

## **Committee Report**

**Item No:** 7A

**Reference:** DC/20/05126  
**Case Officer:** Bradly Heffer

**Ward:** Stradbroke & Laxfield.

**Ward Member/s:** Cllr Anders Linder.

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### **RECOMMENDATION – GRANT OUTLINE PLANNING PERMISSION**

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#### **Description of Development**

Outline planning application (all matters reserved, access to be considered ) Residential development of up to 80No dwellings (including affordable dwellings), provision of a new school car park and bus drop off area, land for a new pre-school facility, public open space, upgrades to Mill Lane and associated works.

#### **Location**

Land South Of, Mill Lane, Stradbroke, Suffolk

**Expiry Date:** 31/03/2023

**Application Type:** OUT - Outline Planning Application

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

**Applicant:** Earlswood Homes

**Agent:** Mr Billy Clements

**Parish:** Stradbroke

**Site Area:** 4.1 hectares

**Density of Development:**

Gross Density (Total Site): 19.2 dwellings per hectare approx

Net Density (Developed Site, excluding open space and SuDs): 28 dwellings per hectare approx

**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 - DC/19/04225

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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/s:

It is a major development proposal for more than 15 dwellings and has to be determined by Planning Committee under the Council's adopted scheme of delegation.

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

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### **Summary of Policies**

#### **NPPF - National Planning Policy Framework**

#### **Babergh and Mid Suffolk Joint Local Plan (November 2023)**

SP01 – Housing Needs  
SP02 – Affordable Housing  
SP03 – The sustainable location of new development  
SP09 – Enhancement and Management of the Environment  
SP10 – Climate Change  
LP15 – Environmental Protection and Conservation  
LP16 – Biodiversity and Geodiversity  
LP17 – Landscape  
LP19 – The Historic Environment  
LP23 – Sustainable Construction and Design  
LP24 – Design and Residential Amenity  
LP26 – Water resources and infrastructure  
LP27 – Flood risk and vulnerability  
LP28 – Services and Facilities Within the Community  
LP29 – Safe, Sustainable and Active Transport  
LP30 – Managing Infrastructure Provision  
LP32 – Developer Contributions and Planning Obligations

#### **Stradbroke Neighbourhood Plan (March 2019)**

STRAD1 – Development Strategy and Principles  
STRAD2 – Design Principles  
STRAD3 – Housing Mix  
STRAD4 – Utilities Provision  
STRAD5 – Flood Mitigation  
STRAD6 – Education and Health Infrastructure  
STRAD8 - Highway Access and Pedestrian Movement  
STRAD9 – Parking Provision  
STRAD11 – Historic Environment and Design  
STRAD18 – Land South of Mill Lane

### **Neighbourhood Plan Status**

This application site is within a Neighbourhood Plan Area. The Stradbroke Neighbourhood Plan has been adopted and forms part of the development plan. It has full weight in the consideration of this planning application.

## Consultations and Representations

During the course of the application Consultation and Representations from third parties have been received. These are summarised below.

[Link to Consultee Comments Online](#)

### A: Summary of Consultation

#### Parish Council

The comments of **Stradbroke Parish Council** on the initial submission were as follows:

1. *Councillors strongly recommend that Mid Suffolk consider this site as a scheme for 80 homes and not 89.*
2. *The Stradbroke Neighbourhood Plan tested the site viability and the Plan Examination found it was marginally viable because it gives back land for the primary school car park and to replace the current nursery building. The site policy reflects this risk in permitting a reduced number of homes.*
3. *Stradbroke Parish Council wish to prioritise the land for both the school car park and replacement of existing nursery building. Stradbroke Parish Council would request this requirement be carefully considered in the MSDC sponsored viability appraisal. This appraisal should also include the cost of bunding and landscaping to offset the impact of the development - see point 4 below.*
4. *The site is overcrowded with 89 houses and this overcrowding impacts adversely on drainage and amenity. Swales must be larger than for fewer homes. Reducing the scale allows for other land use; eg acoustic bunding. The northern edge of the site needs an acoustic buffer from the adjoining factory and 89 homes restricts available space to construct the bund.*

Following on from the submission of a revised scheme for 80no. units the following comments were received:

*'Note: It has been brought to the attention of the Parish Council that Mill Lane has been misidentified in the made Neighbourhood Plan and therefore also in this application, the road adjacent to the site is in fact **Mill Road**.*

*The made Stradbroke Neighbourhood Plan contains the site as an allocated site in Policy STRAD18.*

*The Parish Council notes:*

- *that this is an outline planning application with all matters reserved, access to be considered.*

- *the application is in accordance with Policy STRAD18 which states any proposal should provide approximately 75 dwellings, with a car park and bus drop-off facility for Stradbroke Primary School and land for a new pre-school facility.*
- *Suffolk County Council highways officers raise no objections on the proposed access and propose conditions to be included in a grant of planning.*

*The Parish Council SUPPORTS the application and recommends that Mid Suffolk District Council GRANTS permission.*

*The Parish Council submits the following comments:*

*During July 2022, the nursery facility closed and as a consequence there is no longer a pre-school facility available in the village. The Parish Council notes that the land which will be made available with this development is now crucial to a new facility being built to ensure adequate provision is available.*

*The Parish Council has reviewed the various reports submitted since its last response dated 8th November 2021.*

*With regards to the outcomes of the noise and various odour reports, the Parish Council has recently submitted full comments regarding noise and odour from the neighbouring factory in response to a consultation on planning reference DC/22/02971 where Councillors noted comments received from residents of a neighbouring housing estate that there has been a significant increase in smell from the factory. The Parish Council feels the issue of odour is best dealt with at source which will assist the amenity of not only the residents of this development but all nearby residents*

*who are more directly affected by the odour from the factory, given the evidence of the prevailing winds in the odour report.*

*The Parish Council is surprised that the matters raised by consultees were not raised during the consultation stages of both the now made Stradbroke Neighbourhood Plan and the draft Joint Local Plan, both of which contain this site for development.*

*As an additional note, the Parish Council was pleased to note the rigour with which the Environmental Health department have reviewed the odour reports and methodology used, and hope that the same rigour will be applied when reviewing the odour reports submitted to support planning reference DC/21/06824 as recently requested by the Parish Council.'*

### **National Consultee**

**Historic England** has advised it does not wish to offer any comment on the proposals. It is suggested that the views of the Council's own specialist advisers are sought in this regard.

The **NHS Clinical Commissioning Group** has inter alia advised as follows:

*'...This development is not of a size and nature that would attract a specific Section 106 planning obligation. Therefore, a proportion of the required funding for the provision of increased capacity by way of extension, refurbishment or reconfiguration at Stradbroke Medical Centre and/or Fressingfield Medical Centre, servicing the residents of this development, would be sought from the CIL contributions collected by the District Council. Although, due to the unknown quantities associated with CIL, it is difficult to identify an exact allocation of funding, it is anticipated that any funds received as a result of this development will be utilised to extend the above mentioned surgery. Should the level of*

*growth in this area prove this to be unviable, the relocation of services would be considered and funds would contribute towards the cost of new premises, thereby increasing the capacity and service provisions for the local community...'*

**Natural England** has no comment on the application and draws the Council's attention to its standing advice in relation to assessment of impacts on protected species and ancient woodland.

**Anglian Water** advises that there are no assets within the development site boundary. It is also advised that foul drainage from the development is in the catchment of Eye-Hoxne Road Water Recycling Centre which has available capacity. It is identified that the preferred means of surface water drainage would be via SuDS. Lastly, it is requested that various informatives are added to the decision notice in the event that outline planning permission is granted.

### **County Council Responses**

**SCC Highway Authority** has advised it has no objection to the proposals, subject to the imposition of conditions on a grant of planning permission.

**SCC Public Rights of Way** team advises that it accepts this proposal, and is pleased to see that the Applicant has acknowledged the PROW in the immediate vicinity of the proposed site. A link from the site on to FP2 is also identified as desirable. Various notes relating to statutory requirements are also included.

**SCC Travel Plan** officer has no comments to make.

**SCC Development Contributions** has identified necessary mitigation of the impacts of the development, to be secured through s106 agreement and CIL.

**SCC Lead Local Flood Authority** recommend approval of the application, subject to the imposition of conditions.

**SCC Archaeological Service** identifies that the site lies in an area of archaeological potential, and the inclusion of conditions on a grant of planning permission is recommended.

**SCC Fire and Rescue Service** has requested a condition for the provision of fire hydrants. The installation of sprinklers within buildings is also recommended.

### **Internal Consultee Responses**

The **Planning Policy** team has provided the following comment as part of its overall consultation response:

*' The site proposed (DC/20/05126, Land south of Mill Lane, Stradbroke) is in outline with all matters reserved with access for consideration for up to 80 dwellings. The site in question is situated to the north west of Stradbroke.*

*The site is allocated for residential development and a car park and bus drop-off to serve Stradbroke Primary School in Policy STRAD18: Land South of Mill Lane in the made Stradbroke Neighbourhood Plan (March 2019). The Neighbourhood Plan covers the period 2016 – 2036. It is noted that this application refers to a site area of 4.16ha, with STRAD18*

*referring to an area of approximately 2.9ha. This difference is deemed to be acceptable in this instance.*

*Overall, there does not appear to be any significant policy conflicts between the proposal, and the made Stradbroke Neighbourhood Plan.*

*The Stradbroke Neighbourhood Plan is the adopted development plan document and the proposal is supported in principle...'*

The **Arboricultural Officer** has advised no objection to the proposal. It is also advised that an Arboricultural Impact Assessment would be required as part of a detailed submission.

The **Public Realm** team has no objection to the proposals and states that the inclusion of play areas and open space is appropriate. The opportunity to comment on the detailed design of these features would be welcomed.

**Environmental Health – Noise/Odour/Light/Smoke** has provided a series of comments in its latest consultation response which are included below for Members' information:

- Environmental Protection have provided previous consultation responses in respect of ongoing concerns regarding the potential impact on future occupants from operations undertaken at the adjacent B2 pet food manufacturer.
- On site discussions have taken place with the developer and the factory to discuss this further.
- A meeting was held with Environmental Health, Planning, Earlswood and NoiseAir (consultants for the applicant) on 16th January 2023 and further odour report provided.
- Odour is not anticipated to have a significant or adverse impact on the quality of life and wellbeing of future occupants, however following the concerns raised by this service, the concept of mitigation funding was discussed at the meeting on the 16th January.
- Earlswood Homes have proposed a contribution to a mitigation fund for the development, having regard to an assessment of viable mitigation options available in respect of operations currently undertaken at the adjacent factory.
- The fund would be held by the Council and become available for use should odour complaints are received from future occupants of the proposed development, and those complaints are substantiated as having a significant adverse effect on residential amenity for this development.
- This would be formalised as part of a Section 106 Agreement.
- Noise has been assessed by planning under separate cover in consultation with Sharps Acoustics.

On the basis of the above, it is confirmed that there is no objection to the proposals and two conditions are recommended to be added to a grant of planning permission.

The **Strategic Housing** team advises that the findings of the viability assessment are accepted; resulting in the provision of 20% units on the site – which equates to 16 units if the full 80 homes are to be delivered.

**Environmental Health – Air Quality** has confirmed that a development of this scale is unlikely to cause a significant adverse impact on local air quality, and no objection is raised. It is also noted that electric vehicle charging points should also be provided.

**Environmental Health – Land Contamination** has no objection to the proposed development, subject to a condition requiring development to be carried out in accordance with the recommendations in the submitted Environmental Phase I report.

**Environmental Health – Sustainability** identifies that the submission does not include energy efficiency measures and a condition is requested to be imposed on a grant of planning permission.

The **Heritage Team**, when consulted on the initially submitted scheme for up to 89no. units, advised an anticipated low level of harm bearing in mind the outline nature of the submission. Following a reduction in the number of proposed units to up to 80no. the Team confirms that the same comments apply.

**Place Services – Heritage** has advised that it considers the proposal would result in less than substantial harm to identified heritage assets due to the layout and density, and is unable to support the application.

**Place Services – Ecology** has no objection to the proposals, subject to the imposition of conditions on a grant of planning permission.

**Place Services - Landscape** has provided a number of comments and advises that there is no objection to the proposals, subject to the imposition of conditions.

The **Waste Services** team has no objection to the proposals subject to conditions. It should be ensured that the development is suitable for a 32 tonne refuse collection vehicle.

**East Suffolk Internal Drainage Board** has identified that the site is within the Board's Watershed Catchment. It is recommended that surface water discharge from the site is attenuated to the Greenfield Runoff Rates wherever possible.

**Mid Suffolk Disability Forum** would like to see a commitment that all dwellings will meet Part M4 of the Building Regulations. It is also the Forum's view that 3% of the dwellings in housing developments of over 10 dwellings should be bungalows to assist people with mobility problems/those wishing to downsize. All footpaths should be wide enough for wheelchair users and dropped kerbs level with the road. Durable surfacing should also be required.

**Suffolk Wildlife Trust** advises it has no objection to the proposals and recommends the imposition of a condition requiring that recommendations made in the submitted ecological reports are secured.

## **B: Representations**

At the time of writing this report at least 24 letters/emails/online comments have been received. It is the officer opinion that this represents 16 objections, 3 support and 5 general comment. A verbal update shall be provided as necessary.

Views are summarised below:

- The proposal constitutes an overdevelopment of the land.
- The use of the land for residential development is incompatible with the established factory use directly to the north of the site. Complaints could arise that could hinder the operation of the factory.
- An adequate supply of land for housing already exists in Stradbroke and other Key Service Centres to meet requirements.
- The proposal does not accord with the adopted Stradbroke Neighbourhood Plan or the adopted development plan.
- The submission will cause harm to heritage assets and will have a detrimental impact on the landscape.
- Inadequate affordable housing provision is made on the site.
- Visibility at the Mill Lane/Queen Street junction is inadequate as is the bus drop off point and the size of the proposed car park.
- The proposal will give rise to traffic problems in Queen Street, and will give rise to noise and light pollution issues. Development proposals planned elsewhere will further exacerbate the situation.
- The proposal would obscure views of open countryside that are currently enjoyed.
- Local service provision, including schools and healthcare provision, is inadequate and will not be able to accommodate the increase in demand. There is no indication that the primary school will be improved.
- The proposal will give rise to drainage issues locally due to inadequate provision.
- The factory nearby could give rise to complaints from the residents of the development. The established use of the factory will give rise to noise nuisance. The residents of the development would not have a good standard of amenity.
- The proposals could create loss of privacy and security issues.
- The proposed location of social housing is not acceptable.
- There are existing problems with odour from the factory premises.
- The site does not need affordable housing on it, and would be better located elsewhere in the village.

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

## **PLANNING HISTORY**

### **DC/22/02971**

Erection of extension to existing factory facility to provide additional packing and storage space.

Roger Skinner Ltd Queen Street Stradbroke.



**This application will be presented for consideration at the same Planning Committee meeting. A recommendation of approval is however noted.**

[DC/22/02971 | Planning Application - Erection of extension to existing factory facility to provide additional packing and storage space | Roger Skinner Ltd Queen Street Stradbroke IP21 5HL \(baberghmidsuffolk.gov.uk\)](https://www.baberghmidsuffolk.gov.uk/DC/22/02971)

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

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### **1. The Site and Surroundings**

- 1.1. The site for this proposal is an irregularly-shaped area of relatively level land, having a given area of 4.1 hectares, located to the south of Mill Lane in Stradbroke. The site abuts part of the established settlement boundary for the village, on its western side, as designated in the adopted development plan. This part of the village is also identified as within a conservation area; the application site is outside of and abuts the conservation area.
- 1.2. The eastern boundary, and part of the northern boundary of the site, adjoins the boundaries of existing properties that are located along Queen Street and Mill Lane. The site also adjoins the boundary of the playing field serving Stradbroke Primary School. The south-western portion of the boundary adjoins an established tree/hedging boundary, together with a small, wooded area immediately to the south. The western boundary of the site is currently undefined, forming part of a previously cultivated field. The northern boundary fronts on to Mill Lane, which provides vehicular access to the Skinners factory site immediately to the north, as well as a small ribbon of residential development that fronts on to the Lane near to its junction with Queen Street. The remainder of the northern boundary fronts on to part of the route of Public footpath no.2 Stradbroke.

### **2. The Proposal**

- 2.1. This submission seeks outline planning permission for the erection of up to 80no. dwellings on the identified site, including the provision of affordable units. The proposal would also include the provision of a new car park to serve the primary school and a drop off area accessible by bus. Another aspect of the development proposal would be the provision of land to provide space for a new pre-school facility. The submission would also include upgrade works to Mill Lane. In this regard, Members should note that the submission, although made in outline, does seek approval for the detailed means of vehicle access to the site.
- 2.2. As part of the application submission, the proposals include an illustrative site layout plan, showing a possible organisation of development across the identified site. The plan shows vehicular access to the site being provided off Mill Lane; this leading to a looped road system and a series of culs de sac to serve individual groups of dwellings. As well as the

proposed areas for residential development, the plan shows a central area of open space (that would include a play area) and the location of the proposed car park, with a site for a new nursery building (shown indicatively) immediately adjacent. The proposed location of the bus drop off point is shown located immediately north of the location of the car park/nursery. Lastly the plan shows areas of open space, including a noise attenuation and landscape buffer located to the north of the site nearest the factory building, and areas shown as being used for SuDS purposes.

- 2.3 As Members are aware, the Council declared a climate emergency in 2019 and has an aspiration to be carbon neutral by 2030. The application submission does not include details of how sustainability issues are to be addressed in the construction and ongoing operation of the buildings – this reflecting the outline nature of the proposals. That said, a conditional requirement of a Reserved Matters submission to the Council can secure these details in order that they can be properly considered. This approach is recommended by the Sustainability officer and is supported.
- 2.4 Members are advised that when this application was originally submitted, outline planning permission was sought for the erection of up to **89no.** units on the site. This overall number has been revised to the current proposal for up to **80no.** units. For further context, remarks made in the concluding section of the submitted Design and Access Statement are included for Members' information, written in support of an 89no. unit scheme:

*'...The illustrative Masterplan has been underpinned by a thorough analysis of design policy requirements, site specific constraints and local character to ensure that the development would add to the character of Stradbroke. The illustrative Masterplan robustly demonstrates that the site can accommodate up to 89no. dwellings and the important new facilities for Stradbroke Primary School, along with associated infrastructure, SuDS and public open space. This can be achieved within a density range which fits comfortably with the village context...Furthermore, the illustrative Masterplan confirms that the proposed site area is necessary to achieve a high-quality landscape given the constraints of the site. The DAS and illustrative Masterplan promote a landscape led approach to the site, seeking to harness and supplement existing landscape features and green infrastructure. A key feature is the creation of a new green 'soft edge' to the village, combining new native planting, natural open space and dwellings oriented to out towards the countryside in order to assimilate the development into the surrounding landscape. The design principles within the DAS will ensure a development which promotes local vernacular and a cohesive but interesting character. The design principles encourage well-considered variety to add richness to the development, promote sense of place and avoid homogeneity. These principles can guide future detailed reserved matters applications on the site. The scheme will deliver the aspirations of the Neighbourhood Plan and achieve a high-quality residential-led development which contributed positively to the housing needs of the village and beyond. The proposals offer a range of benefits including:*

- High quality new homes, including affordable properties, with a focus on smaller properties and family homes to meet local need and support the vitality of the village*

- Land for a new pre-school to replace the ageing facility at Stradbroke Primary, and new car park/drop off facilities for the school to alleviate pressure on Queens Street and facilitate future growth of the school

- A landscape led approach with significant areas of new public open space

- Improvements to Mill Lane, including a new pedestrian footway, and linkages to the wider PRow network.'

2.5 The application submission is supported by a suite of documents including inter alia a Planning Statement, Heritage Impact Assessment, Landscape and Visual Impact Assessment, Ecology report and Flood Risk Assessment. The submission documents may be viewed on the Planning website.

### **3. The Principle Of Development**

3.1. Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that '*If regard is to be had to the development plan for the purpose of any determination to be made under the planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise.*' In this regard, the relevant development plan documents consist of the Joint Local Plan (2023) and the Stradbroke Neighbourhood Plan (2019). A key material consideration is the National Planning Policy Framework (NPPF) 2021. Paragraph 7 of the NPPF states that the purpose of the planning system is to contribute to the achievement of sustainable development. At paragraph 8, this is defined as meaning that there are three overarching objectives which are interdependent and need to be pursued in mutually supportive ways: economic, social, and environmental. The NPPF goes on to state, however, that they are not criteria against which every decision can or should be judged (para. 9).

3.2 As Members will be aware, paragraph 11 of the NPPF describes the application of the presumption in favour of sustainable development. In summary, in the case of decision making this means approving applications in accordance with an up-to-date development plan without delay. In this regard, the application site is located outside of the settlement boundary for Stradbroke. However, the adopted Stradbroke Neighbourhood Plan (SNP – 2019) does identify a site for residential development in the same location as that proposed under this application but for reasons explained the application site is of a larger size than the land allocated in the SNP. The SNP, being an adopted document, does form part of the relevant development plan for determination of the application and, on this basis, it is considered that the principle at least of residential development taking place in this location is acceptable in planning terms.

3.3 Turning first to policy STRAD1, this policy identifies that a minimum of 219 new dwellings have been planned for in the Plan period (2016 – 2036) and allocated sites for development are identified; land south of Mill Lane is included in the list, with an allocation of approximately 75no. dwellings. The policy also includes criteria that development on the identified sites will be expected to address, including housing that addresses evidence-based need, provision of key infrastructure and high quality buildings and landscaping.

- 3.4 Policy STRAD18 of the SNP relates specifically to the site and the text of the policy is included below for Members' information:

*POLICY STRAD18: LAND SOUTH OF MILL LANE*

*Land to the south of Mill Lane (approximately 2.9 hectares as identified on the Proposals Map) is allocated for residential development and a car park and bus drop-off to serve Stradbroke Primary School. Proposals will be supported subject to the following criteria:*

- it provides approximately 75 dwellings; and*
- it provides a car park and bus drop-off facility to serve Stradbroke Primary School, adjacent to the existing school grounds; and*
- it enables the relocation of the existing pre-school facility and any subsequent expansion of Stradbroke Primary School; and*
- it provides a mix of dwellings in accordance with Policy STRAD3; and*
- the design of dwellings is in accordance with the requirements of Policy STRAD2; and*
- a direct footway link is provided on the south side of Mill Lane to link up with the footway on the west side of Queen Street; and*
- an appropriate drainage solution and management strategy is provided to serve the needs of the development in accordance with Policies STRAD4 and STRAD5; and*
- it is served by a sustainable long term solution in respect of electricity provision in accordance with Policy STRAD4; and*
- in order to protect the amenity of neighbouring properties and to provide an appropriate buffer with the open countryside, landscape buffers are provided on all boundaries of the site and, where relevant, meet the requirements of Policy STRAD2; and*
- the settings of the Conservation Area and the Grade II listed buildings adjacent to the site are preserved and, where possible, enhanced.*
- As the site is on the edge of the medieval settlement and has not been systematically assessed for archaeological remains, any planning application should be supported by the results of an archaeological evaluation which enables impacts on archaeological remains to be considered and to allow for preservation if appropriated, or proposals for other mitigation.*

- 3.5 The policy contains eleven criteria that identify various points that development on the land is expected to comply with. In this regard, the following comments are made:

1. The policy advises of an approximate number of units being suitable for the site, and in this regard officers consider that an 80no. unit scheme would be a reasonable proposal. The proposed quantum of development, having been reduced from 89no. initially, is nearer to the estimated amount in the policy and is within reasonable tolerance.
2. A car park and drop off facility to serve the school would be provided as part of the development proposals. Although not explicitly identified in the policy,

this requirement also links to policy STRAD6, which is concerned with education and health infrastructure.

3. The plan includes the provision of land for a new pre-school facility on the site and an attendant s106 agreement would secure a contribution towards construction costs.
4. The Planning Statement advises of the mix of market and affordable units and advises that '*...this indicative mix has been designed to strike a balance between the wider district needs, as well as the village level aspirations for a greater proportion of smaller units to suit first-time buyers and downsizers...In this regard the proposed housing mix directly supports the ambition in the Neighbourhood Plan to bring more families to the village...*'
5. Design of buildings would be part of the consideration of reserved matters, but it is anticipated that an architecturally-appropriate response can be secured on the site.
6. The identified footway link would be provided as part of the new access proposals, for which full planning permission is being sought at this stage.
7. The means of drainage of the site has been considered and agreed with the County Council as Lead Local Flood Authority.
8. In this regard, the SNP identifies that Stradbroke experiences partial blackouts due to the way in which electricity is supplied to the village. The SNP identifies that developers engage with the electricity provider in order to avoid the likelihood of power outages being increased. This matter is captured by policy STRAD4. As a planning judgement it is considered that the developer's responsibilities would include the provision of a suitable electricity supply to the development.
9. The layout proposals would be a reserved matter and the landscaping of the site (including the treatment of boundaries) would be considered at that point. That said, the illustrative plan does show the provision of landscaped areas to the boundaries in anticipation of this requirement.
10. As explained elsewhere in this report, the likely impacts of the proposed development on heritage assets has been considered, and determined to be at a low level of less than substantial harm. The policy criterion identifies that the settings of heritage assets should be *preserved*. Therefore the proposal conflicts with this limb of the policy in that preservation is interpreted to do no harm.
11. The recommended conditions to be attached to a grant of outline planning permission would include archaeology conditions as recommended by the County Council's Archaeology adviser.

- 3.6 Within the SNP the site identified for development has an estimated area of 2.9 hectares, and is identified as being suitable for a residential development of approximately 75no. homes. In this regard the outline proposal exceeds both the estimated site area and number of units and is, in both respects, a departure from the development plan. The given area of the application site, being 4.1 hectares, is 1.2 hectares larger. The number of dwellings proposed is 80no. which is 5no. more than the estimated capacity. While these increases are noted, it is also pertinent to note that the figures in the SNP are estimated, and the proposal is not considered by officers to represent an unacceptable increase in either site area or dwelling numbers – being in each case modest. Incidentally, it is also noted that the Parish Council does not object to the proposals on grounds of either site area or dwelling numbers. Following the initial submission of the application, which sought outline planning permission for 89no. units, the Parish Council requested that the number of units proposed should be reduced to 80no. The current proposal accords with the Parish Council's request. The proposed site area and the number of proposed units is also not identified as a concern by the Council's Spatial Policy Team. On that basis subject to the consideration of other planning issues within this report it is considered that the departure from the development plan may be balanced by the material considerations in the round.
- 3.7 In relation to the issues of site area and proposed numbers of dwellings, these were addressed in the Planning Statement that accompanied the initial submission (which proposed 89no. units on the site). By way of further context, the following extracts from the Statement are included for Members' information:

*Whilst it is acknowledged that the number of units proposed through the application is greater than identified in the Neighbourhood Plan, the housing requirements in the Plan are expressed as a "minimum" and the unit numbers for each site allocation – including STRAD18 – are expressed as "approximately" thus allowing for a degree of latitude for planning applications to be advanced in a way which makes best use of the land available (in line with national and local policy) and in a way which ensures the deliverability of individual allocations. This was reflected in the conclusions of the Stradbroke Neighbourhood Plan Examiner who concluded in her report that "to restrict the total number of dwellings on each allocated site would not constitute sustainable development"... It is also acknowledged that the application site area is larger than that proposed in the Neighbourhood Plan. This increase in site area is driven not by the increase in the number of units, but by the constraints and policy requirements imposed on the site, and on the need to achieve a high-quality landscape-led layout at a density which is appropriate to the edge of village location. There are several factors which contribute to the need to increase the site area, the most significant being the need to deliver an effective and sustainable solution to the management of surface water. As demonstrated within the Flood Risk Assessment & Drainage Strategy, to maintain run-off and discharge to the surrounding ditch network at existing greenfield rates (and taking account of climate change), large attenuation basins are required within the site. In line with best practice and Suffolk County Council SuDS guidance, these are designed to be natural features (rather than urban, hard-engineered basins) to maximise multi-functional benefits, improve long-term inspection/maintenance and enhance aesthetics. The result however is that, based on the volumes required and margins required around the basins, the total required land take is approximately 0.4ha, representing a significant proportion of the land available. Furthermore, the location*

*of such basins is, to some degree, fixed in order that they work successfully with the topography of the site and maximise efficiency of a gravity system.*

*In addition, delivering the important new facilities for Stradbroke Primary School involves further land take which cannot therefore be developed for housing. Land for the new 28-space car park, bus turning area and new pre-school (enabling space for buildings and outdoor play), represents a further 0.2ha of land take.*

*Additional requirements arising from the constraints of the site including: retention of – and greater space around – existing field boundary vegetation (particularly along the southern boundary where significantly larger gardens are indicated on the illustrative Masterplan to enable long-term retention; provision of a landscaped gateway at the site entrance and buffer to the commercial premises; and wider ecological mitigation, create additional pressures on the land budget for the site.*

*With these constraints and land deductions, the ‘usable’ site area based on the allocation in the Neighbourhood Plan would be reduced to approximately 2.2-2.3ha. Even based on the minimum 75 units, this would represent a relatively high density of 32dph, even before allowance is made for public open space. At this density, there would be compromises and insurmountable challenges to achieving a high-quality, landscape led development which fits comfortably in this edge of village location and which is capable of mitigating potential impacts on – for example – neighbouring heritage assets. This density, being comparable to Ash Plough, could result in some of the shortcomings which are frequently identified locally with that development.*

*As demonstrated in the Design & Access Statement, the increased site area is the minimum necessary to achieve a high-quality development at an appropriate density and deliver the right number of homes to make the development viable. The extent of the site has been carefully considered and, as demonstrated on the illustrative Masterplan, has been designed to ensure that built development on the site does not project any further into the countryside than the existing Skinner’s factory...’*

- 3.8 The site’s inclusion (save to the extent of the departure noted above) in the Stradbroke Neighbourhood Plan as being suitable for residential development, was previously reflected in a previous iteration of the draft JLP. However, the JLP has now been split into two documents with the agreement of the appointed Inspectors. Proposed housing land allocations would now be included in Part 2 of the Plan, following formal adoption of the Part 1 document. By way of further explanation the following extract from the Explanatory Note from the JLP Inspectors is included below for Members’ information:

*‘...we noted that the vast majority of the plan area’s housing requirement figure, detailed in policy SP01, is already provided for by existing dwelling completions, sites under construction, sites with full or outline planning permission, sites with a resolution to grant planning permission subject to s106 agreement, allocations in made Neighbourhood Plans and a, reasonable, allowance for windfall dwellings. Consequently, the Councils are in the unusual situation in which demonstrating a supply of developable housing land for the vast majority of the plan’s overall housing requirement figure is, for some years to come, unlikely to be dependent on the allocation of the housing sites included in the submitted plan. **Therefore, to enable the plan to be found sound, we proposed deleting the housing site allocations from the plan and retaining the settlement boundaries shown on the current policies map** [officer emphasis] (ie not those shown on the submission policies map*

*submitted with the plan for examination). Whilst the settlement boundaries are likely to require review and updating in due course we are satisfied that for the short-medium term they will enable the districts' development needs to be met whilst recognising the intrinsic character of the countryside in accordance with the National Planning Policy Framework...'*

- 3.9 Therefore it is the case that the previous JLP draft allocation of land in this location for housing, does not have relevance as part of the determination of this planning application. The Inspectors go on to clarify the status of site allocations in adopted Neighbourhood Plans as part of the current policies maps and advise that '*...The settlement boundaries have been altered to reflect those on the extant Policies Map (including those defined in made Neighbourhood Plans as of 15 December 2022)* [officer emphasis]. The Stradbroke Neighbourhood Plan was adopted on 18<sup>th</sup> March 2019. Therefore site allocations within the SNP are deemed to comprise part of the current policies maps referred to by the Inspectors.
- 3.10 In regard to the determination of the application ref. DC/20/05126, notwithstanding that all previously proposed housing allocation sites have been deleted, it is considered this would not adversely affect the assessment of the merits of the proposal in this regard. This is due to the fact that the allocation of land in this location for residential development is established through the formal adoption of the SNP, and Neighbourhood Plan allocations are a recognised part of the adopted Policies Maps, as identified by the Inspectors charged with overseeing the JLP consideration process. The Policies Maps form part of the extant development plan for the purposes of Section 38 (6) and currently are a material consideration in the determination of this planning application.
- 3.11 Turning to the JLP, this Plan was adopted by Mid Suffolk Council at the Full Council meeting held on 20<sup>th</sup> November, and the policies therein now have full weight in the determination of planning applications.
- 3.12 Strategic policy SP01 – Housing Needs, identifies that the Plan will seek to deliver a minimum of 10165 net additional dwellings within Mid Suffolk District. The policy also identifies that the mix, type and size of new housing should be informed by the relevant District needs assessment, or any local housing needs surveys where relevant. Leading on from this policy SP02 – Affordable Housing identifies that the JLP will assist in the delivery of 2428 affordable homes in Mid Suffolk within the Plan period i.e. up to 2037.
- 3.13 An on-site provision of 35% will be required on greenfield sites. In this regard, the requirements of policy SP02 establish the thresholds in unit numbers and site area that, if met or exceeded, require the provision of affordable housing units – this being 10no. units or 0.5ha.
- 3.14 It is considered that the proposal does not create a conflict with the requirements of policies SP01 or SP02, bearing in mind that the development of the site would contribute up to 80no. new dwellings to the District's overall identified requirement. In addition, policy SP02 inter alia specifically identifies (at criterion 4) that:

*'.... In exceptional circumstances, where it is convincingly demonstrated that the required provision of affordable housing is not viable, the relevant Council may agree to vary the*



*requirement. An agreed viability assessment format will be required to demonstrate this...'*

- 3.15 It is the case that the consideration of the application did include the issue of viability, and the resultant, agreed, level of affordable housing provision on the site is 20% (16no. units), as opposed to the usual policy requirement of 35%. Policy SP02 recognises this situation, and therefore it is considered that no tension exists with regard to the aims of the identified policy.
- 3.16 In conclusion, it is your officers' opinion that the principle of residential development taking place in this location is largely established through the adopted SNP, which forms part of the development plan. The fact that the site area and number of units for the proposed development exceeds the estimates in that Plan is fully acknowledged as a technical departure from the Plan. However, for the reasons identified above it is considered that the overall site area and the proposed number of units are not excessive, given the development expectations that are identified in the site specific policy STRAD18. The application is made pursuant to the policy and would secure its planning objectives, save for the tension identified in relation to the limb regarding preservation of significance of heritage assets. This is a matter of great weight and is dealt with later in this report.

### **Environmental Considerations**

- 3.17 Turning to JLP policy SP09 – Enhancement and Management of the Environment, this inter alia identifies the Councils' requirement for development to '*...support and contribute to the conservation, enhancement and management of the natural and local environment and networks of green infrastructure, including: landscape, biodiversity, geodiversity and the historic environment and historic landscapes...*' The policy also identifies the Councils' intentions with regard to the impacts of development on Protected Habitats sites. The protection and enhancement of biodiversity is another specific strand of the policy's range of requirements. In regard to the above policy, the ecological value of the site has been quantified through on-site assessment and the findings have been considered by retained consultees, whose conditional recommendations would be incorporated into a grant of outline planning permission.
- 3.18 In relation to Protected Habitats Sites, the JLP identifies these as the following:
- Sites of Special Scientific Interest (SSSIs),
  - Special Areas of Conservation (SACs),
  - Special Protection Areas (SPA),
  - Ramsar Sites,
  - National Nature Reserves (NNRs),
  - Local Nature Reserves (LNRs)
  - County Wildlife Sites (CWS).
- 3.19 The planning application site is not within any of the identified allocations. In addition the site, is not within a defined Recreational Disturbance Avoidance and Mitigation Strategy (RAMS) area, and a contribution to mitigate impacts on the RAMS area is not required.
- 3.20 Leading on from this JLP policy SP10 – Climate Change requires all development to mitigate and adapt to climate change, by adopting a sequential, risk-based approach to

flooding impacts, conforming to the principle of Holistic Water Management, incorporating sustainable design and construction and, where appropriate, delivering decentralised energy systems. In addition policy LP23 – Sustainable Construction and Design identifies that all new residential development is required to minimise its dependence on fossil fuels. Specific reference is made to achieving reductions in CO2 emissions as set out in the 2021 edition of the 2010 Building Regulations (Part L) – or any subsequent legislation that would require a greater reduction, where practicable. Inter alia other requirements of the policy relate to water efficiency standards, climate change adaptation and mitigation, minimising energy demand of built form, energy efficient measures, feasible and viable on-site renewable and other low-carbon energy generation, use of sustainable building materials and planning for the risks associated with future climate change.

- 3.21 In consideration of the above, it is borne in mind that the submission seeks outline planning permission for the development proposal. Therefore detailed proposals in relation to the above issues are not available at this stage. That said, the outline planning permission would include a conditional requirement that measures are carried out in accordance with a scheme submitted to, and agreed by the Council, prior to the commencement of development. Also, in relation to flooding, the site proposed for residential development is wholly within flood zone 1 – thereby having the lowest risk of fluvial flooding. The disposal of surface water would be through a SuDS. Given the requirement for the submission of reserved matters following a grant of outline planning permission, the requirements of adopted policy can be effectively addressed at that time.

#### **4. Nearby Services and Connections Assessment Of Proposal**

- 4.1 As Members will be aware, the adopted JLP will utilise the current adopted development plan allocations until such time as Part 2 of the JLP is adopted by the Councils. Within the former plan Stradbroke is identified as a Key Service Centre. These are defined as *‘Villages capable of providing local services and facilities to a dispersed rural population as described in the Regional Spatial Strategy. The type and scale of development proposed must target the identified needs of the village in question and its surrounding communities.’* In this regard, it is noted that Stradbroke benefits from local service provision including shops, schools, community centre, swimming pool and fitness centre etc. which could be utilised by the occupiers of the proposed development.
- 4.2 In terms of access to public transport, the nearest bus stops to the application site are located in Queen Street and the application submission advises that these are approximately 300 metres distant from the centre of the site. That said, the bus services locally are limited. The nearest railway station is at Diss, which is approximately 10 miles distant from the village. In regard to the above, it is a fair assessment that the residents of Stradbroke are more reliant on private motor vehicles to access services in the wider area.

#### **5. Site Access, Parking And Highway Safety Considerations**

- 5.1. The NPPF identifies at paragraph 110 that in assessing specific applications for development it should be ensured that, inter alia, significant impacts on the transport network and highway safety can be cost effectively mitigated to an acceptable degree.

Paragraph 111 recognises that development *'...should only be prevented or refused on highway grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe...'*

- 5.2 Leading on from this, SNP policy STRAD8, which is concerned with highway access and pedestrian movement identifies that, amongst other things, the improvement of the flow of traffic and pedestrian safety on highways will be encouraged. The policy also identifies a network of 'Walkway Routes' within the village, one of which runs north/south along Queen Street and travels along Mill Lane, connecting with the public footpath network at this point. The policy makes clear that the enhancement of the identified routes will be strongly encouraged and development is *'...encouraged to link in to the public rights of way network where possible.'*
- 5.3 Within the adopted JLP, policy LP29 is concerned with all ensuring that all developments demonstrate safe and suitable access.
- 5.4 As advised elsewhere, this application submission is an outline application proposal with all matters reserved, except for the means of vehicular access to the site, for which full planning permission is being sought at this stage. To this end, the application submission includes a Transport Assessment that inter alia describes the access proposal as follows:
- '...Mill Lane will be improved from the Application Site access roads to its junction with the B1118 Queen Street to provide a minimum 5.5m wide carriageway and 1.8m wide footway. Minimum visibility splays of 2.4m x 43m will be maintained at the Mill Lane/B118 Queen Street junction...'*
- 5.5 A plan included in the Transport Assessment shows the provision of the new access (served by the identified vision splays), together with the widening of Mill Lane to create a 5.5 metre wide carriageway, and 1.8 metre footway on the southern side of the Lane, extending from the junction of Mill Lane with Queen Street, to the proposed new vehicular access to the site. Other elements shown on the plan include the provision of 3no. parking spaces on the periphery of the application site, that would replace those on-street spaces that would be displaced by the widening/footway works, and the reconstruction of a headwall to enable the provision of the footway connection on to Queen Street.
- 5.6 In regard to the proposed road layout within the site, the illustrative plan submitted with the application shows a main spine arrangement (that would help to define a central open space within the site); this spine leading to a series of private drives and culs de sac. In addition, to reflect the requirements of policy STRAD18, the plan shows the provision of a car park area, located in the vicinity of the indicative location of a new nursery building, and a drop-off location for buses serving the adjacent Stradbroke Primary School site.
- 5.7 Acknowledging that the proposals as shown on the submitted plans are indicative at this outline application stage, it is considered that the arrangement of development and the associated means of access would be an appropriate response.
- 5.8 Members are advised that a specific objection was raised to the efficacy of the proposed junction, as part of a statement submitted on behalf of an objector to the proposals. In summary, the visibility splay dimensions were deemed to be inadequate. In addition, the

provision of the bus drop off point and the size of the proposed car park were also objected to. The statement is available to view in full on the Planning website. Notwithstanding, Members will note that the Highway Authority has confirmed it has no objection to the proposals and makes the following comment as part of its consultation response:

*'...We consider the proposal would not have an impact on the public highway with regard to congestion, safety or parking. This development can provide safe and suitable access to the site for all users (NPPF Para 108) and would not have a severe impact on the road network (NPPF para 109) therefore we do not object to the proposal...'*

- 5.9 In regard to parking provision development, development proposals should accord with the requirements of policies LP29 of the JLP and STRAD9 of the SNP. Both policies require that parking provision is in accordance with the Suffolk Guidance for Parking Technical Guidance document. Although policy STRAD9 refers to the 2015 version of the document, it was subsequently updated in 2019 and this version of the document is applicable.
- 5.10 Again, due to the outline nature of the proposal, it is not possible to consider the detailed provision of parking space in order to assess its acceptability. However, it is noted in the DAS accompanying the application submission that *'...Parking provision will be defined at Reserved Matters stage when the layout and housing mix has been fixed. However, as a matter of principle, parking provision on the site will be designed to meet, as a minimum, the Suffolk County Council standards in respect of residential and visitor parking...'* In relation to the proposed new car park to be located within the site, policy STRAD18 does not prescribe a number of spaces that should be provided. However, the application's Transport Assessment does advise that the car park would contain 28no. spaces. The Assessment also confirms that parking provision across the site would be in accordance with the Council's adopted standards. As Members are aware, the current standards also include the provision of charging facilities for electric vehicles. The suite of recommended conditions from the Highway Authority include a requirement for the details of the provision of charging facilities to be agreed.
- 5.11 Lastly, as part of the response received from the County Council's PROW team, it is recommended that development on the site includes a pedestrian link from the north-western corner of the site onto footpath no.2 adjacent. This in order to ease access to the PROW network from the development. Officers support this recommendation and condition is recommended to this effect.
- 5.12 On the basis of the above it is anticipated that a scheme that fully accords with the Council's adopted standards can be achieved on this site.

## **6. Design And Layout**

- 6.1. Good design is a key aspect of sustainable development, as made clear in the NPPF. This requirement is reflected in JLP policy LP24 which requires all new development to be of high quality design, with a clear vision as the positive contribution the development will make to its context. The policy contains twelve criteria that indicate how this is to be achieved. Leading on from this SNP policies STRAD2, 3 and 8 are also relevant.

- 6.2 Specifically, STRAD2 identifies contains a number of criteria that describe good quality design in Stradbroke. This policy would clearly assist in the formulation of reserved matters proposals on the application site. STRAD3 describes the mix that housing proposals are to achieve. In the case of developments of five or more units, these must deliver at least 40% as one or two bedroom properties. In addition, if this formula requires the provision of more than 5 units, a 30% minimum of these should be one-bed properties. The policy recognises that an alternative mix may be permitted where evidence is provided in support.
- 6.3 Policy STRAD8 is, inter alia, concerned with pedestrian movement within the Neighbourhood Plan area and identifies the need to enhance defined Walkway Routes around the village. In this regard the associated SNP shows part of a Walkway Route along Mill Lane, on the northern boundary of the site, which links to the wider public right of way network.
- 6.4 As advised elsewhere, the application is an outline proposal (except for the means of vehicular access), which seeks to establish the acceptability, in principle, of a maximum of 80no. residential units being provided on the identified site. In this regard, the submission includes an illustrative plan showing a layout containing 80no. units. The plan shows a point of access obtained off Mill Lane, serving a road layout consisting of a series of culs de sac, together with a central loop that would define a central open space area that would also incorporate a include a LAP space. The arrangement of dwellings is based on perimeter blocks across the majority of the site, with a looser form of development towards the western boundary of the site, which has a direct interface with the surrounding countryside. The plan also shows the provision of landscaped areas, located on the periphery of the site. Specifically, given the location of the factory premises immediately to the north, it is proposed that the northern/north-western corner of the site is defined by a 'green landscaped buffer'. Other areas would be landscaped open space, with SuDS features included.
- 6.5 Other key features that are included on the plan are the provision of a car park, together with a site for a new early years building, located to the north of the playing field serving Stradbroke primary school. Importantly, a link is shown on the plan that would provide pedestrian access from the car park to the school grounds. These elements are also shown as located near to the proposed central open space. It is therefore anticipated that this overall space would become a localised focal point.
- 6.6 Members are also advised that the illustrative layout plan includes reference to an indicative position for noise attenuation boundary screening, along the northern boundary of the site where it abuts Mill Lane. This detail had been included as part of the proposed on-site mitigation measures to deal with noise disturbance generated by the factory premises. Bearing in mind that, subsequently, at-source noise mitigation has taken place at the factory premises it is anticipated that this feature could be reduced or possibly removed. As a principle, officers would not want to encourage the use of noise attenuation boundary screening in this location, bearing in mind the visual sensitivity of the setting, and at-source mitigation would clearly be preferable in this regard. Again, the final details of this feature would be considered through reserved matters.

- 6.7 Given the status of the application it is not possible at this stage to describe the proposed built form in detail. Nevertheless, the plan does indicate the use of traditional architectural forms, with buildings provided in detached, semi-detached and terraced arrangements. In terms of scale and massing the submitted DAS states that the development would *'...primarily be 2 storeys, although will range from 1 storey (i.e. bungalows) to a maximum of 2.5 storeys...The depth and width of buildings will be designed to achieve forms, spans and roof pitches which are characteristics of the village and Suffolk vernacular more generally...'*

The DAS also advises as follows:

*'...Architecturally, the development should strike a balance between creating cohesion in the design of buildings and street frontage whilst avoiding bland homogeneity. Subtle and well-considered variation in materials, building forms, roofscape and design detailing should be used to create interest, with sudden or jarring changes avoided. The scheme should have an identifiable character which is sympathetic to local context and the vernacular of Stradbroke...'*

- 6.8 Officers are supportive of this considered approach and would expect it to be translated into reserved matters proposals for the site, in full recognition of the particular sensitivity of the location.
- 6.9 In summary although the layout plan is illustrative (given the outline nature of the proposals) it is considered, generally, by Officers to show a responsive and sympathetic proposal for the site. It is capable, therefore, as serving as a 'masterplan' to guide Reserved Matters submission(s). It is also borne in mind that comments that have been received from the Highway Authority, Heritage Team, LLFA etc. are based on the details shown on the plan. Therefore, were Members minded to approve the proposal in accordance with the Officer recommendation, a condition would be attached to the outline planning permission that would require reserved matters to be substantially in accordance with the details shown on the plan.

## **7. Landscape Impact, Trees, Ecology, Biodiversity And Protected Species**

- 7.1. Conservation and enhancement of the natural environment is a fundamental theme of the NPPF and one reflected in JLP policies LP16 and LP17, which relate to biodiversity and geodiversity (LP16) and landscape (LP17) and STRAD2 of the development plan.
- 7.2 The site identified for the proposed development has previously been used for arable purposes, and therefore the majority of land is without specific features. That said, the margins of the site with adjoining land to the east and south contain hedgerows and established tree planting. The northern boundary of the site is currently open, and the western boundary of the site is undefined on the ground as it falls within the field used for arable purposes. Further to the west, the line of a public right of way runs parallel to the site on a north-south axis and there are groups of trees and hedging along this route.
- 7.3 Members are advised that the application submission includes a suite of documents to quantify various impacts that would arise from the proposed development, including an Arboricultural Report, Ecology Report and a Landscape and Visual Impact Assessment

(LVIA). The information contained in these documents has been considered by the relevant consultees and no objection has been received in relation to the submitted development proposals.

- 7.4 In regard to the likely landscape impacts that would arise from the proposals, the LVIA inter alia concludes, in relation to the landscape effects that effect on landscape character '*...is considered slight/moderate due to the medium sensitivity of the landscape of the 'Plateau Claylands' and the low magnitude of change to the wider landscape. In regard to the setting of the adjacent Conservation Area and listed buildings, the landscape effect is considered moderate/slight due to the high sensitivity of the setting and the low magnitude of the change...The visual effect will be felt most by properties adjacent to the site to the east...Three footpaths are considered to have high sensitivity; however, the magnitude of change is low due to the existing settlement edge and distracting feature of the factory leading to a moderate/slight effect on views...*' By way of mitigation the LVIA states that '*...Careful design and visual impact consideration...*' will be a requirement at the detailed planning stage, in order to maintain the character of the existing settlement. It is also recommended that a Construction Environmental Management Plan is utilised, as is the use of landscape features such as heavy standard trees and native species hedging.
- 7.5 In this regard, the Council's retained landscape consultants identify that '*...While there will be a level of landscape harm associated with the development of this site, we are of the judgement that the scheme can be delivered sensitively, subject to further design development...therefore we have no landscape objection...*' A number of conditions are recommended for inclusion on a grant of outline planning permission and these have been included in the summarised list recommended to Members at the end of this report.
- 7.6 In relation to the likely impact of the development on trees, the Arboricultural Report submitted with the application included a constraints plan that showed the location of trees in vicinity of the site. Of these, two were classed as category A, a group of trees along the southern boundary of the site were classed as category B, and the remaining trees given a category C classification. Of the category A trees, one (an oak) is located within the development site, and the submitted illustrative layout plan shows the retention of this tree within an area of public open space. The other category A tree is located to the east of the site, adjacent to the line of the public right of way, and therefore should be unaffected by the development proposal. As a general comment, given the location of trees in relation to the proposed development, it is anticipated that the majority, if not all trees, could be retained as part of the formulation of reserved matters proposals for the site. In this regard, it is noted that the Council's Arboricultural Officer inter alia, has commented as follows:
- 'I have no objection in principle to this application as the existing land use means it should be possible to avoid conflict between development and any significant trees on site due to their boundary location. The Tree Constraints Plan provided should be used to inform the site layout design and all category A and ideally Category B trees should be retained and given sufficient space for future growth...'*
- 7.7 In relation to ecological impacts, the supporting information accompanying the initial submission included a Preliminary Ecological Appraisal which identified that the site has the potential to support foraging bats, breeding birds, reptiles, Great Crested newts (GCN) and invertebrates. In relation to GCN, survey work revealed that there are ponds and a

ditch within the vicinity of the site that are a suitable habitat for GCN, particularly near the south-eastern and southern boundaries of the site. In this regard, the Council's retained ecological consultants advised that a holding objection was lodged, on the basis that the submission provided insufficient information with regard to a finalised mitigation strategy for Great Crested Newts. A mitigation strategy was subsequently provided by the applicant, following additional survey work undertaken during an appropriate time of the year.

- 7.8 The findings of the additional survey works revealed that whilst the arable field is negligible in suitability as terrestrial habitat for great crested newts, features on the boundary of the site are '*...theoretically suitable for sheltering, foraging and dispersing great crested newts...*' In response the proposed mitigation would include the provision of wildlife fencing around the site during the construction process. In addition the proposed development itself would include the provision of SuDS basins that can potentially be utilised as a suitable habitat for GCN, as well as foraging and sheltering habitats. In addition, existing boundary hedgerows would be permanently excluded from new gardens by fencing. Members are advised that the Council's ecological consultants have considered the proposed mitigation strategy, and this has led to the previous holding objection being lifted. As with landscape, a series of conditions are recommended as part of an outline planning permission, and these would be included within a decision notice.

## **8. Land Contamination, Flood Risk, Drainage and Waste**

- 8.1. The NPPF at paragraph 183 identifies, inter alia, that planning decisions should ensure that a site is suitable for its proposed use. In addition, paragraph 184 makes clear that where a site is affected by contamination, responsibility for securing a safe development rests with the developer and/or landowner. In addition, JLP policy LP15 identifies that development proposals must demonstrate appropriate consideration of efficient and effective use of resources/land, land contamination issues, pollution and water as a resource.
- 8.2 In this regard, the application submission includes a Phase 1 Desk Study and Preliminary Risk Assessment. This undertaking identified that a potential contaminant source was located off site, namely a slurry pit located approximately 15 metres to the south. The Assessment inter alia recommends that '*...a targeted intrusive-based investigation is undertaken to determine the presence and extent of any potential contamination within the soils and, if necessary, the groundwater towards the south of the site. It is recommended that monitoring wells for ground gas / groundwater should be constructed onsite as part of the investigation to allow for subsequent monitoring...*'
- 8.3 Bearing the above in mind, the Land Contamination officer has recommended that a condition (and associated advisory note) be attached to a grant of outline planning permission, that would capture the recommendations made in the submitted assessment whereby further investigation and, if necessary, remediation is agreed. Officers support the inclusion of this condition.
- 8.4 In relation to the issue of flood risk and drainage, as identified by mapping facilities, the entire site for the application proposal is located within flood zone 1 i.e. at the lowest risk of fluvial flooding ( < 0.1% annual probability). Nevertheless the scale of development proposed means that a Flood Risk Assessment is required as part an application



submission, and in this regard the proposals include a Flood Risk Assessment and Surface Water Drainage Strategy. This document inter alia confirms the location of the application site within flood zone 1.

- 8.5 As regards surface water (pluvial) flooding, submitted information shows that nearly all of the identified site is outside of areas shown to be at risk. Two areas of the site that are affected by surface water flood events are shown as being at the south eastern corner of the site where it abuts the rear boundaries of development along Queen Street, and also at the southern end of the site.
- 8.6 When the application was originally submitted, seeking permission for the erection of up to 89no. units on the site, the County Council as Lead Local Flood Authority advised of a holding objection, on the basis that the proposal included a hybrid SuDS solution, and no information had been provided to demonstrate why a fully open SuDS system could not be provided. In addition, notwithstanding the outline nature of the application, it was determined that insufficient information had been provided in relation to the proposed SuDS features. The subsequent amendment to the overall quantum of development (from 89no. to 80no.) inter alia prompted the submission of an addendum to the Flood Risk Assessment that reconsidered the proposed method of surface water drainage, and the proposal put forward for Members' consideration includes a greater area of open SuDS. The LLFA has subsequently confirmed it has no objection to the proposals, subject to the imposition of conditions on a grant of outline planning permission.
- 8.7 In regard to the disposal of foul drainage, Anglian Water has confirmed no objection to the proposals, and advises that the site falls within the Eye – Hoxne Road Water Recycling Area and capacity for the proposed development is available. It is also noted by Anglian Water that a public sewer is shown on record plans within the land identified for the proposed development. Various informatives are requested for inclusion if permission is granted for the proposal.
- 8.8 Following on from the Council's resolution on water quality, further information has been requested from Anglian Water in relation to the anticipated impact of the proposed development on watercourses. The following response has been received:

*'We can confirm that there are two emergency overflows in the foul network the development flows would pass, and one at the receiving treatment works. Below is the latest spill data for each within pollution categories 1 – 3:*

*Stradbroke Old sewerage works had two spills in 2009 both falling into category 3  
Horham Terminal Pumping Station had two spills in 2004 both falling within category 3*

*Eye-Hoxne Road Water Recycling Centre had on spill in 2021 falling into category 3*

*All of the above spills were category 3 events meaning they had minor or minimal impact or effect on the environment, people and/or property. These events are classified by the Environment Agency.*

*The proposed development flows would not pose a pollution risk or significantly increase the risk of spills. If and when Anglian Water identify an increased risk to emergency overflows due to growth, we would manage and fund any mitigation.'*

## **9. Heritage Issues**

- 9.1. The protection of heritage assets from inappropriate forms of development is an established tenet of planning control. Section 66(1) of the Planning (LBCA) Act 1990 requires local authorities to afford special attention to the desirability of preserving listed buildings, including through development within their settings. The NPPF at paragraphs 194 – 198 describes how development proposals affecting heritage assets should be considered. In addition, paragraph 199 makes clear that *'...When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation...'* The NPPF also identifies at paragraph 202 that *'Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal...'*
- 9.2 JLP policy LP 19 is concerned specifically with the historic environment, and identifies the approach that will be taken to safeguard and enhance the historic environment.
- 9.3 Policy STRAD11 of the SNP relates to the historic environment and design, and identifies the need for all types of development proposals to contribute towards the local distinctiveness of the Stradbroke Neighbourhood Plan Area. A specific criterion of the policy requires that proposals should *'...Ensure that the significance of designated heritage assets and their settings is preserved and where possible, enhanced...'*
- 9.4 Within the Neighbourhood Plan, policy STRAD18 advises that land to the south of Mill Lane (with an approximate area of 2.9 hectares) is allocated for residential development and a car park and bus drop-off to serve Stradbroke Primary School. Proposals will be supported subject to eleven criteria, one of which states *'...the settings of the Conservation Area and the Grade II listed buildings adjacent to the site are preserved and, where possible, enhanced...'* In this regard, heritage assets identified as being impacted by the development would be the listed buildings, including the parish church, to the east of the site in Queen Street, and two listed buildings located to the west of the site. The setting of the defined conservation area, part of which abuts the site, would also be affected.
- 9.5 This application is submitted in outline, with all matters reserved except for the means of vehicular access. Therefore Members are asked to consider the acceptability, in principle, of the proposed development taking place on the identified site. Detailed consideration of likely impacts arising from the proposal is therefore not possible at this stage. That said, the application submission is accompanied by a Heritage Impact Assessment (HIA). The HIA has been provided to consider the likely impacts that would arise from the scheme as shown on the illustrative plan, and the document states that an in-depth assessment can also be prepared at reserved matters stage.
- 9.6 In this context, it is noted that the proposal does not give rise to an objection from the Council's Heritage Team. Notwithstanding the illustrative nature of the layout plan, the

Team notes that the proposed location of a SuDS feature would limit the impact of development on identified listed buildings. In addition, the position of rear gardens would also serve to mitigate impact. In this regard, it is the Heritage Team's opinion that harm to significance in this regard would be between low and very low. In addition the role of the church tower as prominent landmark when viewed across the application site is also noted by the Team. While acknowledging that the proposed development would alter the setting of the church it is stated that '*...as the illustrative plan shows, it is possible by handling of such matters as design, layout, and distribution of building types to maintain views of the tower through and over the proposed dwellings...*' It is concluded that the impact on views of the tower and setting of the church are expected to be no more than low. In relation to impact on the conservation area, it is identified that this would, again, depend on the definitive layout, but is expected to be low, and harm to its significance expected to be very low. The summarised comments above were based on the original submission proposal for 89no. units on the site. This current scheme is for a lesser number of units (80no.) but it has been confirmed by the Heritage Team that the same comments apply.

- 9.7 While some concerns are raised by Historic England in relation to the impacts that could arise from the proposed development, the outline status of the application is recognised, and there is no objection raised to the principle of the development taking place. This is in recognition of the allocation in the Stradbroke Neighbourhood Plan which, as explained elsewhere, forms part of the adopted development plan. Lastly, Members will note the comments received from Place Services in relation to the proposal. However, it is noted that these comments do not acknowledge the formal allocation of land in this location for residential development, through the Neighbourhood Plan adoption process.
- 9.8 Having considered the opinions expressed in relation to heritage matters officers consider that a degree of harm – albeit low, but nevertheless 'less than substantial' in NPPF terms – would result from the development taking place. In line with statutory duties, considerable importance and great weight has been applied to the harm that has been identified and the desirability for keeping heritage assets from harm. In such circumstance where 'less than substantial harm' has been identified, the NPPF requires that harm, to which great weight is attached (para.199) to be weighed against the public benefits of the proposal (para.202). Officers have undertaken that balance.
- 9.9 Policies STRAD11 and STRAD18 require inter alia that the significance and setting of heritage assets is preserved. The development of the site would inevitably affect how heritage assets are experienced, particularly when viewed from the west, and therefore preservation i.e. retaining the setting as it is now, would not occur as a result of the development taking place. Nevertheless, the benefits that would result from allowing development to proceed are of significance and principally relate to the provision of up to 80no. dwellings and infrastructure provision that would provide wider utility and meet IDP requirements. Even where considerable importance is attached to the heritage harms within the balance, the benefits of the development are considered to outweigh them also noting that the development would support the broader objectives of the SNP in meeting its identified housing requirement.
- 9.10 In relation to archaeological impacts that may arise from the development, it is noted that the County Council's Archaeology Officer identifies the application site as being located within an area of archaeological potential, and there is '*...high potential for the discovery of*

*below-ground heritage assets of archaeological importance within this area...* In this regard, two conditions are recommended for inclusion on a grant of outline planning permission; the completion of archaeological work in accordance with an agreed written scheme of investigation, and no occupation of the development until the results are analysed etc. Officers support the inclusion of these conditions.

## **10. Impact On Residential Amenity**

- 10.1. The consideration of residential amenity impacts is a key planning consideration. The issue of residential amenity impacts arising from development proposals is an integral part of policy LP24 of the JLP, stating inter alia that *'...development proposals shall... Protect the health and amenity of occupiers and surrounding uses by avoiding development that is overlooking, overbearing, results in a loss of daylight, and/or unacceptable levels of light pollution, noise, vibration, odour, emissions and dust, including any other amenity issues;...'*
- 10.2 It is clear that the current aspect viewed from properties adjacent to the site will inevitably alter as a result of the development taking place. However, as Members are aware, the protection of views across third party land is, in itself, not a valid planning consideration. In relation to other issues such as loss of privacy, light and/or overbearing impacts etc. this application is submitted in outline, with all details reserved (save for vehicular access to the site). Therefore it is not possible, at this stage, to assess the likely residential amenity impacts that could arise from the provision of new built form on the identified site. However, given the size of the site and the indicative material submitted in support of the application, it is anticipated that it would be possible to locate the proposed dwellings on the land without unacceptable impacts being experienced by existing residents by reason of overshadowing or overlooking.
- 10.3 Another important consideration is the impacts on the amenity of the future occupiers of the development that could arise from the operation of the established factory premises to the north of the application site. The NPPF identifies, as part of the environmental objective to achieving sustainable development, through conserving and enhancing the natural environment, that new development should be prevented from being at risk from *'...unacceptable levels of soil, air, water or noise pollution...'* (para. 174 e) This approach is reflected in JLP policies LP15 and LP24. In the case of policy LP15 this requires, inter alia, that *'... Significant adverse amenity impacts are avoided where a proposal is located adjacent to or close to existing uses. This would include an assessment of any identified amenity impacts that have a significant adverse effect and how the continued operation of existing use(s) would not be prejudiced...'*
- 10.4 In terms of context, it is important to bear in mind that the factory (which is used for the manufacture of pet food) is an historically established business in Stradbroke, and its location was clearly known at the time land to the south was identified as being suitable for residential development in the adopted SNP. Nevertheless, the impacts of the factory on the proposed residential development is an important consideration.
- 10.5 Following initial submission of the application, the Environmental Health Team identified that the amenity of the occupiers of the proposed dwellings could, potentially, be adversely affected by the operation of the factory, through noise and odour impacts. This contradicted

the findings of the applicant in the application submission, which determined that any adverse impacts from noise could be mitigated satisfactorily on the application site, and mitigation of odour impacts was not required.

- 10.6 Notwithstanding the applicant's clear view that the proposals put forward to mitigate noise impacts on site are acceptable, and in the case of odour impacts mitigation is not necessary, they have chosen to engage positively with Officers regarding this issue. In addition, Officers and the applicant's representatives have also engaged with the owners of the factory, including undertaking site visits.
- 10.7 Following extensive consideration of this issue (which has been a primary factor in the delay in presenting this application to Members) works to mitigate noise emissions have been undertaken within the factory premises. Noise attenuators have been installed into extraction fans, to minimise sound emissions. In addition, a noise consultant instructed by Officers has liaised with consultants instructed by the applicants for this development proposal, and those instructed by the operators of the factory.
- 10.8 In this regard, the wording of a condition has been established that would be attached to an outline planning permission. The condition would require the submission of a final noise assessment and mitigation strategy, based on the subsequent reserved matters scheme, and would establish noise levels that would be experienced within the residential development together with necessary mitigation to ensure these are met. The mitigation measures would have to be in place prior to occupation of the residential development taking place. Importantly the sound levels would be cognizant of the activities that are currently undertaken at the factory premises, bearing in mind that hours of operation are not controlled by condition.
- 10.9 Members will also note from the planning history section of this report that an application is with the Council, seeking planning permission for an extension to the factory premises to the north of the application site (ref. DC/22/02971), to be used for packing and storage space. As part of the consideration of that application, the Environmental Health officer requested that a noise assessment be submitted, pre-determination, in order to determine if specific measures are necessary to mitigate the impacts arising from the proposal. In this regard, Members are referred to the Officer's report to Committee which is also an item on this meeting agenda.
- 10.10 In addition to conditional controls in relation to noise impacts , the proposed s106 agreement that would accompany a grant of outline planning permission would include a commitment for the applicant to pay a bond, to be held by the Council, to mitigate odour generation, in the event that justifiable complaints were to be received by occupants of the development in the future. This precautionary approach has been agreed with the Environmental Health Team and is reflected in the consultation response.
- 10.11 The allocation of land to the south of Mill Lane for residential purposes in the SNP was obviously cognizant of the location of factory premises immediately to the north. Nevertheless, the impacts arising from that land use on the proposed development is an important consideration. Equally, it is important to recognise that the factory is a long established use in this location and is a key economic resource. In this regard, Officers are particularly mindful of paragraph 187 of the NPPF which states:

*Planning policies and decisions should ensure that new development can be integrated effectively with existing businesses and community facilities (such as places of worship, pubs, music venues and sports clubs). Existing businesses and facilities should not have unreasonable restrictions placed on them as a result of development permitted after they were established. Where the operation of an existing business or community facility could have a significant adverse effect on new development (including changes of use) in its vicinity, the applicant (or 'agent of change') should be required to provide suitable mitigation before the development has been completed.*

10.12 In regard to the identified paragraph, it is considered that the approach to mitigation has reflected the NPPF's requirements.

## **11. Planning Obligations / CIL**

11.1. By way of context the preamble to site specific policy STRAD18 in the SNP includes the following comments:

*'...The significant policy benefits of developing this site outweigh the sizable list of requirements. However, ensuring that these policy benefits are realised may mean that other benefits such as the provision of affordable housing cannot be met in full by a viable scheme...the delivery of a sustainable development delivering positive benefits outweighs any policy matters not addressed in full and all whilst ensuring a viable scheme. It is considered that these matters should be given primacy in determining planning applications on the land allocated in Policy STRAD18...'*

11.2 Members are advised that the application submission made to the Council included an assessment of the proposed development's viability, this on the basis of the costs arising from the development of this site. As a result of the assessment the applicant proposed an affordable housing provision of 10%, on a then total of 89no. units. However, following ongoing assessment of viability (involving specialist consultants retained by officers) an increased figure of 20% has been secured, on an 80no. unit development. This equates to 16no. units.

11.3 Importantly, the Council's Strategic Housing Team has confirmed its agreement with that revised figure, which would be included within a s106 agreement. That Team's requirements in relation to specification would also be included within the agreement, as would trigger points for construction and occupation of the identified units.

11.4 In relation to mix, SNP policy STRAD3 identifies specific percentage requirements for 1 and 2-bedroom properties, as explained elsewhere in this report. Of the 80no. units proposed for the site, it is advised in the submission that 41no. (approximately 50%) would be 1 or 2 bed units. Of these 41no. units, 10no. would be 1 bed units, in the form of apartments. The overall number of 1 and 2 bed units on the site comfortably exceeds the policy requirement (approximately 50% rather than 40%). There is a slightly lesser number of 1 bed units (10no. as opposed to 12no.) but this figure is not objected to by either the Strategic Housing Team or the Parish Council.

- 11.5 In addition to references to affordable provision, other elements of the development that would be included in the agreement would include specification and management of the open space areas on the site and a commitment to provide the LAP as shown on the indicative plan. In addition, the agreement would secure the use of the proposed car park by members of the public, bearing in mind its role in providing parking spaces for visits to the school which currently have to take place in Queen Street.
- 11.6 The proposed s106 agreement would also include the agreed mitigation in relation to potential odour impacts on the development, arising from the factory development to the north. In relation to odour impacts, the agreement would secure a bond from the developer, set at £65 000, that could be utilised by the Council in the event that justifiable complaints regarding odour were received from future residents of the development. This sum is determined by the applicant's consultants to achieve an appropriate level of mitigation, if deemed necessary by the Council as the Environmental Health authority.
- 11.7 Other elements to be secured through s106 agreement, as identified by the County Council, that would be attached to a grant of outline planning permission are listed below for Members' information:
- Early Years contribution - £152 418
  - Land for Early Years – 537.7 square metres

In this regard, Suffolk County Council has advised of a £412 monitoring fee per trigger.

- 11.8 Members are advised that other elements, proposed to be secured through CIL are as listed below:
- Primary education contribution - £327 336
  - Secondary education contribution - £252 530
  - Sixth Form contribution - £77 759
  - Libraries improvements - £17 280
  - Waste - £10 880

## **12. Parish Council Comments**

- 12.1 Members will note the comments of Stradbroke Parish Council and the fact that it is supportive of the proposal following the amendment to the proposed number of dwellings. Specific comments in relation to the potential impacts on the development that may arise from the established factory premises to the north are acknowledged and, in this regard, Members will note the comments made in section 10 of this report.

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## **PART FOUR – CONCLUSION**

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### **13. Planning Balance and Conclusion**

- 13.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires applications for planning permission to be determined in accordance with the development plan, unless material considerations indicate otherwise. The principle of residential development taking place on land to the south of Mill Lane Stradbroke is partly established through its allocation in the Stradbroke Neighbourhood Plan, which is adopted and thus a part of the development plan. As noted above part of the site land is not allocated and to that extent the application is a partial departure. Moreover the amount of dwellings applied for itself exceeds that set for the allocation and that too represents a departure. This is evaluated above and in summary it is concluded that the material considerations in the round outweigh withholding planning permission on that technical departure point alone.
- 13.2 As noted in the report, the area of the application site exceeds the estimation in the Neighbourhood Plan albeit the number of homes proposed falls within a reasonable approximation of the allocation policy. The application would also fail to preserve the significance of designated heritage assets which is a policy requirement under the allocation, notwithstanding that the harm is outweighed by the benefits of allowing development to proceed. Therefore, the application cannot be said to accord with the allocation policy in regard to these points. However, considered in the round, the application is nevertheless considered to accord with the allocation policy and its assessment criteria when viewed as a whole. In addition, the increase in the site area would enable a greater degree of open SuDs to be provided and also a wider landscaped periphery, particularly along the western boundary of the site; its interface with the countryside beyond. As a planning balance Officers consider that the clear benefits that would accrue as a result of the development taking place (reflective of the important attached to the site in the Neighbourhood Plan) outweigh any minor policy conflicts.
- 13.3 The Council embraces its statutory duties in relation to the historic environment and considerable importance has been attached to the harm, albeit limited, that has been identified in relation to heritage assets. As stated, the benefits of the development outweigh that harm and the application satisfies the policies of the development plan and the NPPF.
- 13.4 Notwithstanding the allocation in the Neighbourhood Plan, impacts arising from the location of the factory use immediately to the north of the site has been the subject of considerable assessment, subsequent to the initial submission of the application. Members will note that a conditional control is recommended in relation to the issue of noise impacts, and the s106 agreement would secure a sum that would be utilised to mitigate odour impact, if necessary.
- 13.5 It is considered that the proposal can reasonably be determined to be sustainable development bearing in mind its location, access to local service provision etc. In addition the population generated by the development would assist in helping to sustain local services. The impacts arising from the development could, it is felt, be adequately mitigated through s106 agreement and the imposition of conditions on a grant of outline planning permission. Lastly, the outline nature of the application means that the Council would be able to consider detailed development proposals through submission of Reserved Matters. The application is considered to accord with the policies of the NPPF when taken as a whole; the NPPF directs that planning permission should be granted without delay, and this reinforces the direction of the development plan.



## **RECOMMENDATION**

**(1) Subject to prior agreement of a Section 106 Planning Obligation on appropriate terms to the satisfaction of the Chief Planning Officer as summarised below and those as may be deemed necessary by the Chief Planning Officer to secure:**

- Affordable housing – note this reflects the acceptance that a 20% (16no. units) is justified in this case through viability assessment.

Other requirements for affordable housing:

- Affordable homes should be integrated within the scheme and avoid clustering in one area of the site. This provides for a more integrated cohesive community environment.
- All properties must be built to current Nationally Described Space standards as published March 2015 and meet Building Regulations Part M 4 Category 2.
- All ground floor 1 bed flats/houses to be installed with level access shower instead of a bath.
- The Council is granted 100% nomination rights to all the affordable units on all first lets and that all allocations for rented units are made through the Choice based lettings system known as Gateway to Homechoice and for shared ownership via the Help to Buy Agents process
- Adequate parking provision is made for the affordable housing units and inclusion of cycle storage/sheds.
- Standard triggers points as set out below to be included in the S106: -

(a) Not Occupy or permit Occupation of more than fifty per cent (50%) (rounded up to the nearest whole Dwelling) Market Housing Units in each Phase until fifty per cent (50%) of the Affordable Housing Units for that Phase have been constructed and are ready for Occupation and have been transferred to the Registered Provider; and

(b) Not Occupy or permit Occupation of more than eight per cent (80%) (rounded up to the nearest whole Dwelling) Market Housing Units in each Phase until all of the Affordable Housing Units for that Phase have been constructed and are ready for Occupation and have been transferred to the Registered Provider

**Other s106 agreement requirements**

- On site open space and includes management of the space to be agreed and requirement for public access at all times.
- Provision of the LAP as shown on the submitted illustrative plan
- Use of the proposed car park by the public
- Bond to be utilised by the Council in the event of justified odour mitigation - £65 000
- Early Years contribution - £152 418 as requested by Suffolk County Council as education authority
- Land for Early Years development – 537.7 square metres area – as requested by Suffolk County Council as education authority

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

- Standard time limit (Outline/Full for means of access)
- Approved Plans (Plans submitted that form this application)
- Layout of Reserved Matters submission to be substantially in accordance with the Illustrative Masterplan submitted with the outline planning application
- Phasing Condition
- Market housing mix prior to or concurrent with reserved matters to be agreed
- Approval of a scheme for the provision and implementation of water, energy and resource efficiency measures for the lifetime of the development
- Submission of a landscaping scheme and landscape management plan
- Tree Constraints Plan used to inform the Reserved Matters and submission of Reserved Matters accompanied by detailed Arboricultural Impact Assessment/Method Statement
- Details of on-site children's play space provision
- Ecological mitigation measures carried out in accordance with submitted reports as identified
- Approval of a Biodiversity Net Gain Design Stage Report
- Approval of a Landscape and Ecological Management Plan
- Approval of a Wildlife Sensitive Lighting Design Scheme
- Approval of a Final Noise Assessment and Noise Mitigation Strategy prior to the commencement of development.
- Construction hours restriction as recommended by the Environmental Health officer.

- Access visibility condition
- Details of the access and associated works to be submitted and approved
- Details and construction of footways on Mill Lane between site access and Queen Street, and site access and PROW footpath FP2
- Reserved Matters proposal to include a pedestrian link from the north-western corner of the site on to Footpath No. 2 Stradbroke
- Prior to the occupation of the development, a footpath link from the site to the school hardstanding (as shown on the submitted indicative plan) be provided in accordance with details and a timescale previously agreed with the Local Planning Authority.
- Details and construction of improvements to footway on Queen Street to the bus stops
- Details of estate roads and footpaths
- Parking details, electric vehicle charging points and secure cycle storage in accordance with Suffolk Parking Standards
- Details of storage/presentation of refuse and recycling facilities
- Submission of a Construction Management Plan
- Provision of Fire Hydrants
- Archaeological Written Scheme of Investigation and post investigation assessment conditions
- Conditions as recommended by SCC as Lead Local Flood Authority
- Development capable of accommodating a 32 tonne Refuse Collection Vehicle
- Investigation/Assessment/Remediation of contaminated land

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

- Proactive working statement
- SCC Highways notes
- Anglian Water Informatives
- LLFA Informatives
- Land contamination advisory note

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