

MID SUFFOLK DISTRICT COUNCIL
DEVELOPMENT CONTROL COMMITTEE B - 16th March 2016

AGENDA ITEM NO	1
APPLICATION NO	4195/15
PROPOSAL	Erection of 21 dwellings, 3no. new highways accesses, associated parking, turning & on-site open space provision as amended by drawing no's 01L, 22A and 25, received 20 January 2016, re-positioning plot 11 and altering proposed access.
SITE LOCATION	Land at, Lion Road, Palgrave
SITE AREA (Ha)	0.97
APPLICANT	Danny Ward Builders
RECEIVED	November 26, 2015
EXPIRY DATE	March 5, 2016

REASONS FOR REFERENCE TO COMMITTEE

The application is referred to committee for the following reason :

- (2) it is a "Major" application for:-
- a residential development for 15 or over dwellings

BACKGROUND INFORMATION

The application was deferred from Development Committee A on 2nd March to seek clarification regarding the contributions towards Palgrave Primary School. There will be a verbal update at Development Committee.

The report has been updated in regards to the late papers received for the above committee.

PRE-APPLICATION ADVICE

1. Pre application advice was sought prior to the submission of this application. This advice was generally supportive of the principle of development and provided guidance on the layout and affordable housing having regard to 5 year land supply issues.

SITE AND SURROUNDINGS

2. The application site is an area of land which extends to 0.97 hectares. This site is currently cultivated arable fields enclosed by a tree belt to the south-west, south east and north east boundaries. The south-east boundary trees are protected by Tree Preservation Order 06.

A permissive path runs through the existing tree border and connects to Priory Close and further public rights of way.

North of the site are a number of residential properties positioned in a linear pattern fronting Lion Road. The land is classified as Grade 3 agricultural land and is located outside of Palgrave Conservation Area.

The application site abuts the settlement boundary of Palgrave as defined by the Mid Suffolk Local Plan (1998). Palgrave has been designated as a 'Secondary Village' within the Mid Suffolk Core Strategy DPD (2008).

HISTORY

3. There is no planning history relevant to the application site.

PROPOSAL

4. Full planning permission is sought for the erection of 21 dwellings with the creation of three vehicular accesses off Lion Road. Two will form adoptable estate roads with one providing private access to plot 18. The scheme will include a new pavement to connect with the existing footway on Clark Close and to allow connection with the public right of way opposite the site.

Central open space is to be provided linking the development site with the permissive paths. A connecting footpath will connect the two estates.

The 21 houses will comprise mainly two storey detached or semi detached properties. There are two single storey units. The market housing will include, 2 two bedroom dwellings, 7 three bedroom properties and 6 four bedroom properties. A few of the plots have garages and the overall density is 21 dwellings per hectare.

The application proposes 6 affordable housing (representing 29%) comprising 1 one bedroom dwelling, 1 two bedroom bungalow and 4 two bedroom dwellings. The two bedroom dwellings will be shared equity whilst the one bedroom dwelling and two bedroom bungalow will be affordable rented.

POLICY

5. **Planning Policy Guidance**

See Appendix below.

CONSULTATIONS

6. This is a summary of the representations received. A copy of the full comments are provided within the agenda bundle.

Parish Council: The Parish Council object to the proposal.

- It is not sustainable for a number of reasons amplified below and consequently fails to satisfy the requirements of the National Planning Policy Framework;
- The assessment of the development does not appear to be consistent with the planning authority's own Local Plan, Core Strategy and subsequent reviews thereof;
- The design, layout and associated infrastructure requirements are not met;
- The nature of the development is entirely inconsistent with its surroundings;
- Matters of road and pedestrian safety and traffic management are not addressed;
- The consequences of the proposed development may result in adverse impact to the Conservation Area and heritage assets, contrary to prior and superior legislation;
- The planning authority places reliance on adjoining authorities to provide necessary services and infrastructure but has failed to (a) consult such authorities and (b) establish that those necessary services and infrastructure have sufficient future capacity in excess of the needs of those authorities to support additional demands;

Diss has expanded substantially in recent years and further development is planned. Health care facilities have not kept paces with the expansion.

- There is no meaningful gain being sought jointly and simultaneously through the planning system to the clear benefit of the Parish and residents of Palgrave.
- County Council wants contributions for school places in the locality that it clearly cannot provide. It is known that the County Council is struggling to address a significant shortfall in places in the Ipswich area. Would the local contributions thus be levied to address a problem that is far away from Palgrave.
- MSDC community services, planning policy and development control are fully aware of the locational problems with the school but there has been no concerted action to consider ways to address them. A potential site had been identified but has received consent for housing (ref:2659/15) and concerns about delivering community needs (paragraphs 70 and 75 of the NPPF) were dismissed by committee.
- Palgrave experience areas of flooding and severe run-off from adjoining saturated land. Design parameters for drainage must be based on current and projected rainfall frequencies and intensities.
- Rather than extend for a distance the footway along the south side that ends up terminating short of any safe crossing point developer contributions could be put towards reducing the width of the carriageway and different surface treatments could improve speed of traffic and safe crossing.

NHS: The NHS have no objection to the proposed development.

Diss Town Council: Recommend refusal as the application will have a further impact on infrastructure in Diss including traffic and medical provisions.

SCC Highways: The initial concerns raised by the Highways Authority were addressed in the plan received on the 20 January 2016. Consequently Highways raise no objection to the proposal and recommend conditions detailed below.

Heritage: The Heritage team considers that the proposal would cause no harm to a designated heritage asset because it would have no material impact on the setting of listed buildings or on the setting of or views into or out of the Palgrave Conservation Area

Natural England: Natural England has no comments to make on this application.

Public Rights of Way: Public Rights of Way have no comments or observations to make in respect of the is application.

SCC Archaeological Service: This application lies in an area of high archaeological interest recorded in the County Historic Environment Record. The development site is located on the edge of the historic settlement core of Palgrave and scatters of Roman, Saxon and medieval date have been found in its vicinity. As a result, there is a strong possibility that heritage assets of archaeological interest will be encountered at this location. Any groundworks causing significant ground disturbance have potential to damage any archaeological deposit that exists. There are no grounds to consider refusal of the permission in order to achieve preservation in situ of any heritage assets. In accordance with paragraph 141 of the NPPF, any permission granted should be the subject of a planning condition to record and advance understanding of the significance of the heritage asset before it is damaged or destroyed.

SCC Fire and Rescue: No additional water supply for firefighting purposes is required. Advisory comments are included regarding building regulation requirements for access and firefighting facilities.

SCC Landscaping: The proposal is acceptable in landscape terms subject to conditions detailed below. The development site is reasonably well integrated with the existing built up area and is partially integrated into the wider landscape, by existing vegetation. There will however be change of land cover on the site with the loss of locally characteristic arable land.

The land is partially screened on three sides by existing vegetation; however there will be a significant change in outlook for the houses to the north of Lion Road and rights of way opposite. The proposed design of the new street frontage appears to be reasonably appropriate.

Suffolk Constabulary: The Secured by Design Team register approval of many facets of the plan stating it is apparent that all concerned are mindful of the requirements to provide a safe and secure development. They put forward generic recommendations regarding physical security, fencing, street lighting

and rear lighting to properties.

Traffic Management Officer Suffolk Police: The Traffic Management Officer has no objection to the proposed development but points out that safety camera can carries out speed enforcement in Lion Road as a result of complaints from residents. The entrance to the development will be approximately 90m from the end of the 30mph speed limit. Whilst this is sufficient it is recommended extending the terminals (30mph speed limit) to give drivers more time to slow down. This could aid road safety.

SCC Section 106 Contributions: Recommend contributions towards education, libraries and waste. Additional comments dated 22 February 2016.

SCC Floods: The Floods Team have requested a drainage strategy to ensure a suitable scheme for the disposal of surface water. A strategy has been submitted and subsequently a further response is outstanding from SCC Floods. This will be included as a late paper.

MSDC Housing: The housing team raise no objection to the proposal and agreed the housing mix. They recommend considering a greater range of open market housing to include 1 and 2 bedroom properties.

Anglian Water: Anglian Water advise that the catchment of Diss Water Recycling Centre will have available capacity for these flows. They recommend a condition requiring a drainage strategy to be agreed with the Lead Local Flood Authority. A drainage report has been submitted and further comments from Anglian Water are outstanding and will be reported at your meeting.

MSDC Environmental Health: The Environmental Health Officer raises no objection to the application and advise that they are contacted in the event of unexpected ground conditions.

South Norfolk District Council: South Norfolk District Council comment on the application. They advise that Diss is a Main Town in South Norfolk but is not a designated strategic growth location. Diss only has a 300 dwelling allocation with strategic major growth in the north/west of the South Norfolk District. They also point out the Waveney River Valley to the north of the site is a sensitive designation.

NHS: Whilst the site is below the threshold for consulting the NHS given concerns raised by the Parish, residents and GPs at the Diss doctors surgery, the NHS were consulted on the application. A verbal update will be given.

Tree Officer: Concerns raised regarding proximity of dwellings to trees. The layout was thus altered to provide a greater distance between the trees and dwellings. Does not feel the distance is sufficient avoid post-development for pruning due to nuisance from shading. The proximity, orientation and comparative size of plots to the trees is likely to result in ongoing requests/applications for cutting back. It is difficult for the Tree Officer to offer

support.

MSDC Policy, MSDC Waste Manager, EDF Energy, Ramblers Association and Essex and Suffolk Water were consulted but have not responded to date.

LOCAL AND THIRD PARTY REPRESENTATIONS

7. This is a summary of the issues raised in comments received.

Existing Infrastructure

- Mains drainage does not exist along the top part of Lion Road and mains drainage should be provided for all residents either individually or collectively.
- Water pressure is low on Lion Road and will be worsened by the additional dwellings.

Drainage

- There is documented record of poor and inadequate water drainage running off the road surface at the top of Lion Road running into nearby property known as Fuschia. How will this be dealt with?

Highway safety

- There is a statutory 30mph speed limit along this road which is exceeded. This presents a danger to drive along and cross. How will this be dealt with?
- Due to the topography and road configuration visibility of the three new entrances will be very difficult and will also be difficult to see out of the new roads.
- The proposal will result in properties on either side of Lion Road and it is recommended that speed signs are required.
- Street lighting is very poor at this end of Palgrave and the proposal will result in greater footfall of this road. How will this be improved?
- Speeding traffic along Lion Road is a hazard and three more access roads is an accident waiting to happen. Will a pedestrian crossing be provided?
- A more suitable site would be where the garage was situated. The children would have safe routes to facilities.
- Traffic calming measures and highways improvements should be incorporated including reducing the speed to 20mph and/or a pedestrian crossing.
- Development will lead to parking problems at the school
- How will effuse or large chuckles access the properties.

Impact on schools

- Insufficient capacity at the school. Fourteen children were turned away in

September 2015 as the school is over stretched. There are limited spaces at neighbouring schools. The proposal will lead to a number of school age children and the demand cannot be met.

- The proposed development will not impact the school. There are a number of families who travel in from other locations to enable their children to come to this school. It I mean families from locations other than Palgrave would not get their children in. Also many children from Palgrave use either Wortham or Mellis.

Impact on Health care facilities

- Health centres at both Diss and Botesdale are hard pressed.
- Diss Health Centre has been unsuccessful in gaining funding to extend the health centre as the NHS has its own financial limitations.
- The proposal will place significant strain on the adjacent health care centre

Impact on Palgrave

- The proposal does not reflect the density and scale of existing residential areas.
- Palgrave is classified as a secondary village unsuitable for growth but capable of taking appropriate residential infill and development for local needs only. These large market housing will most probably be out of range financially for local people and will likely be sold to commuters not locals.
- Would not be accordance with Local Planning Policies relating to housing.
- The development is outside the village boundary and the proposal will expand the village at rate not in-keeping with the village.
- There are inadequate facilities to accommodate additional building in this area.
- There development would ruin a beautiful rural village and spoil this quiet area.
- Wildlife would be reduced and overtaken with more concrete.
- Is not sustainable development when considering the infrastructure of Palgrave

Impact on wildlife, trees and landscape

- Concerned about the impact of this proposed development on the birdlife and other aspects of nature, impact on trees protected by tree preservation order, and nearby woodland walkway.
- Wildlife would be reduced and overtaken with more concrete.
- Plots 16 and 17 are too close to mature oak trees which will damage the properties and damage the trees.
- Trees must not be felled, pruned or reduced to reduce shading.

Impact on Conservation Area and Listed Buildings

- The proposal will harm the conservation area.
- Will result in the need to expand which will harm the listed Church and conservation area.

- The footpath is too wide for this rural context and will not enhance the approach to the conservation area.

Contributions

- Due to the school being oversubscribed and unable to expand the education contributions put forward will go to MSDC and have no direct positive impact on the village. Would like to see more tangible contribution to the village from the developer which will have a direct mitigation for the impact of the development on both nearby residents and the community as a whole.
- Direct contribution is required to community facilities and services. There is an active community centre and committee who are seeking funds for expansion and renovation.
- Direct contribution to Early Year and Childcare provision by supporting the planned play area near the community centre.

Footpath and Footway

- It is encouraging to see that a permissive path is included and it would be great to the Palgrave path network if this path could be registered as a public footpath to ensure its retention.
- People will have to travel for work as there is no places for people to work locally.
- The footpath is too wide for this rural context.

Residential Amenity

- Harm to neighbour amenity from noise, light, being over-looked and over-shadowed leading to a loss of privacy.

Flood

- If the drainage strategy gets it wrong properties will flood from run-off and the risk is too great. Will cause flooding to adjacent properties.

Contamination

- Concern raised over land contamination and pollution on site,

Poor Living Conditions

- The proposed development will adjoin land which for a number of years (of and on) have been home to hundreds of pigs. The residential development would be affected by the adjacent noise and pollution of adjacent agricultural use,

Housing

- Will provide more affordable
- The housing need is not supported by up to date and accurate evidence of housing need.
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ASSESSMENT

8. The principle of development:

Policy background

The application site is situated adjacent to the settlement boundary for Palgrave as defined by Inset Map No. 62 of the Mid Suffolk Local Plan (1998). The site is therefore considered within open countryside as identified by Policy CS1 "Settlement Hierarchy" of the Mid Suffolk Core Strategy DPD (2008). Policy CS2 "Development in the Countryside and Countryside Villages" of the Core Strategy details that countryside development will be restricted to defined categories. Palgrave is defined (Policy CS1 of the Core Strategy) as a Secondary Village. These are villages unsuitable for growth but capable of taking appropriate residential infill and development for local needs only.

The local authority does not have a five year land supply. Paragraph 49 of the National Planning Policy Framework (NPPF) states;

"Relevant policies for the supply of housing should not be considered up-to-date if the local planning authority cannot demonstrate a five-year supply of deliverable housing sites."

Consequently policies CS1 and CS2 should not be considered to be up-to- date. On this basis residential development on the site should be considered on its own merits.

Paragraph 14 of the NPPF reads,

"where the development plan is absent, silent or relevant policies are out of date, granting permission unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole; or specific policies in this Framework indicate development should be restricted"

The NPPF nevertheless requires that development be sustainable and that adverse impacts do not outweigh the benefits. The NPPF (paragraph 7) defines three dimensions to sustainable development- the economic role, social role and environmental role. These roles should not be considered in isolation. Paragraph 8 of the NPPF identifies that environmental, social and economic gains should be sought jointly. Therefore the Core Strategy Focus Review 2012 (post NPPF) policy FC1 and FC1.1 seeks to secure development that improves the economic, social and environmental conditions in the area and proposal must conserve and enhance local character.

Paragraph 55 of the NPPF sets out that to promote sustainable development in rural areas, housing should be located where it will enhance or maintain the vitality of rural communities. For example where there are groups of smaller settlements development in one village may support services in a village nearby.

The proposal therefore must be determined with regard to sustainable

development as defined by the NPPF .

Sustainable Development

The application site abuts the settlement boundary of Palgrave and is connected to the village of Palgrave. The development will incorporate an additional footway on the south side of Lion Road connecting to the existing pavement at Clarke Close.

It is recognised that Palgrave has limited facilities and services with no shop, post office or pub. There are a small number of businesses on the nearby commercial site. There is a community centre, church and primary school. The residents of Palgrave are therefore reliant on surrounding villages and towns for daily services and needs.

Palgrave is located approximately one mile from the town of Diss which is designated by South Norfolk District Council as a Major Town capable of expansion of upto 300 houses. Diss is a market town with all facilities required by residential use (including leisure). Diss also benefits from the railway station providing connections to Norwich and London. It is recognised that Diss serves the surrounding villages. Palgrave has good public rights of way and highway connections to Diss.

The application site is approximately 30 minutes walk, 8 minutes cycle ride and a 5 minute bus ride to Diss. Consequently the development would not only be well served by the major town of Diss but will also support these services. Paragraph 55 of the NPPF recognise that smaller villages can support services of nearby villages and towns. The proposal is therefore deemed to accord with paragraph 55 of the NPPF.

Considerable concern has been raised regarding the implications of the proposed development on Palgrave's primary school. It is understood that the school is oversubscribed and it is not possible to extend the school further. Suffolk County Council state that the development will lead a need for to an additional five places. Consequently, financial contribution has been sought towards Suffolk County Council Education provision.

Concern has also been raised in regards to the impact of the development on local health care facilities. The site is served by Doctors surgeries in Diss and Botesdale. The main concerns arise from the potential expansion of Diss and the implications of this development and proposed development in Diss on health care provision.

South Norfolk District Council have advised that this development is not considered to detrimentally impact on Diss. Consultation has been sent to the NHS in regards to the application and a response is outstanding.

The housing is designed to Lifetime Homes Standards and including some of the principles of passive house design. The proposal will include whole house heat recovery systems and solar panels for off-setting electricity, These measures are considered to provide some mitigation for the environmental impact of the new development and reduce co2 emissions.

The proposal includes the provision of small affordable units including shared

equity tenure. The proposal will therefore provide social benefits and support the vitality of this rural community. It will also contribute towards the five year land supply of homes needed in Mid Suffolk and make a positive contribution to economic activity.

The proposal will provide a new footway link to the village of Palgrave promoting pedestrian activity. It is also noted the reasonable bus connection and proximity to the town of Diss. Your officers consider the site is located as to take advantage of more sustainable modes of transport and to be relatively sustainable location.

Overall the proposal is considered to adhere to the principles of sustainable development as to safeguard the local character of Palgrave and providing environmental, social and economic gains as required by policy FC1 and FC1.1 of the Focused Review and the overarching aims of the NPPF. Consequently the principle of this development is accepted subject to other material considerations.

Affordable Housing

The most recent update on the Strategic Housing Market Assessment confirms a minimum need of 229 affordable homes per annum for the Mid Suffolk District. The Choice Based Lettings register currently has circa 890 applicants with an active status for Mid Suffolk Area.

The Choice Based Housing Register for Palgrave currently shows 14 applicants four of which have a local connection. The property size required is 1 bed properties (5 applicants), 2 bed properties (5 applicants) and 3 bed properties (4 applicants).

The proposed scheme offers 29% affordable units which is less than the maximum recommended 35% as set out in Policy H4 set out in Alteration to Mid Suffolk Local Plan 1998 (2006). 35% would represent seven affordable units. Nevertheless your officers consider this represents a balanced properties for this unallocated greenfield site.

The scheme includes shared equity tenure which allow local residents to buy their own first home at 75%. This will provide much need affordable units for the locality and accords with current government policy to promote home-ownership and construction of starter homes. The six affordable units are 1 or 2 bedroom properties supporting the housing mix of Palgrave.

The MSDC Housing team are satisfied with the recommend mix of tenure and amount of housing recommend. Therefore they raise no objection to the scheme. The units will therefore meet the needs for affordable units in Palgrave.

In order to safeguard dwellings for future affordable occupancy and for local people it is considered appropriate to secure a Section 106 obligation to that effect. That obligation will be required notwithstanding the commencement of CIL charging.

Impact on Landscape

Core Strategy Policy CS5 requires development to enhance or maintain local

distinctiveness. Policy GP1 of the Mid Suffolk Local Plan 1998 and Policy FC1.1 of the focused review Core Strategy also supports development that maintains and enhances the character and appearance of the surrounding area.

The site is bounded to three sides with a tree border with an open frontage on to Lion Road. Consequently the site is already well screened from wider views of the countryside but also permits a street frontage. It is visually separate from the open arable fields to the south-west and south-east.

To the north of the site are existing residential properties which form a linear development. The application site does not extend beyond the existing dwellings along Lion Road. Therefore the proposal will not adversely encroach into the countryside and will logically "round off" this part of the settlement against open the countryside.

Furthermore the proposal incorporates a wide front grass verge with soft landscaping to the front to maintain a sense of open space and rural appearance. It also includes dwellings that front Lion Road to relate with the dwellings opposite. Subsequently the proposal is considered to comfortably relate to the existing built-environment of Palgrave and will not harm views of the landscape.

The development is therefore considered to safeguard in a sustainable manner the character and appearance of the settlement. The Landscape Officer has raised no objection to the development subject to conditions relating to details of hard and soft landscaping and external lighting.

Design Scale and Form

The development has been designed to complement the scale, design, form, density and materials of the surrounding residential properties opposite and on Clarkes Close. There are a variety of building heights, styles and materials to provide a good mix of housing as required by Policy H14 of the Mid Suffolk Local Plan 1998.

The dwellings incorporate traditional scale, detailing, materials and form to reflect the rural character. The density of development (21 dwellings per hectare) is acknowledged to be greater than the adjacent built environment largely due to the inclusion of semi-detached properties rather than detached and private garaging. This however is not to the extent that it would harm the surrounding character and appearance of the area. Furthermore each plot is deemed to have reasonable amenity space (between 88-111 sqm) with private front driveways and rear gardens.

The dwellings have been positioned to provide good levels of privacy for all properties whilst still provide natural surveillance to the streets, linkway, amenity area and visitor parking spaces. Given the recommendations of "Secured By Design" any street lighting should be agreed via condition and should be mindful of the rural location and impact on wildlife.

The layout provides for active frontages along each street scene and a small amenity space connecting to the countryside which is overlooked by first floor rooms of the adjacent properties. Garages have been positioned as to appear

subordinate to the housing and due to the variety in the built forms form will create visual interest. The dwellings also have sufficient daylight and sunlight with reasonable size gardens. The scheme has been designed to integrate the market and social housing to avoid noticeable segregation.

Therefore the proposal is deemed to accord with policy CS5 of the Core Strategy and FC1.1 of the Focused Review which provides that development should create visual interest in the street scene and where appropriate encourages active uses at ground level, creating uses of public spaces which encourage people to walk and cycle.

Concern has been raised about the impact on the surrounding agricultural use of the land. The adjacent field is open arable land and is not currently used for keeping pigs. Whilst keeping of livestock is expected in the rural community given the dense tree border it is not considered that this would pose unacceptable harm to residential amenity. Nor will the development impinge on the agricultural use.

Highway matters

It is proposed to create three new accesses and two cul-de-sacs. The scheme was altered following Highways comments. Highways Officers have no objection to the amended proposal subject to conditions.

The Parish Council and neighbours raised concerns regarding highways safety. Due to the proposed large verge, appropriate visibility splays, and provision of the additional footway along the southern edge of Lion Road, the scheme is not considered to cause harm to the highway network or highway safety concerns,

The Traffic Officer for Suffolk Police has no objection with the proposal. The Officer suggests that whilst the new access is a good distance from 30mph zone it may be worthwhile re-positioning the zone to cause vehicles to slow down earlier. This has been put forward to SCC Highways for their comments and is a matter for separate regulation.

The proposal provides adequate parking for each dwelling and includes visitor spaces. Each dwelling is allocated to have at least two spaces per dwelling. The garages are not included as the designated spaces and the car ports accord with the parking standards (5.5m x 2.9m). These levels are appropriate to the latest parking standards adopted by Suffolk County Council in 2014. On this basis the local planning authority are satisfied that the parking standards has been met for the development.

Foul and Surface Water Drainage and Flood Issues

Following comments from Suffolk County Council Floods Team and Anglian Water a drainage strategy has been submitted. It is proposed that surface water from the highway areas be collected using traditional road gullies and rainwater from the dwelling roofs drained via traditional rainwater downpipes, before connecting into local carrier drains into the main surface water sewer system. The normal precautions regarding water quality will be observed by the provision of appropriate deep silt traps to all road gullies.

It is proposed as part of the strategy, that all private driveways be constructed with a pervious finish, such a permeable block paving with a permeable sub-base beneath. This underlying sub-base attenuates surface water, allowing it to slowly drain into the surrounding ground beneath. This provides source control, intercepts pollutants and ensures surface water from driveways does not runoff onto the highway. Positively drained surface water from gullies and rainwater pipes will be directed to infiltration tanks located beneath the road. The surface water drainage system has been divided into two systems to reflect the site layout. Infiltration tanks attenuate surface water run-off until it can soak into surrounding ground. The proposed infiltration tanks will be lined with specialist geotextile (such as Permafilter Biomat or similar) which captures residual hydrocarbons and other pollutants present within roadside spillages. These entrapped pollutants are then removed by biodegradation, by naturally occurring micro-organisms, thus providing a self-cleansing solution to combating potential contamination of the ground.

The scheme is pending comments from Anglian Water and SCC Floods and any unresolved aspects of detail can be secured through conditions.

Impact on residential amenity

The proposed development is well separated from neighbouring properties and would not be unacceptable to harm neighbour amenity in terms of loss of light, overlooking or overshadowing. The tree belt also provides significant screening to restrict overlooking and intervisibility.

Arboricultural Implications

The proposal will result in construction within the root protection area of two oak trees to the Eastern Boundary. These trees are of good quality but are not part of the Tree Preservation Order. An Arboricultural Report has been included with the application. This sets out precise measures to ensure protection of the root system. This is deemed acceptable.

Concern was raised by the Tree Officer regarding the proximity of the plots 13-15 to the protected tree belt on the south-eastern boundary. These dwellings were thus re-positioned further away. The layout is considered acceptable as not to harm these trees. Due to the orientation of the trees to the dwellings the impact of the trees on these properties in terms of shading is not considered to harm the level of amenity for future occupants.

Biodiversity

An Ecological Assessment was submitted with the application. The results of the survey indicated that certain protected species are considered as likely to be encountered in the wider area including nesting birds and foraging and commuting bats, with some possible roost spaces in the mature tree specimens. The adjacent woodland and rough grassland could provide badger habitat. The lack of core habitat and water bodies within the site itself suggests that the site is unlikely to be used by amphibians and reptiles.

In conclusion your officers do not consider that the development would give rise to the risk of an offence to protected species.

Flood Risk

The site is below 1ha in area and is within Flood Zone 1 (land having a less than 1 in 1,000 annual probability of river or sea flooding). Housing development is appropriate within flood zone 1. Being below 1ha and within Flood Zone 1 a site specific flood risk assessment is not required.

Contamination

The application was accompanied by a contamination report. This identified that there would not be any harm to the occupiers of the proposed development. The Environmental Health team are satisfied that the development of this site is of low risk.

Open Spaces and Infrastructure contributions

Suffolk County Council has advised that the scheme would require contributions towards education, waste and the library in Eye. Furthermore in accordance with CS6 Open Spaces and Social Infrastructure Contributions are also sought. These financial contributions are to be agreed under the S106 Agreement and detailed below.

Policy RT4 of the Local Plan details that in residential estate development comprising 10 or more dwellings, public open space should be provided in the form of play areas, formal recreation areas or amenity areas. The application includes an informal recreational area linking to the surrounding countryside.

It is however asked that Community Infrastructure Levy will be charged from 11 April and your officers recommendation accordingly provides for that eventuality.

Impact on Conservation Area and Listed Buildings

The proposal is located outside the conservation area and the proposal will not affect views into and out of the conservation area. The footway is designed to adoptable standards for highways. Any extension of the school which is unlikely given the constraints of the school site, would require separate permission. The development will not harm any heritage assets.

Conclusion

The proposed development is considered sustainable development being connected to Palgrave and being well served by the facilities and services of Diss. The layout and design of the development is considered consistent with the urban pattern and is sympathetic to the countryside location. It would not cause unacceptable harm in relation to material planning issues. The development is considered to be in accordance with the relevant development plan policies and the objectives of the NPPF.

RECOMMENDATION

(1) That the Corporate Manager- Development Management be authorised to secure a planning obligation under Section 106 of the Town and Country Planning Act 1990 to

provide:

- 29% Affordable Housing
- Provision of open space to be maintained in perpetuity and agreement of Estate Management Plan for the long term maintenance.
- Contribution of upto £148,635 is sought towards Open Spaces and Social Infrastructure towards repairs, renovations, and improvements to the Community Centre and Playing field facilities.
- Primary School- (£12,181 x 7 places) £85,635
- Secondary School- (£18355 x 3 places) £55,065
- Sixth Form- (£19907 x 1 place) £19,907
- Contributions of £4536 shall be paid toward Eye library.
- Contribution of £1071 is sought for improvement, expansion or new provision of waste disposal facilities.

(2) In the event that the applicant fails to provide an executed Section 106 planning obligation on terms to the satisfaction of the Corporate Manager- Development Management by 10th April 2016 that the Corporate Manager be delegated authority to proceed to determine the application and secure appropriate developer contributions by a combination of Section 106 planning obligation (for on-site contributions and obligations) and the Council's CIL charging schedule. To prevent duplication of developer contributions this is achieved by:-

[a] having regard to those matters which would have been planning obligations under Section 106 and which are details in the Council's CIL charging regulation 123 infrastructure list, to omit those from the requisite Section 106;

[b] To secure funding for those remaining infrastructure items removed from the Section 106 planning obligations under the CIL charging schedule, and;

[c] to secure those matters which are not infrastructure items by the requisite Section 106.

(3) That, subject to the completion of the Planning Obligation in Resolution (1) or CIL in Resolution (2) above to the satisfaction of the Corporate Manager- Development Management, the Corporate Manager be authorised to grant full planning permission subject to the following conditions:-

1. Time limit
2. Approved plans
3. Details of materials to be agreed
4. Highways condition regarding vehicular access
5. Highways condition regarding estate roads and footpaths
6. Highways condition regarding footways and carriageways
7. Highways condition regarding parking and manoeuvring
8. Highways condition regarding visibility splays
9. Highways condition regarding new footway

10. Surface Water Management details to be agreed
11. Archaeology condition regarding implementation of works and post investigation assessment
12. Details of soft landscaping to be agreed
13. Details of hard landscaping to be agreed
14. Details of external lighting to be agreed
15. Development to accord with arboricultural method statement
16. In accordance with recommendations and enhancements detailed in ecology report

(4) That in the event of the Planning Obligation and/or CIL regulation referred to in Resolution (1) or (2) above not being secured the Corporate Manager- Development Management be authorised to refuse full planning permission for reason(s) including:-

- Inadequate provision of open space and/or infrastructure contrary to policy CS6 or the Core Strategy 2008 without the requisite S106 obligation or CIL being in place.

Philip Isbell
Corporate Manager - Development Management

Rebecca Biggs
Planning Officer

APPENDIX A - PLANNING POLICIES

1. Mid Suffolk Core Strategy Development Plan Document and the Core Strategy Focused Review

- Cor1** - CS1 Settlement Hierarchy
- Cor2** - CS2 Development in the Countryside & Countryside Villages
- Cor3** - CS3 Reduce Contributions to Climate Change
- Cor4** - CS4 Adapting to Climate Change
- Cor5** - CS5 Mid Suffolks Environment
- Cor6** - CS6 Services and Infrastructure
- CSFR-FC1** - PRESUMPTION IN FAVOUR OF SUSTAINABLE DEVELOPMENT
- CSFR-FC1.1** - MID SUFFOLK APPROACH TO DELIVERING SUSTAINABLE DEVELOPMENT

2. Mid Suffolk Local Plan

- GP1** - DESIGN AND LAYOUT OF DEVELOPMENT
- CL6** - TREE PRESERVATION ORDERS
- RT12** - FOOTPATHS AND BRIDLEWAYS
- CL8** - PROTECTING WILDLIFE HABITATS
- H16** - PROTECTING EXISTING RESIDENTIAL AMENITY
- H4** - PROPORTION OF AFFORDABLE HOUSING IN NEW HOUSING DEVELOPMENT
- H5** - AFFORDABLE HOUSING ON RURAL EXCEPTION SITES
- H13** - DESIGN AND LAYOUT OF HOUSING DEVELOPMENT
- H14** - A RANGE OF HOUSE TYPES TO MEET DIFFERENT ACCOMMODATION NEEDS

H15 - DEVELOPMENT TO REFLECT LOCAL CHARACTERISTICS
H17 - KEEPING RESIDENTIAL DEVELOPMENT AWAY FROM POLLUTION

3. **Planning Policy Statements, Circulars & Other policy**

NPPF - National Planning Policy Framework

APPENDIX B - NEIGHBOUR REPRESENTATIONS

Letters of representation have been received from a total of **29** interested parties.

The following people **objected** to the application

[REDACTED]

The following people **supported** the application:

[REDACTED]

The following people **commented** on the application:

[REDACTED]