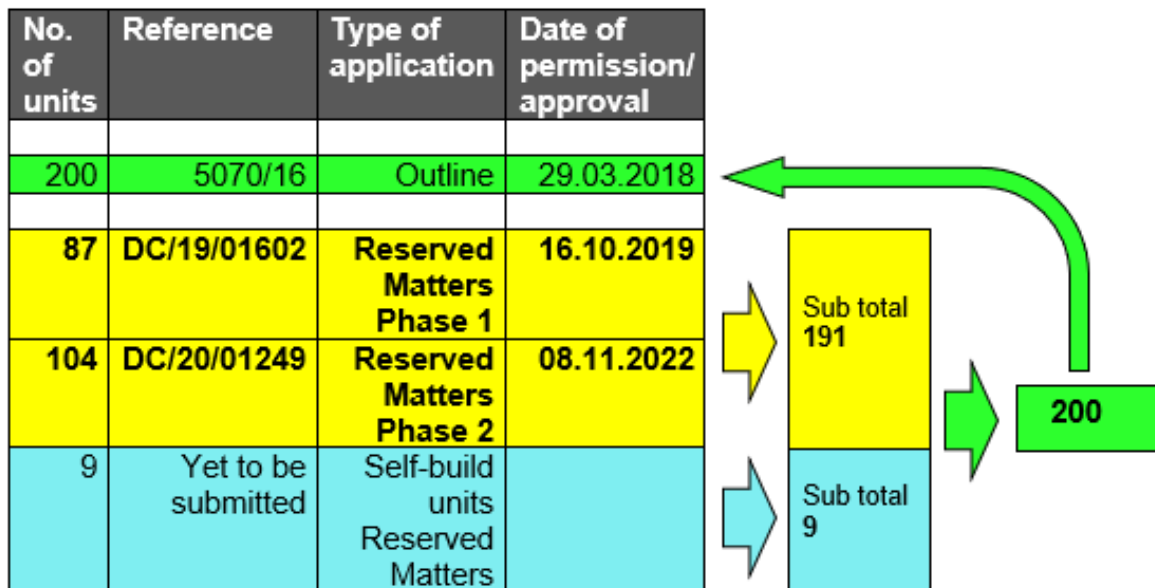


figure 3: **Table 1: Summary of number of dwellings on the wider site with planning permission**

## The ‘*Hillside*’ Supreme Court Judgement

In this case the Supreme Court looked into the following issue

Where there are planning permissions relating to the same site, and the later permission are for changes to one part of a wider development approved in the original planning permission, is the effect of implementing the later permission(s) that the original permission is completely unimplementable? Or can the original permission still be implemented in relation to areas unaffected by the later permission(s)?

In the case of Hillside the Supreme Court ruled that it was physically impossible to develop the site in accordance with the original permission because the subsequent permission departed too significantly from the original and that it was physically impossible to build out the development in a way that was consistent with the original permission

Confronted with the recent ‘Hillside’ Supreme Court judgement in *Hillside Parks Ltd vs Snowdonia National Park Authority (2022) UKSC 30*, the applicant has sought legal advice in the shape of a formal Written Legal Opinion as to whether that decision is relevant to their proposal.

They have done so as the current proposal with its uplift of 61 dwellings and wider layout changes when compared the planning permission that they are implementing poses the question “What happens if that application succeeds and they then look to build out the later permission when already approx. 1/3 into the extant permission? Can they effectively swap permission part way through? If so, what permission is being implemented?”

The applicant received Counsel Opinion suggesting amongst other things the Council can and must determine the hybrid application on its merits. The question of whether the scheme can be implemented is irrelevant to the decision of whether to grant permission . The Opinion also indicated that a landowner is entitled to make any number of planning applications on the same site, even if they are not consistent with one another.

PART THREE – ASSESSMENT OF APPLICATION follows.....

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## PART THREE – ASSESSMENT OF APPLICATION

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

- 1.1. Figure 4 below shows the application site in its immediate context.  
*[note a major part of the spine road and estate road structure for the entire site was agreed within the phase 1 details. The current application proposed to use the same road structure]*



figure 4: **Application site in immediate context**

- 1.2 The site sits immediately to the north of Phase One and will connect to the partly constructed spine road system with its access directly into Norton Road at two points via the new Lady Road and Pond Field Road.

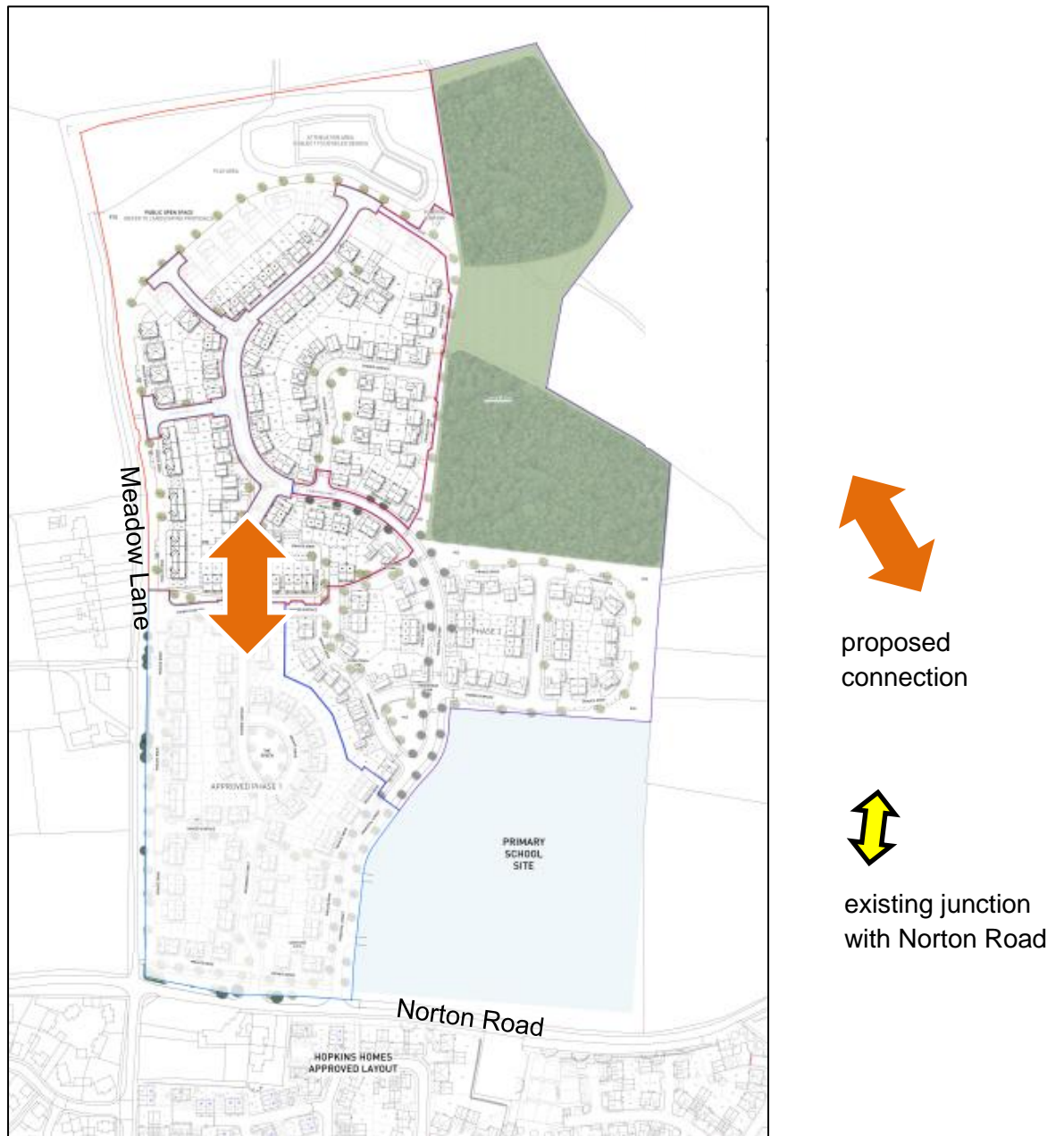


figure 5: **Proposed spine road connections with earlier phase**

- 1.3 The site adjoins Meadow Lane immediately to the west but does not provide any vehicular connection.
- 1.4 Established woodland hugs the north-east corner of the site and Thurston's new primary school adjoins immediately to the south - south-east

## 2. The Proposal

2.1 This hybrid application comprises two key elements and **these are:**

FULL: 112 dwellings (including 43 affordable)

OUTLINE: 9 self-build (with all matters reserved except access)

2.2 The total number of proposed dwellings is therefore 121

2.3 Linden Homes has agreed in writing a revised S106 contributions/obligations package to mitigate the impact of their 61-dwelling uplift that includes:

- 112 plots (all) will be provided on construction with air source heat pumps
- 43 affordable plots will be provided on construction with pv
- Open marker units will be offered with a pv addition option if selected by purchaser early enough to be accommodated in the building of that unit.
- Highway Improvements (MOVA Technology) - £50,000
- Education Land contribution - £19,410
- Education Build Cost (Primary) contribution- £252,435
- Education Build Cost (Early Years) contribution- £113,358
- Community Facilities contribution - £58,000
- Provision of new 'tiger' crossing to either Station Hill or Barton Road including beacons. (a tiger is controlled but not button-operated – A tiger crossing provides two separate crossing points, one for pedestrians and the other for cyclists).



figure 6:  
**Example of a  
'Tiger' crossing**

- Provision of Residents' Travel Information Packs to 121 plots
- Provision of an on-site Parish Council Noticeboard incl. installation

- Provision of 2no in site dog bins & emptying contribution
- Provision of public ev charging terminal
- The requirements of the existing S106 will remain binding and the above contributions/obligations will be secured in addition to those.

### **3.0 The Principle of Development**

- 3.1 “Why entertain any increase in dwelling numbers on this site in the first place?” is likely to be the first question on many lips and in many minds? It would be surprising if Members on the Committee hadn’t asked themselves the same question.
- 3.2 Recently Members participating in the mandatory Mid Suffolk Member Planning Training (*required to be eligible to sit on the Planning Committee*) would have been told that up to 200 houses approved at outline (or any other specific amount) means up to 200 houses (or that other specific amount) and no more.
- 3.3 The judgement in Hillside Parks has brought into focus the question of re-planning large sites and for this reason Counsels opinion helpfully identifies the key factors in evaluating that aspect. Firstly it is important to bear in mind that a developers scheme of “development” is not the same as the “permission” and that on large sites built out over years discreet phases may be re-planned to meet changes in the housing market or may be sold to other developers to spread commercial risk. Counsel advises that the site comprising this phase is severable and can be considered discreetly provided that the effect of the new permission on the earlier permission such that it can no longer be complied with is expressly clear. One way to achieve this is via a clear obligation to that effect in a Section 106 to ensure that the requirements upon original development and upon the severed phase can be delivered discreetly.
- 3.4 An outline planning permission based on an application for a fixed number of dwellings does mean that number of dwellings because the Council as the relevant local Planning authority will have assessed the site as being capable of accommodating that number of dwellings before approving it and that number is defined in the description of development. It is the description that effectively fixes the number when it comes to subsequent reserved matters. You could not submit Reserved Matters for 261 dwellings on a site with planning permission of up to 200 dwellings.
- 3.5 Likewise a full application that is granted for a development described as being for a set number of units fixes that number.
- 3.6 Similarly with an outline application that describes a development as comprising up to x units should also be assessed on the basis of the site’s the ability of a site to satisfactorily accommodate a figure up to the amount described. Approving up to let’s say 100 dwellings and then saying only 75 are acceptable at reserved matters stage would be likely to put the Council in some difficulty at appeal.

- 3.7 However what we have here is a new full planning application for 112 dwellings (and a new outline for 9 self-build) that will take the overall number of units on this site over 200. In determining the outline planning application the Council tested the ability of the site to accommodate up to 200 dwellings it did not assess the merits of a higher number as that was not what was proposed in the description of development that was ultimately translated into the decision notice.
- 3.8 Consequently, the current hybrid application must be judged like all planning applications on its own planning merits after having regard to all material planning considerations.
- 3.9 In other words can the site satisfactorily accommodate the proposed development without giving rise to unacceptable harm that cannot be adequately mitigated.
- 3.10 That is how English planning works.
- 3.11 The question that may still arise however is “If a new full (or hybrid) planning permission was to be granted can that permission be implemented in the light of the ‘Hillside’ Court of Appeal decision.
- 3.12 The Legal Opinion provided to the Council by Linden (see earlier in this report) provides the advice that the Council

*“....can – and indeed must – determine the hybrid application on its own merits. The question of whether the scheme can be implemented is irrelevant to the decision of whether to grant permission.*

*.....In particular, issues on the ability to implement inconsistent planning permissions described in the Supreme Court’s judgment in Hillside Parks Ltd v Snowdonia National Park Authority [2022] UKSC 30 (“Hillside”) are not relevant to whether the hybrid permission should be granted. A landowner is entitled to make any number of planning applications on the same site, even if they are not consistent with one another.”*

- 3.13 Unless and until advised to the contrary the merits of this application will be assessed as any other planning application and the question of the relevance of the ‘Hillside’ decision to any permission granted here can subsequently be implemented *(if that is ultimately the decision of the Committee) if a matter to be decided elsewhere .*

### **3.14 Adopted Thurston Neighbourhood Development Plan (ATHNDP) 2019**

- 3.15 Presently the ATNDP2019 carries full weight as a material planning consideration.
- 3.16 It is the most up to date ‘Adopted’ expression of planning policy for Thurston within the suite of documents that comprise the Adopted Development Plan for Mid Suffolk
- .



- 3.17 The principle of whether or not residential development in land use terms on this site is acceptable has already been established by:
- the grant of outline planning permission for up to 200 dwellings; and
  - the approval of details within two separate reserved matters submissions for 191 dwellings in total.
- 3.18 The site is within the Settlement Boundary for Thurston as defined in the Adopted Thurston Neighbourhood Development Plan 2019 and therefore the principle of residential use is acceptable.
- 3.19 That said interpretation of the Spatial Strategy in the Adopted Thurston Neighbourhood Plan has been the subject of considerable analysis as a result of a previous (*unsuccessful* Legal Challenge) in the High Court and Court of Appeal (*in respect of an approval for 210 dwellings on the Beyton Road site in Thurston*) and therefore the acceptability (or not) of the principle requires careful consideration with reference to Development Plan policy.
- 3.20 It is therefore to **ATNDP2019 Policy 1: Thurston Spatial Strategy'** that we must first turn. Part A of that policy states:

**A. New development in Thurston parish shall be focused within the settlement boundary of Thurston village as defined on the Policies Maps (pages 75-76).**

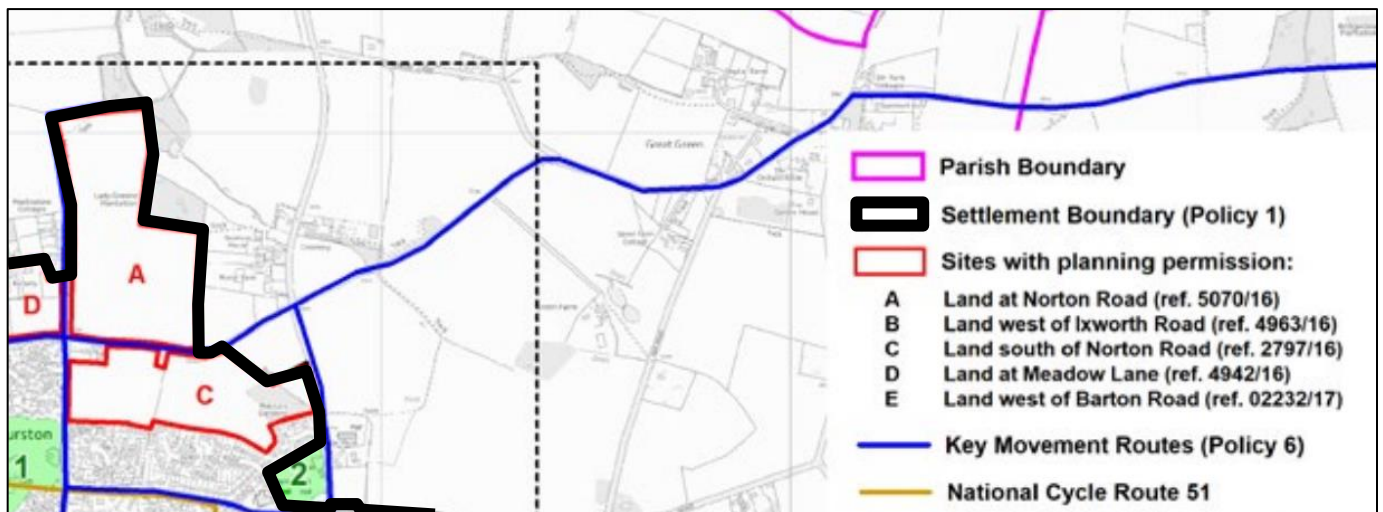


Figure 7: **Extract from ATNDP2019 Policies Map Figure 12: 'Locations within the parish'** (page 75). Note: Policies Map Figure 13 Insets Map: 'Detailed Locations on page 76 is merely an enlarged version of Figure 12

- 3.21 The proposed residential development **complies** with this part of Policy 1 in that the proposed development is '*focused*' entirely within the defined settlement boundary. (being within site A on figure 12 taken from the ADTNP2019 above - *figure 1 in this report*)
- 3.22 People in Thurston and the Parish Council may argue that the intention of Policy 1 was to fix the number of new dwellings in Thurston to those permitted within the '*Thurston Five*' planning permissions. Namely, 818 dwellings. That may indeed have been the intention.
- 3.23 Were that so, the inclusion those sites in the ATNDP within an expanded defined settlement boundary for Thurston means that if development is to be focused within the defined settlement boundary (Policy 1) those locations must include the "*Thurston Five*' sites if other ATNDP policies are satisfied and if land is available.
- 3.24 The ATNDP does not say that development on the '*Thurston Five*' sites is limited to those included in the extant planning permissions.
- 3.25 Moreover, the ATNDP seeks to develop and sustain:
- "the key service centre status of Thurston by ensuring any future development is sustainable and supports a range of employment, services and housing"

- 3.26 We now look to Part B of ***ATNDP2019 Policy 1: Thurston Spatial Strategy*** which states:

**B. Development proposals within the settlement boundary (as defined on the Policies Maps pages 75-76) will be supported subject to compliance with the other policies in the Neighbourhood Plan.**



- 3.27 Part B within the ATNDP2019 Policy 1 provides an explicit presumption that the development such as that being proposed here, will be supported but with the reasonable proviso that such support will be subject to compliance with other policies the Plan.
- 3.28 This report will consider the proposed development against other relevant ATNDP2019 policies within the detailed considerations section that follows. Once the merits of the proposed development have been assessed against those other policies the report will then return to the question of compliance with Part B of Policy 1 of the ADNP2019.
- 3.29 Moving to Part C of the ATNDP2019, the merits of a proposed residential development within the Settlement Boundary against a criteria-based checklist. In a break from normal committee format this report considers the extent to which the proposed development meets policy in tabular form for ease of reference.

**Policy 1: THURSTON SPATIAL STRATEGY, Part C**

**All new housing proposals will be expected to address the following key matters:**

requirement	Comment in respect of current application
<p>a. Ensure they address the evidence-based needs of the Thurston Neighbourhood area in accordance with Policy 2; and</p>	<p>The proposed mix embraces housing types that cater for older people and downsizers, first time buyers/younger people in the shape of fewer larger units than agreed within the previous Phase 2 RM and a modest increase in bungalows to that previous approved.</p> <p>Strategic housing has not objected</p>
<p>b. In accordance with the statutory tests in the Community Infrastructure Levy Regulations 2010, contribute towards education infrastructure and other key infrastructure which shall include health, transport and movement, community facilities, utilities and public realm improvements, through direct provision and/or developer contributions (including Community Infrastructure Levy and/or Section 106).</p>	<p>The applicant has agreed to enter to a S106 to secure the infrastructure described elsewhere in this report. This encompasses Community , Highways Education and Affordable Housing at 35%</p>
<p>c. Design high quality buildings and deliver them in layouts with high quality natural landscaping in order to retain the rural character and physical structure of Thurston.</p>	<p>The proposed design reflects that previously agreed as part of the two earlier Reserved Matters approvals. The layout does continue to include lower density development on its northern and north-eastern edges adjacent to sensitive landscape. A small pocket of potential Arcadian development is lost but as will explained later in this report the character achieved within the previous reserved matters approval was not landscape dominated as is required in true Arcadia. Also in today's world a density of just 8 dwellings to the hectare may be considered inefficient use of land. The quality achieved is consistent with that achieved within the earlier Reserved Matters approvals.</p>
<p>d. Development proposals to meet specialist housing and care needs on sites that are outside the settlement boundary will be permitted where it can be demonstrated that</p>	<p><b>Not engaged</b> as this is not a specialist housing proposal. (whether wholly or in part)</p>

no available and deliverable site exists within the settlement boundary.	
e. Where development uses best and most versatile agricultural land, it must be clearly demonstrated that the remaining parts of any fields remain economically viable for commercial farming.	<b>Not engaged</b> as this is no longer agricultural land.

<b>Policy 2: MEETING THURSTON'S NEEDS</b>	
<b>requirement</b>	<b>Comment in respect of current application</b>
a. Proposals for new residential development must contribute towards Thurston's role as a Key Service Centre/Core Village. This means addressing both the needs of the wider Housing Market Area and the needs of Thurston as a rural community.	The development is considered to comply with this part of Policy 2. It will deliver a commensurate package of infrastructure benefits to accommodate the uplift in dwellings number of 61. It will generate additional District CIL and Neighbourhood CIL. (25% as Thurston has an adopted neighbourhood plan). All of this will support the provision/expansion of infrastructure in the village and support its key service centre status
b. Within the context of Thurston's needs, all housing proposals of five or more units must reflect the need across all tenures for smaller units specifically designed to address the need of older people (for downsizing) and younger people (first-time buyers).	 bungalows significant proportion of 1 and 2 bed units
c. An alternative dwelling mix will only be permitted where evidence is brought forward with an application that clearly demonstrates the need for a different mix.	The mix is satisfactory
d. In order to address the needs of younger people in Thurston, development that provides housing specifically designed to address their needs will be supported.	 significant proportion of 1 and 2 bed units affordable housing at 35%

<p>e. In order to address the needs of older people in Thurston, development that provides housing specifically designed to address their needs will be supported. This includes the provision of sheltered housing.</p>	<p>Not applicable</p>
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### 3.30 **Adopted Core Strategy (2008) / Focused Review (2012)**

- 3.31 Thurston is defined as a ‘*Key Service Centre*’ within the Settlement Hierarchy included in Policy CS1 of the Core Strategy 2008.
- 3.32 Policy CS2 does not apply as the site is within the defined settlement boundary for Thurston and so this policy which relates to the countryside is not engaged.
- 3.33 This is significant because Policy CS1 directs the majority of new development to towns and **key service centres** and therefore 112 new dwellings within the settlement boundary of Thurston (as opposed to outside such a boundary within what would be defined as countryside) will in principle accord with such directed growth.
- 3.34 This is logical in that Key Service Centres are by definition second only to Towns in terms of being sustainable locations with services and infrastructure necessary to support growth.
- 3.35 That said one might take the view that at a time when the Council can demonstrate that it has a 10.88 year housing land supply a further 61 dwellings is not necessary,
- 3.36 Additionally some might expect any uplift in numbers beyond the up to 200 approved at outline to be resisted by the Council, if that 200 is seen as an absolute ceiling above which numbers cannot be allowed to pass. In truth the applicant in submitting the outline planning application was able to make a case that up to 200 dwellings could be satisfactorily accommodated on the site. A higher figure was not tested.
- 3.37 “Surely the ARNDP in allocating the site for development and inclusion in the defined settlement boundary fixes the capacity at 200! “ I hear some cry.
- 3.38 This report has already considered that point earlier in paragraphs 3.22 – 3.24 (inclusive).
- 3.39 Referencing Policy FC1 of the CSFR, it is officers judgement that the current application is compliant insofar as the principle of the use is concerned. The proposal meets ATNDP Policy 1 and CS Policy CS1. Officers are also of the opinion (as will be discussed later in this report) that it meets other relevant policies that deal with matters of detail.

#### **“Presumption in favour of sustainable development**

*When considering development proposals the Council will take a positive approach that reflects the presumption in favour of sustainable development contained in the National Planning Policy Framework. It will always work proactively with applicants jointly to find solutions which mean that proposals can be approved wherever possible, and to secure development that improves the economic, social and environmental conditions in the area.*

*Planning applications that accord with the policies in this Local Plan (and, where relevant, with policies in neighbourhood plans) will be approved without delay, unless material considerations indicate otherwise.*

*Where there are no policies relevant to the application or relevant policies are out of date at the time of making the decision then the Council will grant permission unless material considerations indicate otherwise – taking into account whether:*

*Any adverse impacts of granting permission would significantly and demonstrably outweigh the benefits, when assessed against the policies in the National Planning Policy Framework taken as a whole; or*

*Specific policies in that Framework indicate that development should be restricted.” (FC1)*

3.40 In the context of the JLP the proposal meets policies SP01, SP02 and SP03.

### **3.41 The outline element**

3.42 The nine self-build plots have been a consistent element in the planned development of the wider site and were included within the original permission and have appeared in Reserved submissions.

3.43 At paragraph 62 (footnote 28) of the National Planning Policy Framework there is a requirement for local planning authorities to assess the need for self-build and custom-build plots. Policy SP08 of the JLP does support their provision and construction.

3.44 The inclusion of 9 self-build plots within this hybrid application is acceptable. Hopefully they will result innovative and bespoke designs that also embrace high sustainability.

### 3.45 ASSESSMENT of the DETAILS [for the 112 dwelling FULL application]

#### 3.46 Layout, Density, Character and Appearance

3.47 Linden's intention from the beginning (*the first Reserved Matters application in respect of the Cavendish View development*) has been to create a high-quality development that used differing densities across the site to create a development that is well assimilated into the local area and delivers lower densities near 'landscape sensitive' areas. The highest densities were identified by Linden as being better suited to locations around the primary school site. These design aims were included in the Design Statement submitted at the time of the first Reserved Matters application. Figure 8 below highlights this in the form of an extract from that Design Statement.



figure 8:  
**Extract from Design Statement (that supported the earlier Phase 1 Reserved Matters submission)**

#### Residential - 87 dwellings (Class C3)

- 5.2 A variety of house types, tenures and sizes are provided which will assist in creating a balanced community as a variety of households can be accommodated thereby minimising the potential of social exclusion.
- 5.3 Mid Suffolk Core Strategy Policy CS 9 'Density and Mix' encourages development to 'make best use of land' stating that housing developments should achieve average densities of at least 30dph unless circumstances dictate otherwise. The policy allows for higher densities in 'more sustainable locations' close to a good range of services and facilities.
- 5.4 This allows for the formation of differing densities across the whole site (and associated future phases) including higher density towards the primary school and lower densities near landscape sensitive areas. Overall the density results in the efficient use of the site whilst at the same time promoting densities which are appropriate to the local area and which will help assimilate the development into the surrounding areas.
- 5.5 Varying densities across the site allow for a range of dwellings with differing sizes and tenures in order to accommodate a variety of household types. This will provide a hierarchy of dwellings from large detached properties with larger plots through to smaller terraced forms allowing for a variety in the proposed streetscape.

3.47 It should also be noted that Linden also sought to make best use of the land as required by Mid Suffolk's Adopted Core Strategy at Policy CS9.

3.48 In terms of what that might look like conceptually the plan below offers an officer contemporary analysis. The plan below has been produced for this report and was not part of any previous application, negotiation or design statement. It is therefore a personal but professional opinion designed to give interpretation to the aim set out earlier in the Design Statement from the first Reserved Matters submission. It is fair however to say that the case officer dealing with this application also dealt with the previous 2 Reserved Matters and has understood that densities on this site would need to vary and that lower densities would be appropriate on to the northern- and north-eastern fringes of the overall wider site - this is desirable as it will provide a character transition from urban to rural whether that be woodland or open landscape





3.49 The same Design philosophy was embraced by Linden in the Design Statement that accompanied their Phase 2 Reserved Matters submission. (see figure 10 below)



- 5.3 Mid Suffolk Core Strategy Policy CS 9 'Density and Mix' encourages development to 'make best use of land' stating that housing developments should achieve average densities of at least 30dph unless circumstances dictate otherwise. The policy allows for higher densities in 'more sustainable locations' close to a good range of services and facilities.
- 5.4 This allows for the formation of differing densities across the whole site, including higher density towards Phase 1 and the primary school and lower densities near the north and north-eastern areas of the site. Overall the density of 30dph results in the efficient use of the site whilst at the same time promoting densities which are appropriate to the local area and which will help assimilate the development into the surrounding areas.
- 5.5 Varying densities across the site allow for a range of dwellings with differing sizes and tenures in order to accommodate a variety of household types. This will provide a hierarchy of dwellings from large detached properties with larger plots through to smaller terraced forms allowing for a variety in the proposed streetscape. Certain parcels of land within Phase 2 have reserved for a future phase of development – details of this development will be provided through a separate application.

figure 10: **Extract from Design Statement (that supported the earlier Phase 2 Reserved Matters submission)**

- 3.50 It has therefore been a consistent theme in the shaping of design and layout on this site.
- 3.51 When originally submitted the Phase 2 Reserved Matters full details embraced only part of the site as a number of parcels were left blank on the plan. In terms of helping the Council understand how the site would eventually be built out to deliver the up to 200 dwellings approved at outline that drawing was not helpful.
- 3.52 Subsequently the details were amended to provide full detail across the site, save for the 9 plots where the outline planning permission allowed 'self-build' units. By definition self-build units require bespoke house types dictated by individual plot purchasers and so cannot form part of a submission by a national house builder speculatively delivering standard its house types.
- 3.53 Figures 11 and 12 below show the transition in layout during the lifetime of the Phase 2 Reserved Matters submission.



figure 11: **Initial layout from the earlier Phase 2 Reserved Matters submission**



figure 12: **Approved revised layout from the earlier Phase 2 revised Reserved Matters approval**

- 3.54 Without doubt the current proposal is a denser form of development than that previously approved in the Phase 2 Reserved Matters layout.
- 3.55 That is an obvious consequence of increasing the overall number of units by 61 without there being a pro-rata increase in developable area.
- 3.56 In reality any increase in the developable area would entail encroaching into the generous area of open space and woodland at the northern and northeastern parts of the site. This would not have been supported as they will provide significant amenity and benefit to the community. (secured under the outline permission).
- 3.57 The central question for Members to answer is “ Can the proposed development be accommodated satisfactorily within the site whilst meeting relevant policies and standards without giving rise to unacceptable harm that is incapable of being appropriately mitigated such as to make the development acceptable.
- 3.58 The previously approved Phase 2 layout (figure 13 below) does follow the original Design Statement philosophy with a lower density of development in the acknowledged sensitive parts of the site.

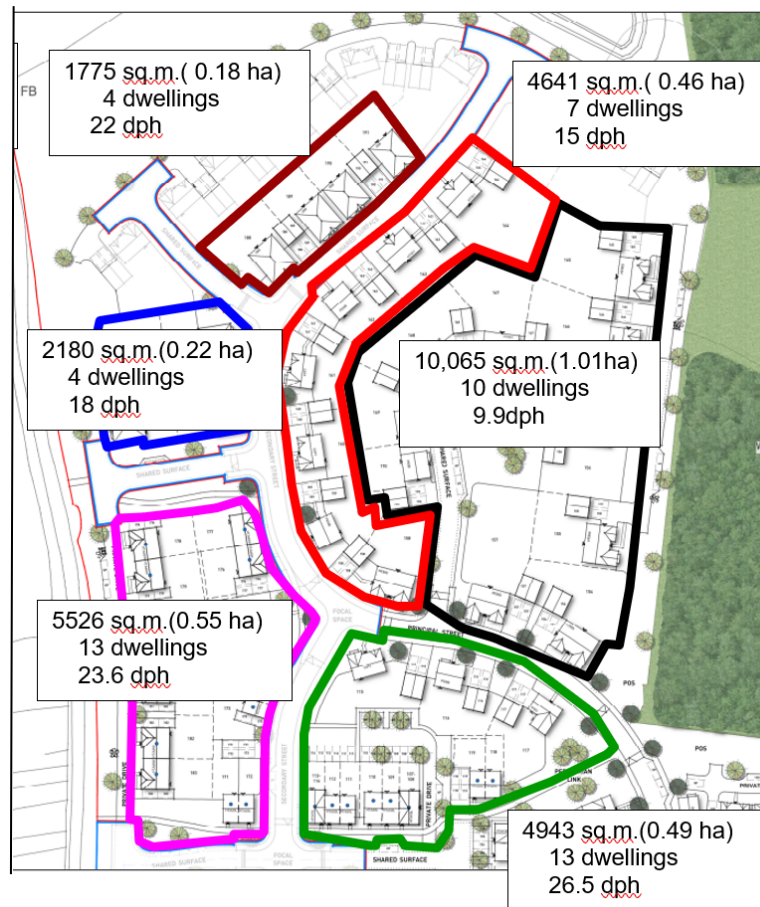


figure 13: **Perimeter block densities Phase 2 Reserved Matters**

- 3.59 The parcel of land approved with just 10 dwellings produces an extraordinarily low density of just 7 dwellings to the hectare. This theoretically should result in an 'Arcadian' form of development.

ARCADIAN development requires density to not exceed 8 houses per hectare (3 houses per acre). In an Arcadian layout houses are sufficiently widely spaced to allow existing and new landscape to dominate, road alignment to meander and for the provision of frontage hedging and hedge-bank boundaries to road.

- 3.60 The layout promoted by Linden however did not seek to optimise the opportunity to create 'Arcadia' preferring instead to pursue a less ambitious and interesting estate layout. For that to occur the development would have needed to look more like the officer basic concept sketch below (right). *(same site boundary and same number of dwelling but with a looser less regular layout and with the landscape dominating the built form)*



figure 14:  
**The potentially arcadian perimeter block within phase 2 reserved matters layout (note the lack of landscape dominance)**



figure 15:  
**How the layout could have looked with true Arcadian character**

3.61 In reality a density of 8 dwellings to the hectare is well below the normal minimum of 30 expected on most sites and may be considered not to represent the most efficient use of development land. However where achieved and a true Arcadian character is achieved it does deliver something very special in terms of character, As stated whilst Phase 2 did include a parcel of development at an Arcadian density it does not deliver Arcadian character and so that opportunity appears to have been lost.

3.62 The extracts used in the ATNDP taken from the old Suffolk Design Guide (2000 revision) try to embrace Arcadian principles of landscape dominance. To achieve Arcadia you need densities of no more than 8 dwellings to the hectare. The implication in the ATNDP is that this character should prevail in new development.

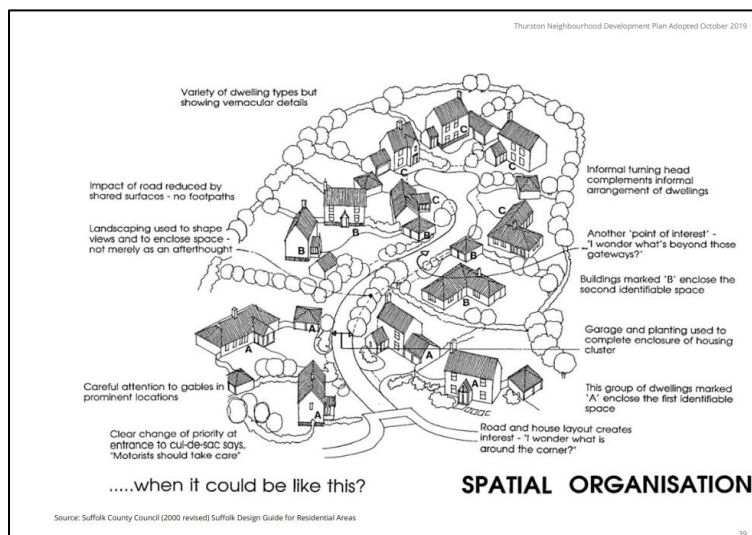
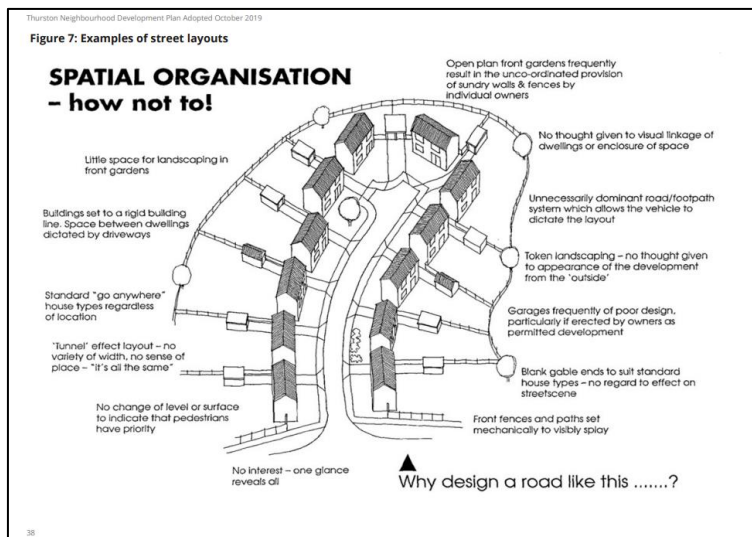


figure 16:  
Extract from the ATNDP – Spatial organisation

- 3.63 It is however an impossibility to achieve Arcadia at modern densities. Today a density of 30 dwellings per hectare is considered to be at the low of the density scale and anything less can potentially be thought of as inefficient use of land.
- 3.64 So how does the density of the proposal vary as one moves across the application site?
- 3.65 The annotated plan below shows the densities per perimeter block and provides a crude indication of how character might vary. As can be seen the parcel closest to Lady Greene's Plantation (north-east corner) at 25.2 dph is lower than the other areas within this application. There is therefore some recognition of the need to include lower density development on the most sensitive part of the site. This accords with the original design philosophy.
- 3.66 The looser arrangement of self-build homes remains aligned to the sites northern edge and continues to provide the opportunity for a sensitive transition in character as urban moves to rural.
- 3.67 The overall density when the 112 plots below are amalgamated is 35.5 dwellings per hectare (*with the estate roads included this figure comes down to approx.. 31 dwellings per hectare*) but it is still at the low end of the scale. The density of development (perimeter blocks) for the equivalent area within Phase 2 of the earlier Reserved Matters layout is 17.5 dwellings per hectare

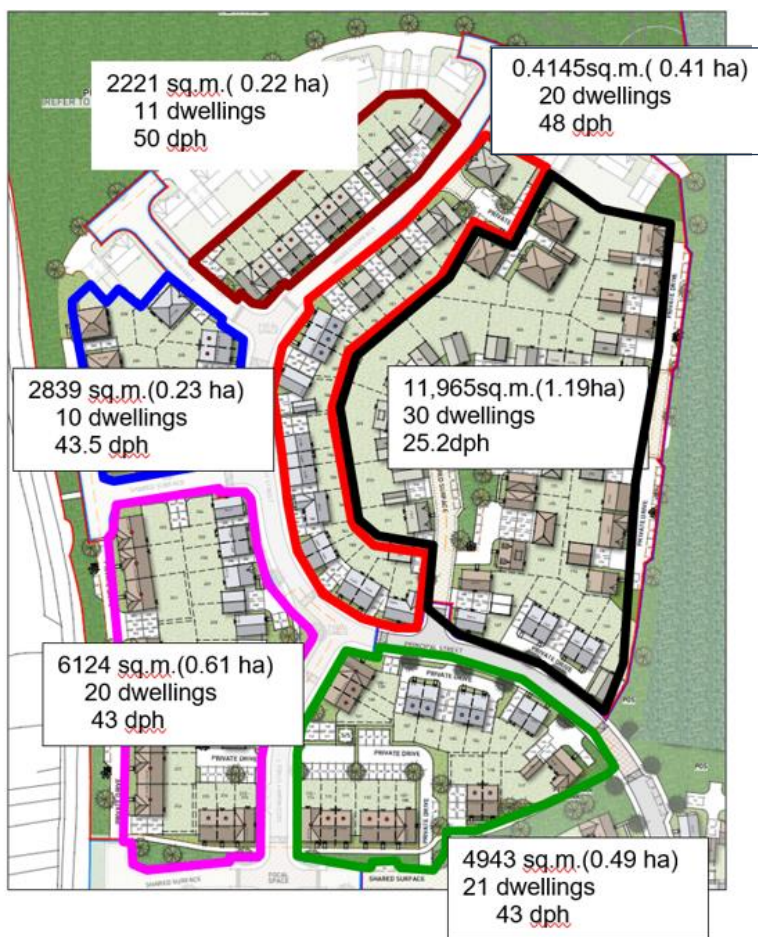


figure 17:  
**Perimeter block densities  
of current application**

- 3.68 Whilst some within community and the Parish Council may wish Linden Homes to build out the development at the previously approved density (Phase 2) the housebuilder (like any another developer) is not obliged to implement it in full.
- 3.69 That however is only part of discussion. The Council cannot refuse the current application just because it may prefer the scheme that was previously approved. The latest application must 'be judged on its own merits' and must stand and fall on these after all material planning considerations have been taken into account.
- 3.70 Before one can say whether the proposed density is acceptable one must first consider the quality of the urban design and spaces that result and it is not enough to simply compare one scheme with another and prefer one over the other. The test is does the current proposal comply with policy and deliver urban design that meets the Council design and space standards and conform to the National Design Guide.
- 3.71 Largescale development in Thurston (from the Thurston Five sites onwards) has all followed an established pattern of mass-built estate style using standard house types. It is probably unrealistic to expect that to change because national housebuilders and their standard products continue to drive a significant part of the economy. The presumption in favour of sustainable development within the NPPF (from 2012) has tended to mean there is little pressure on major housebuilders to change their house types and embrace higher quality urban design. Potentially the Government's attempt to raise the importance of 'beauty in design could help but it remains a nebulous concept in the face of pressure to build
- 3.72 That said urban design is not all about how buildings look it is rather about how buildings people, spaces, activity combine to create a sense of place and enhance opportunities wellbeing. Increasingly it is giving priority to how development will help combat climate change and respond to the current climate emergency.
- 3.73 In terms of house types Linden is intending to use those previously approved by the Council in the Phase 2 Reserved Matters submission and consequently they remain acceptable.
- 3.74 Following amendment appropriate back-to-back distances have been achieved across the proposed layout and so lack of privacy arising from sub-stand spacing is not an issue.
- 3.75 Garden sizes are acceptable.
- 3.76 Off -street parking provision meets the Council's standards.

### 3.77 Access

3.78 In effect the access arrangement has already been established through the original outline planning permission and subsequent earlier Reserved Matters approvals in the current development will be accessed via the constructed spine road and estate road network.

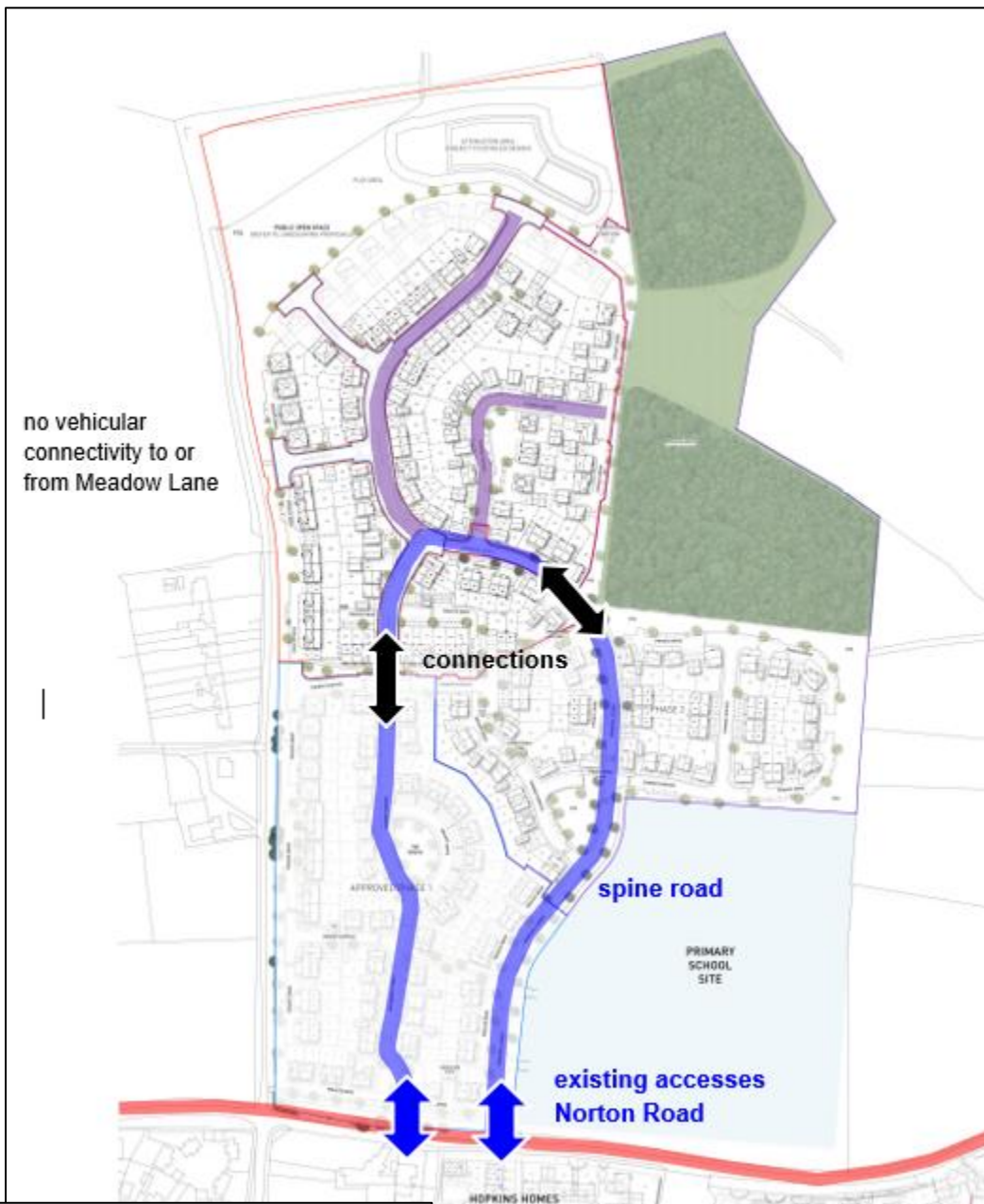
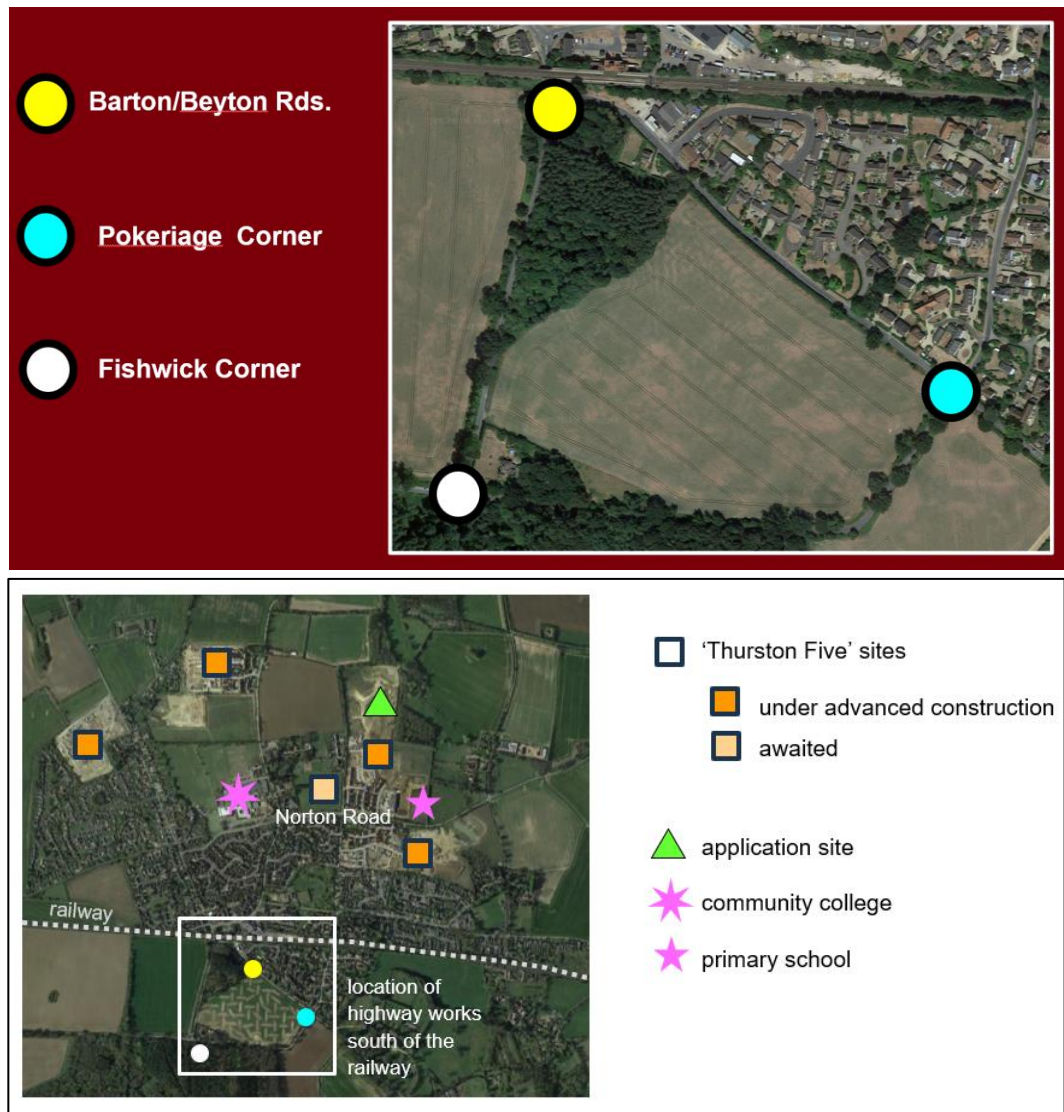


figure 18:  
**Access points**



3.79 Suffolk County Council, as local highway authority has no objection. The increase in overall numbers on the Cavendish View development can be justified in highway terms and ATNDP2019 policy terms as Bloor Homes having received its Reserved Matters approval in 2023 for the 210 dwelling Beyton Road scheme south of the railway will be delivering an extensive package of highway improvements at Fishwick Corner, Pokeriage Corner, under the railway bridge, Beyton Road and more. It is the delivery of these works that mean Linden's offer of £50,000 towards the installation of MOVA technology within the planned Bunbury Arms junction works plus the installation of a tiger crossing either in Station Hill or on the southern corner of the Norton Road/Ixworth Road junction, close to the Community College will mitigate effectively any additional highway impact from the uplift of 61 dwellings.

*(MOVA technology provides real-time traffic light control (based on sensors) that can alter traffic light sequencing to respond to queues at different arms of a junction. This is more effective at managing traffic flows than pre-sequenced traffic light controls)*



figures 19: **Beyton Road area highway improvements being delivered by Bloor Homes**



figures 20: **Location of Bunbury Arms Junction**

- 3.80 Providing this infrastructure is important to mitigate the impacts of the development because Thurston Parish Council and many within the community have consistently cited highway safety and capacity issues associated with the rapid increase in population within Thurston triggered by the major expansion of housing development in the village as a reason to resist further expansion. The Local Highway Authority has in recent years also expressed concern at additional development in Thurston where this is proposed in a context of there being no critical improvements to the local network south of the railway bridge.
- 3.81 Chapter 7 of the ATNDP deals specifically with Movement and Policy 6 is relevant. to the extent that whilst the current proposal is described as 112 dwellings and 9 self-build units it is in fact an increase of 61 dwellings over that previously approved. This uplift therefore must be considered in the context of Policy 6. It states:

### ***“Key Movement Routes***

- A. *Where appropriate, new developments must ensure safe pedestrian and cycle access to link up with existing pavements and cycle infrastructure that directly connect with the Key Movement Routes as identified on the Policies Maps on pages 75-76. Such routes should also ensure that access by disabled users and users of mobility scooters is secured.*
- B. *Proposals to enhance the identified Key Movement Routes will be supported. Development that is immediately adjacent to the Key Movement Routes will be expected to:*
- a. *Contribute towards the enhancement of the Key Movement Route in accordance with the statutory tests in the Community Infrastructure Levy Regulations 2012; and*
  - b. *Not have a detrimental impact on the Key Movement Route, and assess and address the impact of the additional traffic movements on the safety and flow of pedestrians and cyclists.*
- C. *The Public Rights of Way network should be protected. Where appropriate, in accordance with the statutory tests in the Community Infrastructure Levy Regulations 2010, development should enhance the Public Rights of Way network by improving routes or creating new links. Linking the Public Rights of Way network to the Key Movement Routes is encouraged.”*

3.82 This report will look at these in turn but before doing so it now reflects on paragraphs 7.29 – 7.31 of the ATNDP which deal specifically with pinch points and accident spots in the village. It is the Bloor Homes Beyton Road development that is now to resolve most of these through a comprehensive package of highway improvements secured by S106 Agreement on the back of an approved 210 dwelling development. Commencement of that development is expected imminently. Reserved Matters have already been approved and details of pre-commencement conditions have been submitted.

“ 7.29 There are pinch points and problematic junctions within the village, all identified by Suffolk County Council Highways Team in its transport work to inform the planning applications in 2017. These are:

- Pokeriage Corner Junction
- Ixworth Road/ Norton Road Crossroads
- Station Hill Bridge

- Beyton Road/New Road Junction

In addition, Barton Road outside the Post Office, Fishwick Corner and Thedwastre Bridge are problematic pinch points.

7.30 Figure 10 shows the location of these pinch points and dangerous junctions.

7.31 In particular, Pokeriage Corner and Fishwick Corner junctions have been the sites of accidents, some severe and reported, some not<sup>10</sup>. Fishwick Corner has been of particular concern. High traffic volumes are experienced leaving the village in the morning and a combination of poor visibility at the junction, poor signage and the constraints of junction design have contributed to this being the most dangerous junction within the village.”

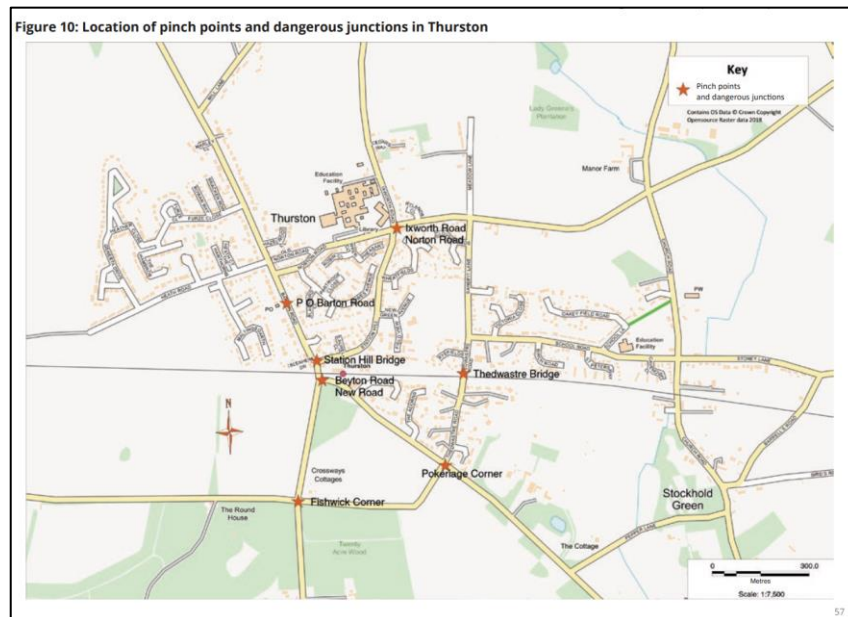


figure 21: **Location of pinch points and dangerous junctions as they appear in the ATNDP at figure 10 in the Plan**

3.83 Members will have noted that the local highway authority does not object to the proposal

### 3.84 **Cycling and walking**

3.85 Thurston is well served by cycle routes and National Cycle Route 51 passes through the village.

3.86 Linden’s Cavendish View development has already made an important contribution to extending that local cycle network in the form of a 3m wide footway/cycleway that runs across the entire site frontage. This was delivered in Phase 1 of the development. It also provides a key part of a safe route to school in North Thurston and complements the new Primary School recently opened in Pond Field Road. That school will be funded funded by the developments known as the *Thurston Five* and others. (*Suffolk County Council forward*

*funded its deliver to enable to be ready in time for the demand generated by largescale new development in the village)*

3.87 New crossing on Norton Road have also been provided.



figures 21: **The well-used footway/cycleway provided by Linden homes on the site frontage to the Cavendish View development**

3.88 Linden Homes has also been asked to extend a section of the footway/cycleway on the east side of Pond Field Road to provide direct access to the Primary School from the crossing located immediately adjacent to the Pond Field Road/Norton Road junction if the land is available, it is free of services that might otherwise prevent construction and if the local highway authority agrees.



figure 22: **The Norton Road /Pond Field Road crossing**

3.89 Depending on timing a verbal update will be provided at the meeting (or via Tabled Papers prior to the meeting) as to Linden’s reaction to the request and the response of the highway authority. (figures 23 & 24 highlight the section referred to)



figure 23: **Section of verge where it is suggested the footway/cycleway be extended (coloured yellow)**



figure 24: **The section where extension is suggested**

3.90 The overall development is highly permeable by foot and has a series of pedestrian friendly west-east links and the current proposal reinforces this approach.

### 3.91 Parking

3.92 The current proposal confirms to current parking standards and unacceptable incidences of triplex parking have been designed out.

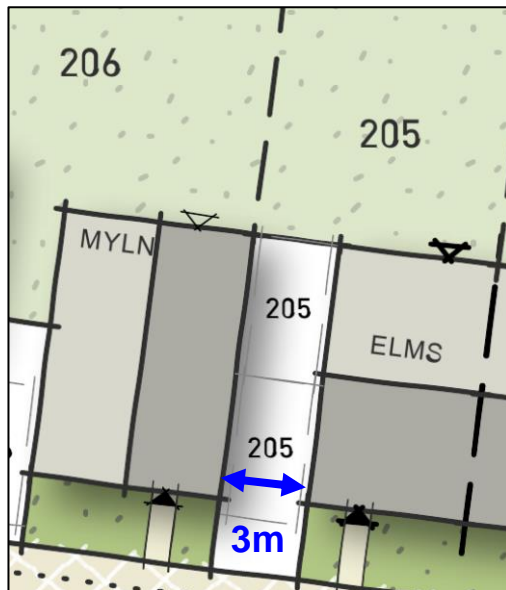
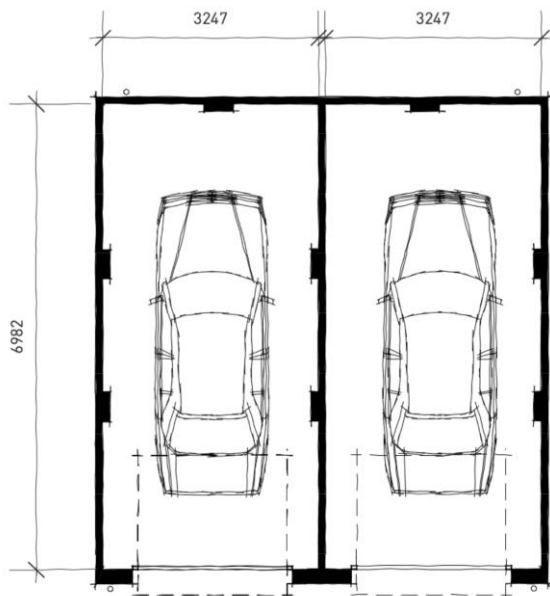
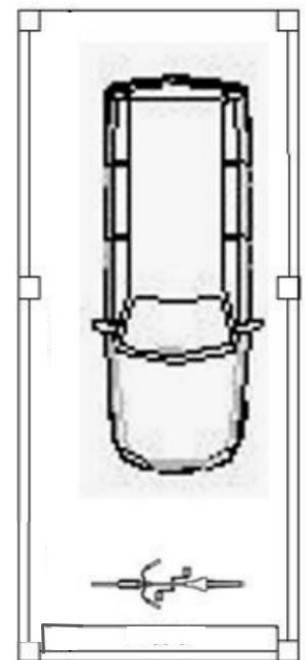


figure 24:  
**Typical width for parking space between buildings is 3m as required**



figures 24:  
**Garage dimensions allow internal storage of cycles and adequate width to get in and out of car. Conform to SCC Guidance for Parking standards\***

*\*Note at 6.982m long the garages are 18mm [1.8cm] less than the 7m described in the standard. This is considered immaterial.*



### 3.93 Scale of Development

3.94 House types are predominantly 2 storey with some bungalows and a limited number of 2 storey + attic accommodation units. These have been approved elsewhere in this development.

3.95 It is officers opinion that the uplift of 61 dwellings can be satisfactorily accommodate in urban design terms on the site bd on the nature and scale of development being delivered elsewhere within the settlement boundary of Thurston.

### 3.96 Mix

3.97 The proposed mix is acceptable and in many ways surpasses that approved within Phase 2 Reserved Matters because there is an enhanced proportion of smaller units within the open market mix.

3.98 This means the development is likely to prove attractive to young buyers, something the ATNDP advocates.

3.99 The uplift in small to medium dwellings and bungalows is also likely to attract downsizers and older buyers

3.100 A more detailed analysis of mix follows:

## CURRENT

### Accommodation Schedule

#### Open Market

Unit Type	No. Beds	Storeys	No. of Units
Cartwright	2	2	17
2BB Bungalow	2	1	8
Becket	2	2	5
Elmslie	3	2	12
3BB Bungalow	3	1	1
Mylne	3	2	11
Cottingham	3	2	2
Pembroke	4	2	2
Leverton	4	2	2
Grainger	4	2	1
Kempthorne	4	2	4
Fletcher	5	2.5	4

Total Open Market 69

#### Affordable

Unit Type	No. Beds	Storeys	No. of Units
A10L	1	1/2	10
A24L	2	2	21
A26W	2	1	8
A30L	3	2	4

Total Affordable 43

Total Dwellings 112

## TOTAL PHASE 2

### Accommodation Schedule

#### Open Market

Unit Type	No. Beds	Storeys	No. of Units
2BB	2	1	4
3BB	3	1	4
Cartwright	2	2	4
Becket	2	2	5
Elmslie	3	2	8
Mylne	3	2	4
Cottingham	3	2	6
Leverton	4	2	5
Knightley	4	2	6
Pembroke	4	2	6
Fletcher	5	2.5	1
501	5	2	4
503	5	2	7

Total Open Market 64

#### Affordable

Unit Type	No. Beds	Storeys	No. of Units
A10L	1	1/2	6
A26W	2	1	8
A24L	2	2	15
A30L	3	2	11

Total Affordable 40

Total Dwellings 104



## OPEN MARKET

No. of bedrooms	Phase 2 (no. of units)	Current (no. of units)
1	0	0
2	13	30
3	22	26
4	17	9
5	12	4
Total	64	69

## AFFORDABLE

No. of bedrooms	Phase 2 (no. of units)	Current (no. of units)
1	6	10
2	23	29
3	11	8
4	0	4
5	0	0
Total	40	43

3.102 However if we are to be able to compare like with like we need to remove those 53 dwellings within the Phase 2 permission (*the residual site*) that have been omitted from the current application as the intention is to build them out under the Phase2 Reserved Matters approval.

3.103 This more pertinent comparison reveals that the current proposal offers a mix of unit sizes that is less dependent upon larger units and delivers more smaller units these being the type this is needed in the Borough and more specifically in Thurston.

## OPEN MARKET

No. of bedrooms	Phase 2 (no. of units) falling within the current application site	Current (no. of units)
1	0	0
2	4	30
3	8	26
4	6	9
5	11	4
Total	29	69

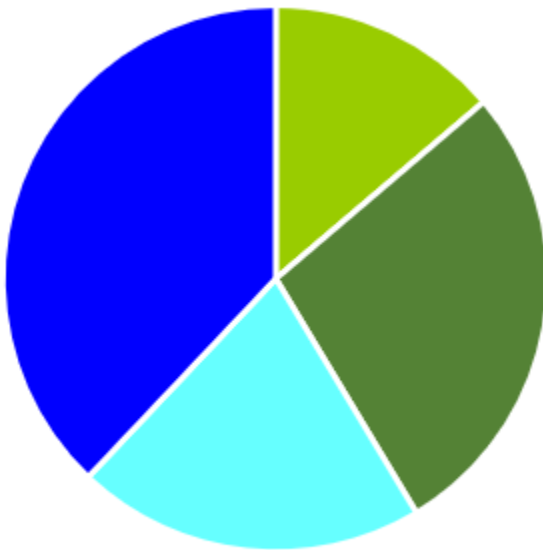
**AFFORDABLE**

No. of bedrooms	Phase 2 (no. of units) falling within the current application site	Current (no. of units)
1	4	10
2	16	29
3	2	8
4	0	4
5	0	0
Total	22	43

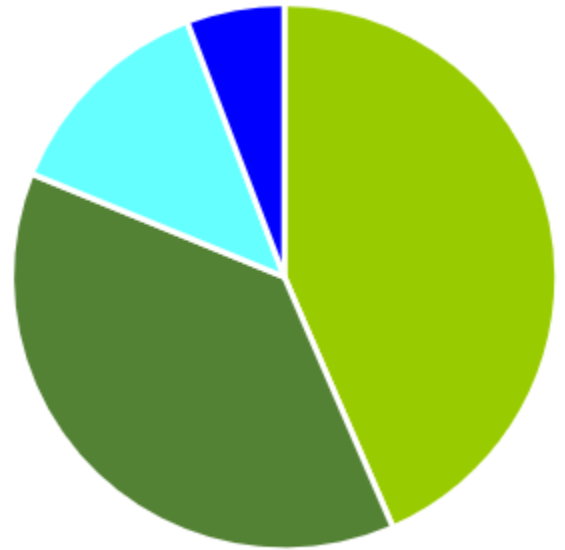
3.104 Looking at the difference in chart form the welcomed change is clear.

**OPEN MARKET**

**PHASE 2**



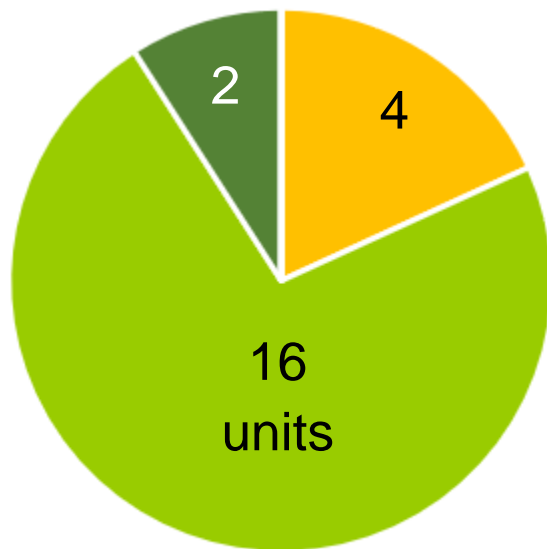
**CURRENT**



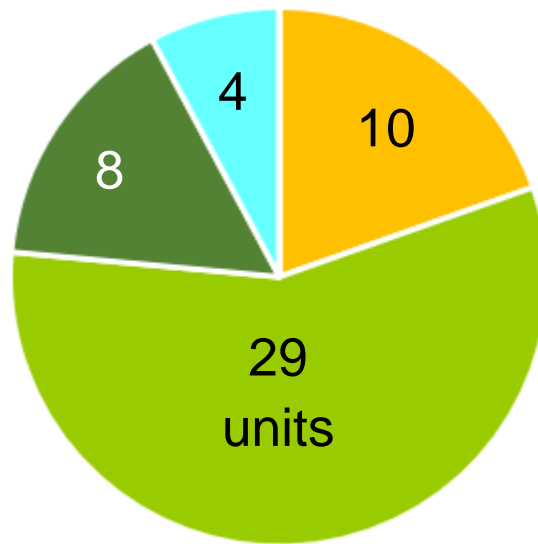
■ 1 bed ■ 2 bed ■ 3 bed ■ 4 bed ■ 5 bed    ■ 1 bed ■ 2 bed ■ 3 bed ■ 4 bed ■ 5 bed

## AFFORDABLE

PHASE 2



CURRENT



■ 1 bed ■ 2 bed ■ 3 bed ■ 4 bed ■ 5 bed

■ 1 bed ■ 2 bed ■ 3 bed ■ 4 bed ■ 5 bed

### 3.105 Affordable Housing

3.106 All affordable units meet HDSS requirements

3.107 In their comment dates 30 June 2023 the Strategic Housing Team has not raised an objection to the proposal.

3.108 The applicant has confirmed that of the 43 affordable dwellings

8 will be constructed to Part M4(3) of the Building Regulations  
30 will be constructed to Part M4(2) of the Building Regulations  
5 will be constructed to Part M4(1) of the Building Regulations

3.109 Like all the open market units all the affordable dwellings will be provided with air source heat pump technology.

3.110 Unlike the open market units Linden has agreed to provide all 43 affordable dwellings with pv on the roof.

3.102 This approach is welcomed and is believed to be the first development in the District to offer this range of green/greener alternative energy supply in affordable homes.

3.111 This should go some way in the immediate to long-run to offsetting high energy bills for those who may be paying a larger percentage of their income towards energy and food. Hopefully it will also start to make a difference for those in fuel poverty.

3.112 This step forward should attract significant weight.

3.113 Open market purchasers will be offered a pv option at the time of purchase as has become common on new development in the District

3.114 **Sustainability**

3.115 In a revised energy statement consultants for Linden Homes conclude thus:

**10. Conclusions**

10.1. This Energy and Sustainability Statement has been prepared on behalf of Linden (Thurston) LLP. in support of the application for development of the site at the Land at Norton Road, Thurston, Suffolk.

10.2. This statement has been prepared to address relevant national and local policies relating to the sustainable design and construction of dwellings, including relevant policies within the Mid Suffolk Core Strategy, adopted in September 2008

10.3. The statement sets out a fabric first approach to sustainable construction, demonstrating that improvements in insulation specification, a reduction in thermal bridging, unwanted air leakage paths and further passive design measures will ensure that energy demand and consequent CO<sub>2</sub> emissions are minimised.

10.4. A range of potentially appropriate low carbon and renewable energy technologies have been assessed for feasibility in delivering a further reduction in CO<sub>2</sub> emissions, concluding that Air Source Heat Pumps are considered the appropriate technologies for this site.

10.5. All homes will be delivered to meet the minimum requirements of Part L1 2021 and therefore will exceed a 31% reduction over Part L 2013. The approach presented delivers a reduction of 64,423 kgCO<sub>2</sub>/year over Part L 2021 equating to an improvement of 58.49%

10.6. The development will additionally consider the longer-term impacts of a changing climate, building in resilience through the construction specification and managing overheating risk through consideration of thermal mass and solar gain.

10.7. Appropriate provision for internal waste and recycling storage will be provided to ensure that recycling can be split into the appropriate streams for collection.

10.8. All dwellings will have Electric Vehicle charging (EVC) infrastructure to ensure the development is adaptable in accommodating a future shift to electric vehicles for personal transportation.

10.9. PV panels are not required to meet Building Regulations 2021 when Air Source Heat Pump is installed but the option to purchase PV panels will be available.

3.116 **Landscaping and ecology**

3.117 In their formal consultation response the Council's landscape advisers have raised no objection to the details and have suggested conditions to allow technical matters to be resolved. Structural landscaping has effectively already been approved via the Reserved Matters approvals and the current Hybrid application follows those patterns.

- 3.118 In terms of biodiversity net gain is already being developed under approvals already granted and the ecological mitigation has already been established and approved.
- 3.119 The current application is expected to include these within the 61 additional dwellings
- 3.120 **Agricultural land considerations**
- 3.121 These no longer apply as the original outline planning permission and subsequent Reserved Matters approvals have meant that the agricultural land is already no longer in agricultural use
- 3.122 In approving the original outline planning permission and subsequent Reserved Matters details the Committee accepted that the 'less than substantial' harm that would be caused to heritage assets in the vicinity was outweighed by the public benefits that arose.
- 3.123 The current application relates to a part of the overall site that is less likely to adversely affect the setting of those heritage assets when compared the scale type and locations of dwellings approved previously within Phase 2 (those units fall outside of the current application site and Linden will be building those as approved.)
- 3.124 **Open Space**
- 3.125 Areas of open space secured within planning permissions and associated S106 Agreements remain largely unchanged.
- 3.126 The requirement for additional allotments in Thurston (identified in the ATNDP as an issue) was not required of developers on this site within the associated S106 Agreement/s
- 3.127 Whilst any desire to bring the large area of strategic open space to the north and north-east of the site under public control is understood the original permission was granted at a time when the Council was stepping back from taking on such land as it represented a potential financial liability. Public access to open space managed by Management Companies paid for by occupiers was preferred.
- 3.128 That position may have changed as the Council looks once more to actively control and manage strategic open space as do some Parish Council's (including Thurston Parish Council) who now have access to their own developer provided funding through the Neighbourhood CIL regime.
- 3.129 As part of the current application Linden was asked if it was willing to transfer the strategic open space to the Council or Parish Council) and whilst they may have been willing in other circumstances to do so, they indicated that having already set up the management company and are charging purchasers the management company service charge they are legally no longer able transfer the land. This may come as a disappointment to those

purchasers as public ownership of a large tract of open space would have reduced their annual service charge one supposes.

3.130 **Residential Amenity**

3.131 The proposed development is unlikely to cause any significant harm to the amenity of nearby residential properties as a result of careful layout, established storey heights and the fact that there are no vehicular access points onto Meadow Lane.

3.132 Some disturbance from construction is to be expected if permission is granted and the permission implemented. As is standard practice officers are recommending that any Grant of permission be accompanied by a condition requiring the pre-commencement agreement of a Construction Method Statement

3.133 **Section 106 Matters** (and S38/278 matters under the Highway Act 1990)

3.134 The S106 requirements previous described and agreed by Linden is set out once more below. (it may be expanded to include the short section of footway/cycleway adjacent to the Primary School in Pond Field Road/Norton Road depending upon factors previously described).

- 112 plots (all) will be provided on construction with air source heat pumps
- 43 affordable plots will be provided on construction with pv
- Open marker units will be offered with a pv addition option if selected by purchaser early enough to be accommodated in the building of that unit.
- Highway Improvements (MOVA Technology) - £50,000
- Education Land contribution - £19,410
- Education Build Cost (Primary) contribution- £252,435
- Education Build Cost (Early Years) contribution- £113,358
- Community Facilities contribution - £58,000
- Provision of new 'tiger' crossing to either Station Hill or Barton Road including beacons. (a tiger is controlled but is not button-operated – A tiger crossing provides two separate crossing points, one for pedestrians and the other for cyclists).
- Provision of a public ev charging terminal
- Provision of Residents' Travel Information Packs to 121 plots
- Provision of an on-site Parish Council Noticeboard incl. installation

- Provision of a public ev charging terminal
- Provision of 2 dog bins including waste collection
- The requirements of the existing S106 will remain binding and the above contributions/obligations will be secured in addition to those.

The S106 should also agree a commitment to a *Parish Liaison Scheme*

and may include a cycleway extension in Pond Field Road (subject to feedback prior to the meeting)

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## **4.0 Planning Balance and Conclusions**

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- 4.1 Once again proposed development in Thurston is proving controversial and has prompted objection from some in the community and Thurston Parish Council.
- 4.2 The objection to the principle of development (or more accurately the 61-dwelling uplift in numbers over that previously approved) is understood. Thurston has seen dramatic expansion the last 5 years or so and local people are asking when is enough, enough?
- 4.3 The preparation of the Thurston Neighbourhood development Plan was a reaction to so much development being focused into the village.
- 4.4 It is however your officers opinion that the proposed development does accord with Policies 1 and 2 of the ATNDP. These are the key instruments for dictating the spatial strategy for the village when read alongside the policies of the District . This is residential development within the settlement boundary as defined in the ATNDP. They presume support for development in principle within the settlement boundary. Furthermore policy 1 looks to focus such growth inside the settlement boundary.
- 4.5 These policies carry significant weight as material planning considerations and can be said to be determinative when considering the 'Wavenden' principles (what policies within the basket of relevant polices are the most important for the determination of the planning application at hand).
- 4.6 The proposal similarly complies with CS1 as Thurston is defined as a Key Service Centre in the CS. It is to such locations (along with Towns) that the majority of development is to be directed. This is also one of the important policies for the determination of this application. It too carries significant weight.

- 4.7 It is worth acknowledging that growing weight can now be given to the JLP (although it is presently less than full weight) because the proposed development accords with SP01, SP02 and SP03 of that plan
- 4.8 All in all the principle of the use especially in the light of the fact that the site is already being developed for residential purposes is found acceptable. Not only that but it is found to comply with a number of determinative policies that carry significant weight as the most important policies for the determination of the application.
- 4.9 But what of the detail?
- 4.10 It is your officers' opinion that the site is capable of accommodating the proposed development in a satisfactory way that delivers good urban design and meets relevant standards.
- 4.11 How can such a seemingly large increase be possible?
- 4.12 The answer lies in the unusually low density of development that was approved with in the Phase 2 Reserved Matters submission. Indeed parts of that approval feature density at 8 dwellings to the hectare. Whilst this was proposed by Linden and approved by the Council it represents a density below that which is considered the efficient use of land. Undoubtedly it would potentially result in a character of development the likes of which may never have been seen before on a large major unit development in the District. That said Linden did not promote a landscape dominant layout on such parts of the site and would not amend the detail. In considering the merits of the Phase 2 details this fact was not in and of itself sufficient ground to refuse the application.
- 4.13 Certainly the NPPF at Section 11 advocates the efficient use of land as understandably it is a scarce resource and the more proposals that are approved at abnormally low densities the greater the pressure to find new green field sites to satisfy demand.
- 4.14 The S106 benefits offered do introduce something new not only to this site but the District as a whole. Linden has gone further than probably any other developer hoping to build in the District to expand their sustainability offer in ways that have been described in this report. This should be given significant weight in the face of the current climate emergency and the present cost of living crisis.
- 4.15 No harm is caused caused to heritage assets .
- 4.16 The public benefits that arise from the proposed development include:
- 43 affordable dwellings to provide those in housing need with a much-needed home
  - Community facilities contribution
  - Education contributions
  - short-term construction jobs for an extended period on this site
  - additional CIL receipts to fund infrastructure investment



- funding for education
- highway improvements
- sustainable energy protection for more properties at the time of completion and less need for expensive retrofitting

4.17 Considering all these factors and having weighed them in the balance it is your officers' Opinion that planning permission should be granted. (subject to those matters set out in the recommendation below)

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## 5.0 RECOMMENDATION

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**That the Committee delegates 'Authority' to the Chief Planning Officer to GRANT conditional HYBRID PERMISSION**

### **SUBJECT TO**

- a. The prior completion of a Section 106 Agreement to the CPOs satisfaction to secure the obligations described in this report; and,
- b. That the Section 106 agreement include express provisions and obligations [i] to safeguard those obligations attached to the original planning permission reference 5070/16 and any subsequent variations insofar as they remain necessary to that other land and that development [ii] to ensure that notice is given of the commencement of this permission and that no reliance is placed upon the planning permission for this severed phase thereafter

Recommended conditions are as follows:

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### FULL

- standard time limit
- implementation in accordance with approved drawings except where specified otherwise
- materials
- construction method statement
- boundary treatment
- 100% ev charging
- air source heating and attenuation details to 100% of dwellings
- removal of PD rights to extend and/or alter the roof, including those relating to the addition of storeys
- pv details for the 43 affordable dwellings details of optional pv offer to open market purchasers

and such other conditions as may be agreed by the Committee and/or the Chief Planning Officer as he deems appropriate

## OUTLINE

- standard time limit
- reserved matters
- drainage details
- dwellings restricted to self- build
- removal of PD rights to extend and/or alter the roof, including those relating to the addition of storeys

and such other conditions as may be agreed by the Committee and/or the Chief Planning Officer as he deems appropriate.