

Committee Report

Committee Date: 12th July 2017

Item No:

Reference: 2797/16
Case Officer: DYJO

Description of Development: Outline Planning Application (with all matters other than means of access reserved) for residential development of up to 175 dwellings with associated car parking, landscaping, public open space areas, allotments, and vehicular access from Sandpit Lane

Location: Land to the South of Norton Road, Thurston IP31 3QH

Parish: Thurston

Ward: Thurston & Hessett

Ward Member/s: Councillors Esther Jewson & Derrick Haley

Site Area: 11.2

Conservation Area: None

Listed Building: Manor Farm – Grade 2*, converted Manor Farm Barns - Grade 2, Church of St Peter Grade 2 – These are all buildings in the surrounding locality.

Received: 23/06/2016

Expiry Date: 30/06/2017

Application Type: Outline

Development Type: Smallscale Major Dwellings

Environmental Impact Assessment: Schedule 2 development – EIA not required.

Applicant: Hopkins Homes

Agent: Armstrong Rigg Planning

DOCUMENTS SUBMITTED FOR CONSIDERATION

The defined Red Line Plan for this application is drawing number 001 Rev A received on the 3rd November 2016. This drawing is the red line plan that shall be referred to as the defined application site. Any other drawings approved or refused that may show any alternative red line plan separately or as part of any other submitted document have not been accepted on the basis of defining the application site.

Submitted Documents:

Tree Survey (documents 1 and 2) received on 4th July 2016

Tree Protection Plan document 1 - 4 Revision A received on 4th July 2016

Illustrative layout plan reference number Thur/02 received on 4th July 2016
Phase 1 Habitat Survey received on 4th July 2016
Landscape and Visual Assessment document received on 4th July 2016
Landscape Sensitivity study received on 4th July 2016
Phase 1 Contaminated land study received on 4th July 2016
Sustainability Appraisal study received on 4th July 2016
Access visibility splay plan reference number IP15/127/11/SK02A received on 25th July 2016
Plan showing access point onto Norton Road reference number IP15/127/11/SK03A received on 25th July 2016
Plan showing improvement to pavement on Church Road reference number IP15/127/11/SK04A received on 25th July 2016
Flood Risk Assessment received on 25th July 2016 including addendum received on 10th November 2016
Geophysical Survey received on the 12th October 2016
Updated LVIA document (parts 1 - 3) received on 12th October 2016
Development framework plan reference number Thur/01 Rev C received on 3rd November 2016
Revised Travel Plan document received on 11th November 2016
Transport Assessment (parts 1 - 7) received on the 18th November 2016
Heritage Statement received on the 22nd November 2016

The application, plans and documents submitted by the Applicant can be viewed online using the following link:

<http://planningpages.midsuffolk.gov.uk/online-applications/applicationDetails.do?activeTab=summary&keyVal= MSUFF DCAPR 108699>

Alternatively, a copy is available to view at the Mid Suffolk and Babergh District Council Offices.

SUMMARY

The proposal has been assessed with regard to adopted development plan policies, the National Planning Policy Framework and all other material considerations. The scheme is contrary to the adopted Mid Suffolk Core Strategy; however, the Council cannot demonstrate a 5 year supply of housing and the scheme falls to be considered under paragraph 14 of the NPPF where the adverse impacts of the scheme have to be balanced against the benefits of the scheme to demonstrate that it constitutes sustainable development. Officers are recommending a minded to approval of this application as it is considered to be sustainable development as the as the significant public benefits that the scheme will deliver (contributions towards a new school, pre-school, highway improvements, health provision, affordable housing and library facilities amongst others) are considered to outweigh the negative aspects of the proposal.

PART ONE – REASON FOR REFERENCE TO COMMITTEE

The application is referred to committee for the following reason:

- It is a “Major” application for residential land allocation for 15 or over

dwellings.

PART TWO – APPLICATION BACKGROUND

1. This section details history, policies, advice provided, other legalisation and events that forms the background in terms of both material considerations and procedural background.

History

2. The planning history relevant to the application site is listed below. A detailed assessment of the planning history including any material Planning Appeals will be carried out as needed in Part Three:

5010/16	Outline Planning Application (with all matters other than means of access reserved) for residential development of up to 175 dwellings with associated car parking, landscaping, public open space areas, allotments, and vehicular access from Sandpit Lane and Norton Road	Identical application to this one – Applicant has appealed to the Planning Inspectorate on the grounds of non-determination within the statutory 13 week determination timescale.
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0337/88/ OL	Residential development of 24.36 acres with new or altered vehicular accesses, including site for Primary School, open space and 0.5 acre for Parish Council housing.	Refused 05/04/1989
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0022/86/ OL	Residential development with allocation of open space	Refused 24/03/1986
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3. The following applications are also considered to be relevant to the consideration of this proposal as they represent the other major applications for residential development in Thurston that are currently with the Council for consideration:

4386/16	Full planning application for the erection of 138 dwellings on land on the west side of Barton Road, Thurston. The applicant is Bovis Homes.
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4942/16	Full planning application for the erection of 64 dwellings on land at Meadow Lane, Thurston. The applicant is Laurence Homes.
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4963/16	Outline application for the erection of up to 250 dwellings and associated infrastructure including the provision of up to 2.4ha of land for use by the Thurston Community College and the provision of land for a new primary school on land west of Ixworth Road, Thurston. The applicant is Persimmon Homes.
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5070/16 Outline application for the erection of up to 200 homes (including 9 self-build plots), land for a new primary school together with associated access, infrastructure, landscaping and amenity space on land at Norton Road, Thurston. The applicant is Pigeon Capital Management.

4. **The consideration of the cumulative infrastructure issues that this group of applications present has been explored in a collaborative, but without prejudice, working group including County and District Council Officers with the five respective applicants and their technical advisers. This has enabled a constructive and timetabled analysis of the proposals and their cumulative impact.**

Details of Previous Committee / Resolutions

5. None

Details of Member site visit

6. Members visited Thurston on the 13th June to look at this site and the four other residential development schemes that are currently with the Council for consideration.

Details of any Pre Application Advice

7. The applicant engaged with the Council and received pre-application advice on the principle of the development and its acceptability having regards to the fact that the Council does not have a 5 year supply of housing.

PART THREE – ASSESSMENT OF APPLICATION

8. Summary of Consultations

Thurston Parish Council (which includes the comments of the Thurston Neighbourhood Plan Team) - Objects to the scheme on the following grounds:

- The site and surrounding area are within the countryside and therefore outside of any settlement boundary for Thurston as defined by Mid Suffolk's Local Plan and would result in the development of new dwellings that would be visually, physically and functionally isolated from the facilities and services offered by Thurston as a Key Service Centre.
- It is also felt that the proposal is considered to be an overdevelopment of the site and fails to address the wishes of the views of the residents of Thurston (as expressed in the emerging Thurston Neighbourhood Plan) for all new development to be sited on areas containing no more than 50 dwellings and as such will not incorporate the creation of sufficient open spaces between existing and proposed buildings which will

neither maintain nor enhance the character of the village at this particular point. (GP1 – Design and Layout of Development & csfr-fc2 provision and distribution of housing).

- The proposal is considered not to form a sustainable development within the dimensions set out in the NPPF and that the proposed application risks harm to biodiversity and fails to address adequately the benefits on an economic and social benefit.
- The Parish Council does not hold with the views expressed in the documents submitted that the application is sympathetic to the countryside in which it is situated and that it fails to protect the intrinsic character of the countryside by the density and mix of properties being proposed. It is felt that the development of 175 dwellings will intrude into an area of currently open, undeveloped, countryside resulting in an encroachment of built development extending beyond the settlement boundary of Thurston. This will harm the character and appearance of this open area and will be contrary to Policy CS5 of the Core Strategy, Policy FC1.1 of the Core Strategy of the Mid Suffolk Core Strategy Focus Review (2012) and saved Policies H13 and H16 of the Mid Suffolk Local Plan. Furthermore it is felt that the development fails to ensure that it reflects the local character and identity of the area immediately surrounding the proposed development and is therefore inconsistent with paragraph 58 of the NPPF.
- The Parish Council considers that the application fails to take into account the current road infrastructure and the lack of pedestrian route-ways and cycle ways leading from the site to the amenities and Primary School and Secondary School within the village and as such would have a negative impact on road safety and therefore a detrimental impact on the amenities enjoyed by the surrounding area vis-à-vis traffic generation (SB2 Development Appropriate to its Setting & T10 Highway Considerations in Development).
- It is furthermore held that as the development fails to demonstrate that it has considered safe and suitable access points for all people it is contrary to paragraph 32 of the NPPF. As the development fails to give priority to pedestrian and cycle movements and with reference to the siting of this application would not support the transition to a low carbon future, it is unable to meet the environmental dimension of sustainable development and would be contrary to paragraph 17, 30, 35 and 55 of the NPPF and Policies FC1 and FC1.1 of the Mid Suffolk Core Strategy Focused Review.
- It is further believed that the development of the site will not be able to allow for the convenient integration of public transport within the site and that the traffic that will be generated will not be able to be accommodated on the existing road network (CS6 – services and infrastructure).
- The Parish Council feels that given the location of the site, a reliance on the private motor car will be generated in order to access amenities and services within the village which will also be contrary to the sustainability objectives of Policies FC1 and FC1.1 of the Mid Suffolk Core Strategy Focused Review (2012) and the NPPF paragraphs 14, 17, 55 and 56 and will place a further burden on the current road

network at (but not confined to) points such as Fishwick Corner, Pokeriage Corner, the narrow railway bridge crossings on Barton Road and Thedwastre Road and entry and exit points onto the A14.

- The Parish Council would also like to recommend that Suffolk County Council be involved in the discussion of future growth in Thurston with reference to the impact that this will have on the provision of education. As mentioned within the letter from Thurston's Neighbourhood Plan Team, both the Thurston Primary Academy School and Thurston Community College are at capacity (taking into account existing planning approvals) and as such this application will ensure that the educational infrastructure is unlikely to meet the demand placed on it by 175 dwellings. The Parish Council is aware that the application is for phased development but feels that from the outset the total provision should be understood and capacity explored. As such the Parish Council feels that this application will put a negative strain on the existing infrastructure and as such would be contrary to Policy CS6 of the Core Strategy.
- The Parish Council would also like to reiterate the concerns of the Thurston Neighbourhood Plan Team with regards to the speed at which this and potentially other applications have been/are in the process of being submitted for new housing in the village. It is recognised within the village that as a Key Service Centre the village of Thurston will appeal to developers and that a certain amount of growth is desirable and non-objectionable, however the Parish Council is concerned that piecemeal development will have a negative impact on the current infrastructure and that there should be a strict control over new housing proposals and the associated numbers until the general infrastructure of Thurston and the surrounding areas has been given time to absorb new residents and the impacts that this associated growth will have on a rural village

The Parish Council has also written into the Council on the 7th October in response to the comments made by the applicant and they have reaffirmed their objection to the scheme on the grounds that they originally outlined. They have also commented on the amended plans received from the applicant and they have reconfirmed their strong objections to the scheme on the same grounds as stated above.

MSDC Heritage Officer – The site is in close proximity to the Grade II listed Church of St Peter and also to Manor Farm which is Grade 2* listed and also the barn to the north of it which is Grade II listed in its own right. The Historic Buildings Officer considers that the proposal would cause less than substantial harm to the designated heritage assets listed above as it would erode their rural setting but he also considers that the impact is low due to the existing landscaping between the site and the heritage assets. The Heritage Team recommends that refinement of the layout and landscaping scheme should be pursued. This can be done via a planning condition as the application is outline and the entire layout, design and landscaping can be altered and refined at reserved matters stage to meet this requirement.

As there are now 5 separate housing proposals in Thurston which together total 872 houses, with the potential for the cumulative impact of two or more of the schemes to have an impact on the heritage assets listed above, the Council's Heritage Officer has been asked for his comments. He considers that in terms of the assets listed above, only the Pigeon site (5070/16 and this proposal) will have a cumulative impact. He has assessed when considered together that 375 houses (up to 200 on the Pigeon site and up to 175 on this

site) on a cumulative basis would cause harm to the grade II* Listed farm house of no greater than medium. He has assessed that even adding the harm to the significance of the nearby church; the resulting cumulative level of harm to the affected heritage assets would be greater than low but not greater than medium.

MSDC - Strategic Housing (Summary) – Advises that no objections are raised to the scheme as submitted as 35% affordable housing is proposed in line with the Council's requirements. The strategic Housing Officer advises that the affordable housing provision should be provided on site as follows:

Affordable Rent Tenancy:

14 x 1b 2p flat = 50sqm

8 x 1b 2p bungalow = 50sqm

18 x 2b 4p house = 79sqm

5 x 3b 6p house = 95sqm

1 x 4b 7p house = 115sqm

Shared Ownership:

10 x 2b 4p house = 79sqm

5 x 3b 5p house = 93sqm

MSDC - Tree Officer – Does not object to the proposal subject to the trees on site that are to be retained being protected during the build process in line with the details contained in the application. Whilst a number of trees are to be removed to facilitate this development, they are of poor species and their loss will be negligible on the character and appearance of the area.

MSDC - Environmental Health - Land Contamination – Does not raise any objections to the original scheme or the amended plans. Request that conditions are imposed to control the impact of the scheme in terms of contamination.

MSDC - Environmental Health – Public Protection – Raise concerns that a number of the new dwellings will be in close proximity to the Victoria Public House and that noise, nuisance and disturbance from the operation of the pub, both inside and in the external beer garden could cause public protection issues. It has also been suggested that a condition should be imposed to control noise and disturbance during the construction phase of the scheme to ensure that the living conditions of the surrounding occupiers are protected.

SCC Archaeology – Initially objected to the scheme on the grounds that insufficient information existed to “*describe the significance of any heritage assets affected*” as required under P128 of NPPF. The applicant has carried out the additional work that was required and there are no longer any objections to this scheme on archaeological grounds. Conditions are recommended for the provision of an archaeological survey on site prior to the commencement of the development and to record any archaeologically important remains that are found.

SCC Ecology – Does not raise any objections to this scheme subject to conditions to minimise the impact of the scheme on species within the locality.

SCC Flood and water management – They initially objected to the scheme, but following the submission of additional information from the applicant, they no longer object to the application subject to the imposition of conditions dealing with flood risk matters.

SCC Highways – The Local Highway Authority has provided two responses on this proposal. One deals with the cumulative impact of this scheme and the four others that have all been submitted in Thurston on the local highway infrastructure. The second response deals with the highway issues that are specific to this proposal.

Cumulative impact - The Transport Assessments provided for the individual proposed developments show varying degrees of impact on the highway infrastructure. To date none have shown the cumulative impact of all five developments but at some locations the Local Highway Authority considers this may be severe, particularly where the network is already close to or exceeding capacity. Paragraph 21 of the National Planning Policy Framework (NPPF) states that planning policies should recognise and seek to address potential barriers to investment, including any lack of infrastructure and identify priority areas for infrastructure provision. Both SCC and MSDC are aware that paragraph 32 of the NPPF states that development should only be prevented on transport grounds where residual impacts of development as severe. The same statement allows decisions to be made taking account of whether improvements can be undertaken within the transport network that cost effectively limits the significant impacts of development.

On this occasion, the Local Highway Authority consider that by taking a co-operative approach for all five developments there is an opportunity that the planning process can provide improvements to both mitigate against any severe impacts and any lack of transport infrastructure.

Highway Infrastructure (Congestion)

The initial data and modelling provided in Transport Assessments indicates that the road network will experience additional traffic through growth and development and at some locations this will exceed the theoretical junction capacity. Those junctions that are or may exceed capacity are discussed below.

A143 Bury Road / C691 Thurston Road/ C649 Brand Road

Modelling shows that this junction is already close to theoretical capacity in the AM peak with northbound traffic waiting to turn onto the A143 queueing on Barton Road and at capacity in the PM peak with Thurston bound traffic waiting right from the A143 into Barton Road. The additional traffic from the proposed developments in Thurston will exacerbate these problems; in particular, modelling shows the queueing traffic on Barton Road will exceed capacity in the AM peak.

C693 Thurston Road / C692 Thurston Road / C693 New Road (Fishwick Corner)

Modelling indicates that the southbound approach to the junction is currently close to capacity in the morning peak and that its capacity will be exceeded before all five developments could be delivered. However, in the PM peak the junction has the capacity for the predicted traffic for all developments.

C560 Beyton Road / C592 Thurston Road / U4920 Thedwastre Road

The modelling of this junction shows some inconsistencies with one study indicating it will be close to capacity southbound on Thedwastre Road in the AM peak due to traffic from one specific development but other modelling showing it would have capacity for the traffic generated by the developments.

Highway Infrastructure (Road Safety)

A143 Bury Road / C691 Thurston Road/ C649 Brand Road

There have been three recorded crashes resulting in slight injuries and one involving serious injury at this junction in the last 5 years for which data is available (2012-2016).

C560 Beyton Road / C592 Thurston Road / U4920 Thedwastre Road

There have been two crashes resulting in slight injuries at this junction in the past 5 years.

C693 Thurston Road / C692 Thurston Road / C693 New Road (Fishwick Corner)

At this junction there have been 9 crashes resulting in slight injuries and one resulting in a serious injury in the past 5 years.

The frequency of injury related crashes at the C693 Thurston Road / C692 Thurston Road / C693 New Road (Fishwick Corner) junction would, in the opinion of SCC, necessitate some work to improve road safety. Although the frequency of crashes at the A143 Bury Road / C691 Thurston Road / C649 Brand Road does not justify significant road safety improvements it is a factor that should be considered in any future mitigation measures.

Suggested Mitigation Measures

A143 Bury Road / C691 Thurston Road / C649 Brand Road

An assumption has been made that the junction can be signalised and that this will reduce congestion and improve road safety. Although there is a generous width of highway verge in the vicinity of the junction the geography of the site may place constraints on the design and further work is required to confirm that a solution is possible or beneficial. The proposed junction improvements would be delivered through a jointly funded S106 contribution.

C693 Thurston Road / C692 Thurston Road / C693 New Road (Fishwick Corner)

The issue of congestion on the southbound approach is difficult to mitigate as there is insufficient land within the highway boundary to provide a meaningful solution. It is noted that the road network around Thurston is relatively permeable and an option exists for traffic to avoid this by diverting onto Beyton Road and then turning right to approach this junction from the east.

Several minor traffic management features such as improved signing, marker posts and high friction surfacing have been used at this junction in the past as crash reduction measures. Despite this, crashes causing injury continue to occur. To reduce the severity of these crashes it is proposed to restrict the road to 40mph and undertake local safety improvements such as enhanced road signs and markings. This would be delivered through a jointly funded S106 contribution.

A longer term solution would be to remodel the junction or drastically remodel the road network. It is recommended these matters should be addressed in any future revisions to the Local Plan.

C560 Beyton Road / C592 Thurston Road / U4920 Thedwastre Road

The highway boundary constrains any improvements in this location and thus there does not appear to be any viable mitigation to increase capacity on the southbound Thedwastre Road approach. The relatively low number of crashes suggests that the issue of road safety is not as important as it is for the other two junctions and mitigation measures would only comprise low cost work, such as road signs and markings.

Speed Limits

It is noted that a number of proposed access roads are located close to or beyond the existing 30mph speed limit in Thurston. In some cases, assumptions have been made when determining visibility for these junctions that the 85%ile speed limits are or will be close to 30mph. Developers are advised that the visibility requirements shall be designed for the

measured 85%ile speed adjacent to the junction and not the posted or proposed future speed limit. A legal process must be followed to change or extend a speed limit and during this process objections can be made which can delay or stop creation of the necessary legal order. For this reason, the Local Highway Authority cannot accept visibility splays based on changes to speed limits unless there is confidence that no significant objections to the traffic regulation order are likely.

Based on the available details of the five proposed developments the following changes to speed limits are suggested;

- Extend the 30mph speed limit north on Ixworth Road to Thurston Rugby Club
- Extend the 30mph speed limit on Norton Road towards and beyond Church Road
- Extend of 30mph speed limit on Barton Road west of Mill Lane
- Create a new 40mph speed limit between and including the C693 Thurston Road / C692 Thurston Road / C693 New Road and the C560 Beyton Road / C592 Thurston Road / U4920 Thedwastre Road for road safety reasons.

The necessary Traffic Regulation Orders (TRO) could be raised individually or preferably as a single order. The latter is preferred as it reduces cost and administration. This can be delivered through site specific or joint S106 contributions. As stated above implementation of an order cannot be guaranteed and if a TRO is required to justify reduced visibility splay lengths then the order would need to be substantially complete before such a reduction would be accepted. If a process can be agreed between the parties' initial consultation can be undertaken in advance of determination of the planning applications.

Pedestrian and Cycling Infrastructure

The benefit of considering all five applications together is that a coherent system of footways and pedestrian crossings can be delivered in Thurston. The proposed footways are intended to provide good, direct pedestrian access both to the main village and schools. The proposed improvements, most of which have already been proposed by individual applications, are listed below:

- An uncontrolled pedestrian crossing on Norton Road between Meadow Lane and Station Hill / Ixworth Road.
- A footway on west side of Ixworth Road between Norton Road and the entrance to Persimmon's site
- A footway link on Ixworth Road between the entrance to the Persimmon development and the entrance to the Thurston Rugby Club.
- A controlled pedestrian crossing facility (e.g. a raised table junction with zebra crossing) if practicable at or adjacent to the Norton Road / Station Hill / Ixworth Road junction. Pooled contributions from all 5 developments are required for the County Council to deliver this.
- A footway on the north side of Norton Road from Meadow Lane east towards Church Lane as far as the site boundary allows. This could be within the development and or on the highway verge.

- An uncontrolled pedestrian on Norton Road crossing linking the Hopkins Homes and Pigeon sites
- Meadow Lane resurfaced to improve cycle / pedestrian facilities (and maintain access to properties)
- Provide a metalled footway on Church Road between Footpath 006 and the footpath link to School Lane. This will include provision of street lighting along this short section of footpath.
- Provide two uncontrolled pedestrian crossings on Sandpit Lane to link the Hopkins Homes development to the main village

With the exception of the pedestrian crossing facility at the junction of Ixworth Road, Station Hill and Norton Road, the above are expected to be secured by conditions or S106 obligations as appropriate and delivered by the relevant development with S278 (improvements to existing highway) or S38 agreements (if adoption as highway maintainable at public expense is desired) as appropriate. All the footways are expected to be metalled and where verge space allows provision for cyclists should also be considered.

Public Rights of Way (PRoW)

It is proposed that a small number of PRoW are improved to provide alternative pedestrian links between the proposed developments and current and future school sites. These are improvements to:

- Thurston Footpath 001 between Ixworth Road and Meadow Lane. It is proposed that this is to an all-weather standard, preferably a bituminous surface.
- Thurston Footpath 018 between Ixworth Road and Mill Lane. This lies within the development site and the works can be secured by condition.
- Thurston Footpath 006 between Norton Road and Church Road. This lies within the development site and the works can be secured by condition. It is proposed that this is to an all-weather standard; preferably a bituminous surface as far as it is a safe pedestrian route to the site north of Norton Road
- New PROW link along southern boundary of the Bovis Homes site to join Barton Road
- New PROW link from the site west of Barton Road to Heath Road, linking with Cycle Route 51.
- Improve PROW 007 North of Meadow Lane (un-metalled).

If diversion of a PRoW is likely it is recommended that discussions are held with the relevant SCC officer at an early state.

Public Transport

Improvements to public transport infrastructure will be limited to any site-specific works necessary as a result of each development through S106. All other public transport improvements are included in the CIL.

The Local Highway Authority advises that the remainder of the issues that are relevant to this proposal can be covered by planning conditions and within the S106 agreement for the scheme.

The S106 heads of terms will cover the following issues:

- Highway Improvement Contribution: £3733 contribution towards a Traffic Regulation Order (TRO) and associated works to extend the existing 30mph of speed limit on Norton Road eastwards to improve road safety for road users associated with the development. Payable prior to occupation of the first dwelling.
- Highway Pedestrian Crossing Improvement Contribution: £19,108 Contribution towards provision of pedestrian crossing facilities at Norton Road / Station Hill / Ixworth Road junction to provide improved pedestrian access to the Academy and mitigate increase pedestrian and vehicle use. Payable on occupation of the first dwelling.
- Highway Capacity Improvement Contribution: £60,837 Contribution towards improvements at the A143 Bury Road / C691 Thurston Road/ C649 Brand Road, junction at Great Barton to mitigate congestion at peak periods. Payable on commencement of work on site.
- Highway Safety Improvement Contribution: £11,046 Contribution towards safety improvements at the C693 Thurston Road / C692 Thurston Road / C693 New Road including a contribution towards 40mph speed limit on the C692 Thurston Road to improve road safety and mitigate increased use. Payable on commencement of the first dwelling.
- Travel Plan Travel Plan Evaluation and Support Contribution - £1,000 per annum from occupation of the 100th dwelling for a minimum of five years, or one year after occupation of the final dwelling, whichever is longer.
- Travel Plan Implementation Bond, or cash deposit - £104,631 (£598 per dwelling – based on the estimated cost calculated by Suffolk County Council of fully implementing the travel plan). This is to cover the cost of implementing the travel plan on behalf of the developer if they fail to deliver it themselves.

Except for the A143 Bury Road / C691 Thurston Road/ C649 Brand Road, junction at Great Barton the reasons for requesting these contributions are described above. The A143 improvements are mitigation to improve capacity at this junction reflecting the small individual but, in terms of cumulative impact, significant effect that the five developments will have at this junction. The Local Highway Authority has indicated that the cost of this will be £94,724 for the works required under S106 of the Planning Act (excluding travel plan costs), £72,333 for works under section 278 of the Highways Act and £30,000 under S38 of the Highways Act.

SCC - Obligations Manager: Comments that 175 new houses proposed in the scheme will have an impact on local infrastructure particularly in terms of education.

Primary Provision

The residents of the scheme will generate the need for 43 new primary school places and it has been advised that there is no capacity in the local Primary School which is the Thurston

Church of England Primary Academy to accommodate this development and as such a contribution is requested towards a new primary school. As new schools cannot be provided through the Council's CIL scheme (the 123 list only allows for extensions to schools and not new schools) a request is made for a contribution towards a new school under S106 of the planning act.

A contribution for £706,477 as broken down below is require to meet education needs which will arise from this development:

School level	Minimum pupil yield:	Required:	Cost per place £ (2016/17):
Primary school age range, 5-11*:	43	43	16,429

Land for new school

A contribution for a further £55,642 is also requested to contribute towards the cost of the land to provide the school. This is worked out on a maximum cost of £100,000 per acre (£247,100 per hectare, which will be £543,620 for a 2.2 hectare site and equates to £1,294 per pupil place. For the proposed development, this equates to a proportionate land contribution of 43 places x £1,294 per place = **£55,642**.

Temporary classroom

The Obligations Manager has also advised that there will be a need for temporary classroom arrangements to accommodate the needs of the children that arise from this development. The existing primary school is on a very constrained site and an extension to the facility is not possible under Department for Education guidelines. However, it is advised that where extra pupils either through a spike in local population or from housing development cause a 'bulge' in the admission numbers, this can be accommodated by providing temporary classrooms.

A double temporary mobile classroom providing 60 places could be located within the hard surfaced play and car park areas within the school for a period of no longer than 3 years to meet the admissions 'bulge' which would be caused by this and other large housing developments in Thurston. As the primary school is an academy whereby the County Council has limited control over its operation, agreement to the provision of the temporary building has had to be sought from the Academy board that runs the school and it is understood from the Obligations Manager, that agreement has now been given by them for this to go ahead.

The temporary classroom will be facilitated via a CIL bid as it is classified as being an extension to an existing school in the Council's 123 list.

Secondary School and 6th form provision

The Obligations Manager has commented that secondary and 6th form provision in the area is currently sufficient to accommodate the additional pupils which will be generated from this proposal as shown in the table below.

Total primary education contributions: £762,139

Restriction on occupation

The Obligations Manager has also commented that as there are two other applications in Thurston that are proposing primary school sites (application 5070/16 – Land at Norton Road for Pigeon Capital and application 4963/16 – Land West of Ixworth Road for Persimmon Homes) but neither of these are approved yet, that the district council should consider imposing a planning condition restricting occupation of any dwellings once the capacity of the existing primary school with additional temporary classroom are full. This condition could then be discharged once the construction of the new primary school has commenced.

Pre-school

The Obligations Manager has also noted that there are currently 4 pre-school establishments in the locality (2 childminders, Thurston pre-school and Tinkerbells Day Nursery) and that spare capacity between them is only 10 spaces. Based on the scale of development currently being assessed in Thurston, the proposed legislative changes and the intention to establish a new primary school (with nursery provision), the most practical approach is to establish a new early education setting on the site of the new primary school which would be a 30 place setting, providing sufficient capacity for 60 children in total. Our latest estimates are that a 30 place early education setting costs £500,000 to construct on a site of approximately 630m² (note: this includes outdoor play and parking).

The Mid Suffolk Regulation 123 List indicates that new early years settings are not identified for funding through CIL. A proportionate contribution for this scheme would be based on 8 children of the total 60 who would be accommodated within the new setting, could be calculated as follows (revised costs from a similar scheme in Suffolk):

- £500,000 construction cost (including land as collocated with the new primary school) for a new 60 place setting
- £500,000/60 early years pupils = £8,333 per place From 175 dwellings there is the need for 8 additional places
- Therefore 8 pupils x £8,333 per place = **£66,664 (2016/17 costs)**

Total contribution for all education provision - £828, 803

Other infrastructure contributions

Requests a contribution of £37,800 towards library provision. This is requested under the Council's CIL 123 list.

SCC Senior Landscape Officer: Comments that the proposal will change the character of the site which will go through a significant change from agriculture to become the edge of the settlement. The applicant amended the LVIA report in line with the Landscaping Officer's request and subsequently he has commented that the proposal is acceptable in landscape terms subject to the imposition of a number of conditions to control its impact. He has also viewed the amended plans submitted by the applicant and does not raise any additional comments or objections to this scheme.

SCC Flood Management Team:

Do not object to the application subject to the imposition of conditions dealing with flood risk matters.

The SCC Flood Management Team has been asked to comment on the cumulative impact of 827 houses being proposed in Thurston and they have commented that they would expect all of the developers to design suitable sustainable drainage systems (which they all have).

All of the 5 sites are in a flood zone 1 so they comply with national policy requirements. However, surface water drainage has historically been an issue in Thurston with soil conditions not being viable for water to drain away easily. Most of the surface water from the village is drained into the foul sewer system with the east part of the village having a surface water drainage system. It is understood that Anglian Water are considering options to improve capacity in the locality to help to prevent the flood events that have happened in the centre of the village in recent years.

SCC Public Rights of Way – Notes that public footpath number 6 runs through the site, but does not raise any objections to the scheme.

SCC Sustainability Officer - Comment that the application is deficient in terms of detail of construction materials, sources of heating, renewable energy generation, design and orientation of the dwellings or reduction in the reliance of electricity consumption has not been mentioned. Also comments that the applicant does not offer any third party accreditation for the environmental credentials of the scheme. However, it is acknowledged that the scheme is in outline form and the majority of the above information is undecided at this stage.

Anglian Water – Does not raise any objections to this proposal. They have requested that if the proposal is approved that an informative is included on the planning permission to advise the developer that Anglian Water has plant in the locality and the scheme must make provision for this

Fire Service - County Fire Officer – Does not object to the proposal, but advises that details of the location of sufficient fire hydrants to make the development safe must be submitted. This can be covered by a planning condition.

Highways England – Do not raise any objections to this scheme.

Historic England – They initially objected to the scheme on the grounds that insufficient information had been submitted to allow the impact on the setting of the listed Manor Farm and Church of St Peter to be assessed. The applicant subsequently provided this information and Historic England consider that the proposed development in the vicinity of the grade II* listed Manor Farm House and the parish church of St Peter could result in harm to the significance of the historic buildings in terms of paragraph 132 of the NPPF. They comment that as required by paragraph 134 the Council should weigh any public benefit delivered by the development against such harm when seeking the 'clear and convincing' justification required by the NPPF. We would note that the area to be left undeveloped in the north eastern corner of the site could be beneficial to the setting of Manor Farm House is suitably planted and suggest that a similar landscaping belt along the whole northern edge of the site might also mitigate, but not wholly remove the harmful impact.

Natural England – Does not have any comments to make on this application.

Network Rail – They have been consulted on the cumulative impact of building 827 new dwellings in Thurston on the railway station and the local railway network as requested by the local community. They state that the main issue is the Barrow Level Crossing at Thurston station which has historically seen a number of safety issues associated with it and the level of usage which would arise from the erection of the number of dwellings proposed

would have a severe impact on safety unless mitigation measures are introduced. They indicate that their preferred option is to close the level crossing and replace it with a new pedestrian ramp from platform 1 (upside) down the embankment leading onto Beyton Road. This design will also need to include a drop off point/layby for vehicles along Beyton Road. They have advised that the cost of the works amount to £1million and should be shared proportionally amongst the developers. They are seeking this through a S106 agreement.

When questioned, Network Rail has made it clear that the works that they propose to the crossing point at Thurston Station are directly related to the impact of the 5 planning applications and the 827 houses that would be built. They have advised that the other works that they propose to close crossing points elsewhere on the same line are minor in nature and cannot be compared to this site as the other crossing points are not facing unprecedented levels of pedestrian use which would be generated from the proposed housing in Thurston.

NHS/Primary Care Trust – The proposal will have an impact on the Mount Farm Doctors Surgery which is based in Moreton Hall, Bury St Edmunds and there will be a need to either extend or reconfigure the building to meet the additional capacity requirements that will be generated if this proposal is approved. It is recommended that a sum of £57,600 is provided as part of this application to facilitate the provision of the necessary capacity at the Mount Farm Surgery.

Suffolk Constabulary - Police Architectural Liaison – Raises concerns about the permeability of the scheme which could provide opportunities for crime. Supports the extension of the 30mph speed limit along Norton Road towards Church Road in the interest of safety.

Suffolk Preservation Society - They have advised that they have carried out a desk top survey earlier on in 2016 and considered that the site was a sustainable location having regards to its proximity to transport networks and services. They also agree with the applicant's assessment that the proposal will not result in harm to the setting of the grade II* listed Manor Farm in that it is heavily enclosed by vegetation and that its isolation which contributes to its setting will not be harmed by this proposal. It is also noted that the part of the site closest to the listed Church will remain undeveloped and landscaped which will help to preserve its setting. They have also reviewed the amended plans and have commented that in their opinion, scheme should be supported.

Representations

9. 28 letters in total have been received making comments on this scheme.
10. The objections to the scheme from 27 local residents are as follows:

Highway safety

- The local roads are inadequate and dangerous to cope with so many new dwellings.
- There are a number of dangerous junctions and pinch points in the area which will become more dangerous with the number of vehicles which will be generated by this development.
- The railway station has poor parking. Additional residents from this site using the railway station to access places such as Bury St Edmunds will increase the parking issues experienced.
- There are no pavements from the site onto Norton Road, Meadow Lane or onto

- Sandpit Lane which will cause pedestrian safety issues.
- Car users on the new access point onto Norton Road will cause conflict with pedestrians to the detriment of safety.
 - Disagree with the fact that the access onto Norton Road has been deleted in the amended plans. It should have been retained. This will now cause a greater safety problem on Sandpit Lane where the single access to cater for the whole development is proposed.
 - The internal road layout of the site should be sufficiently wide to accommodate all of the vehicles on the road safely and all houses should have garages of a suitable size to accommodate modern cars.

Infrastructure

- Will a new GP surgery be part of this scheme as local residents have to go out of Thurston at present to access this facility?
- This development will place an excessive demand on the infrastructure of the area which will need to be resolved before any of the houses could be built.
- The local primary school cannot accommodate the children from this development. Is a new local primary school proposed?

Impact on the amenity of the area

- The size of the scheme at 175 houses seems to disregard the findings of the housing survey carried out by the Neighbourhood Plans Team and is way too large for Thurston.
- The erection of 2.5 to 3 storey houses will be out of keeping with the local environment as there are none in the locality. There needs to be a height limit imposed on the dwellings if this scheme is approved to ensure that they are no higher than the existing surrounding properties.
- The additional dwellings and their infrastructure will cause increased light pollution in the locality.
- The flood risk in the area is higher than stated in the report that accompanies this application. The land regularly floods and this is clear to see.
- The erection of additional dwellings will generate more noise than the existing tranquil environment of the site and its surroundings.

Impact on residential amenity

- The erection of new houses in close proximity to my house will cause loss of privacy and overlooking over my garden.
- There needs to be substantial and dense screening between the site and the surrounding existing neighbouring properties to protect the living conditions of the existing residents.
- The Victoria Public House which adjoins the site is often noisy and has events regularly going on inside and out. This is not a problem at the moment as it doesn't have any near neighbours, but it will be a problem if houses are built in close proximity to it.

Impact on designated heritage assets

- The proposal will have a negative impact on the setting of listed buildings in the locality.

Impact on wildlife in the locality

- The scheme will impact on wildlife in the locality.

Non material planning comments

- We will lose our view over the beautiful surrounding open countryside.
- This proposal will affect the value of our property.

11. A single letter of support has been received raising the following points:

- The development will provide much needed homes to the community and young people both in Thurston and the surrounding area.
- I would like to stay in Thurston, but have found it difficult to buy a home here due to the shortage of properties. This has forced me in to a rented property which is expensive. However, if this scheme is approved, this will give me the opportunity to be able to buy my first house in the settlement that I want to live.

The Site and Surroundings

12. The application site lies in the village of Thurston which has a population of approximately 3200 people (2011 census) and extends to an area of 11.2 hectares of agricultural land (Grade 3b). The land is generally flat but falls towards the road in the northeast. The northern boundary of the site is onto Norton Road, the eastern boundary is on Church Road, the southern boundary adjoins residential properties (mixture of single and two storeys) and the western boundary fronts onto Sandy Pit Lane.

13. The site abuts the settlement boundary for Thurston and remains as countryside for planning purposes.

The Proposal

14. Please note details of the proposed development including plans and application documents can be found online.

15. Proposed is an outline planning application for the erection of up to 175 dwellings with all matters reserved except the vehicular access into the site.

16. Following advice from the highway authority, this application has been amended to omit the vehicular access off Norton Road with only one access being deemed necessary to serve the development off Sand Pit Lane.

17. The applicant has submitted plans showing a suggested layout utilising a single spine road through the site with various secondary streets leading through to the dwellings. The layout shows the retention of and strengthening of the hedge boundary on southern part of the site and also on part of the northern boundary of the site. The most eastern part of the site, which is most visible from the surrounding open countryside is to be retained as open land and will accommodate the retaining ponds for the surface water drainage for the site. However, these plans are indicative and the layout as shown may change at the reserved matters submission stage. The indicative layout gives a density of approximately 24 dwellings per hectare.

NATIONAL PLANNING POLICY FRAMEWORK

18. The National Planning Policy Framework (NPPF) contains the Government's planning policies for England and sets out how these are expected to be applied. Planning law continues to require that applications for planning permission are determined in accordance with the Development Plan unless material considerations indicate otherwise. The policies contained within the NPPF are a material consideration and should be taken into account for decision-making purposes.

The following parts of the NPPF are considered to be applicable to this scheme:

Para 6: Achieving sustainable development
Para 7: Three dimensions to sustainable development
Para 11 – 15: The presumption in favour of sustainable development
Para 17: Core planning principles
Para 32 and 34: Transport movements
Para 47: Delivering a wide choice of high quality homes (including the need to have a 5 year deliverable supply of housing)
Para 49: All housing proposals should be considered in the context of the presumption in favour of sustainable development.
Paragraph 55: To promote sustainable development in rural areas.
Paras 56 & 60: Requiring good design
Para 64: Development of poor design must not be supported.
Para 69: Promoting healthy communities
Para 70: Delivery of social, recreational and cultural facilities that the community needs.
Para 72: Provision of school places.
Para 73: Access to high quality open space.
Para 75: Protection and enhancement of public rights of way.
Para 100: Development and flood risk
Para 103: Development and increasing flood risk elsewhere
Para 109: Planning system should contribute to and enhance the natural and local environment.
Paras 112 & 117–119: Development affecting protected wildlife
Para 123: Planning and noise.
Para 125: Planning and darker skies.
Paras 128 & 129: Describing the significance of a designated heritage asset.
Para 131: Determining planning applications that affect heritage assets.
Para 132: Significance of heritage assets.
Para 134: Development and less than substantial harm
Para 186: Approaching decision taking in a positive way.
Para 187: Local Planning Authorities should find solutions rather than problems in decision taking.
Para 196: Plan led planning system.
Para 197: Assessing and determining application applying the presumption in favour of sustainable development.
P203 -206 – Planning conditions and obligations.
Paras 211 - 212: Using development plans and the NPPF in decision making.
Paras 214 – 215: The weight attached to development plan policies having regards to their consistency with the NPPF.
Para 216 – Weight given to policies in emerging plans

CORE STRATEGY

19. Core Strategy Focused Review

FC1 – Presumption in favour of sustainable development.

FC1.1 – Mid Suffolk’s approach to delivering sustainable development
FC2 – Provision and distribution of housing.

20. Core Strategy

CS1 – Settlement hierarchy
CS2 – Development in the countryside & countryside villages
CS4 – Adapting to climate change.
CS5 – Mid Suffolk’s environment
CS6 – Services and infrastructure
CS9 – Density and mix

NEIGHBOURHOOD PLAN / SUPPLEMENTARY PLANNING DOCUMENTS /AREA ACTION PLAN

21. In 2013 Thurston received a neighbourhood plan designation and the settlement is currently working on its new neighbourhood plan. The plan is however at an early stage and as yet does not have any policies which could be used in the assessment and consideration of this proposal.

SAVED POLICIES IN THE LOCAL PLAN

GP1 – Design and layout of new developments
HB1 – Protection of historic buildings
HB13 – Protecting ancient monuments
HB14 – Ensuring that Archaeological remains are not destroyed
H3 – Housing developments in villages
H13 – Design and layout of development
H15 – Development to reflect local characteristics.
H16 – Protecting existing residential amenity
H17 – Keeping new development away from pollution
CL8 – Protecting wildlife
CL11 – Retaining high quality agricultural land
T9 – Parking standards
T10 – Highway consideration in developments
RT4 – Amenity open space and play areas within residential development
RT12 – Footpaths and bridleways
SB3 – Retaining visually important landscapes

Main Considerations

22. From an assessment of relevant planning policy and guidance, representations received, the planning designations and other material issues the main planning considerations considered relevant to this case are set out including the reason/s for the decision, any alternative options considered and rejected. Where a decision is taken under a specific express authorisation, the names of any Member of the Council or local government body who has declared a conflict of interest are recorded.
23. The following are identified as the main considerations in assessing this application:

The Principle Of Development

24. The National Planning Policy Framework (NPPF) requires Councils to identify and update, on an annual basis, a supply of specific deliverable sites sufficient to provide

for five years' worth of housing provision against identified requirements (paragraph 47). For sites to be considered deliverable they have to be available, suitable, achievable and viable.

25. 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 (as stated in paragraph 49 of the NPPF). Where policies cannot be considered up-to-date, the NPPF (paragraph 14) cites the presumption in favour of sustainable development and states that planning permission should be granted unless i) any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF taken as a whole; or ii) specific policies in the NPPF indicate development should be restricted. The presumption in paragraph 14 also applies where a proposal is in accordance with the development plan, where it should be granted without delay (unless material considerations indicate otherwise).
26. The precise meaning of 'relevant policies for the supply of housing' has been the subject of much case law, with inconsistent results. However last month, the Supreme Court gave judgment in a case involving Suffolk Coastal District Council which has clarified the position. The Supreme Court overruled earlier decisions of the High Court and the Court of appeal in this and other cases, ruling that a "narrow" interpretation of this expression is correct; i.e. it means policies identifying the numbers and location of housing, rather than the "wider" definition which adds policies which have the indirect effect of inhibiting the supply of housing, for example, countryside protection policies. However, the Supreme Court made it clear that the argument over the meaning of this expression is not the real issue. The absence of a five year housing land supply triggers the application of paragraph 14 of the NPPF. In applying the 'tilted balance' required by this paragraph, the Council must decide what weight to attach to all of the relevant development plan policies, whether they are policies for the supply of housing or restrictive 'counterpart' policies such as countryside protection policies.
27. In accordance with National Planning Policy Guidance paragraph 030 (Reference ID: 3-030-20140306) the starting point for calculating the 5 year land supply should be the housing requirement figures in up-to-date adopted Local Plans. It goes on to state that '*...considerable weight should be given to the housing requirement figures in adopted Local Plans, which have successfully passed through the examination process, unless significant new evidence comes to light....Where evidence in Local Plans has become outdated and policies in emerging plans are not yet capable of carrying sufficient weight, information provided in the latest full assessment of housing needs should be considered. But the weight given to these assessments should take account of the fact they have not been tested or moderated against relevant constraints...*'
28. The Council published the Ipswich and Waveney Housing Market Areas Strategic Housing Market Assessment (SHMA) in May 2017 which is significant new evidence for the emerging Babergh and Mid Suffolk Joint Local Plan. Therefore, the 5 year land supply has been calculated for both the adopted Core Strategy based figures and the new SHMA based figures. For determining relevant planning applications, it will be for the decision taker to consider appropriate weight to be given to these assessments and the relevant policies of the development plan.
29. A summary of the MSDC 5 year land supply position is:
 - Core Strategy based supply for 2017 to 2022 = 3.9 years

- SHMA based supply for 2017 to 2022 = 3.9 years
30. The NPPF requires that development be sustainable, and paragraph 6 of the NPPF sets out guidance on what this means in practice by drawing attention to all of the policies from paragraph 18 to 219 of the NPPF. In some circumstances there is also a presumption in favour of sustainable development which is to be applied as set out in paragraph 14 of the NPPF. This has been discussed above.
31. Paragraph 7 of the NPPF sets out three dimensions for sustainable development, economic, social and environmental:
- "an economic role - contributing to building a strong, responsive and competitive economy, by ensuring that sufficient land of the right type is available in the right places and at the right time to support growth and innovation; and by identifying and coordinating development requirements, including the provision of infrastructure:*
- a social role - supporting strong, vibrant and healthy communities, by providing the supply of housing required to meet the needs of present and future generations; and by creating a high quality built environment, with accessible local services that reflect the community's needs and support its health, social and cultural well-being; and*
- an environmental role - contributing to protecting and enhancing our natural, built and historic environment; and, as part of this, helping to improve biodiversity, use natural resources prudently, minimise waste and pollution, and mitigate and adapt to climate change including moving to a low carbon economy."*
32. In light of all of the above, this report will consider the proposal against the policies of the development plan to determine if the development is in accordance with the development plan as a whole. If it is not, and there are policy conflicts, they will need to be weighed against other material considerations to see whether a decision which does not accord with the development plan is warranted, in the light of the presumption in favour of sustainable development, and in the context of the authority not being able to demonstrate a 5 year land supply.

Sustainability of the Proposal (including assessment against the development plan and the NPPF)

33. The Parish Council and some of the objectors have commented that this scheme should be refused as it is outside the development limits for Thurston in line with the policies as contained in the adopted Core Strategy and Local Plan. However, it is clear on reviewing the guidance in the NPPF as outlined above that this cannot be the case as housing delivery policies CS1 and CS2 of the core strategy should not be considered to be up-to-date along with policies such as H7 of the Local Plan as the Council does not have a 5 year supply of housing as required by the NPPF. Other comments have been received stating that the Council should not consider this application and the others in the Thurston area until the Council determine in a new style local plan its stance on the location of new housing in the district. However, national policy as contained in the NPPF does not give the Council this option and requires all applications to be determined promptly.
34. The contents of paragraph 55 of the NPPF are also considered to be material in the making of a decision on this case. Objections have been received stating that this proposal should not be allowed as it is outside the settlement limit for Thurston and that the site should be considered as countryside. Paragraph 55 of the NPPF makes it clear that Councils can no longer consider sites that are adjacent or near to a

settlement limit to be unacceptable simply because they are the wrong side of the line. It now makes it clear that 'new isolated homes in the countryside will not be supported and that Councils are encouraged to promote sustainable development in rural areas by considering housing development in locations where they could enhance or maintain the vitality of rural communities. It gives an example in paragraph 55 that new housing could provide increased facilities in one settlement which would be of benefit to it and the other surrounding settlements.

35. Having regards to the above, it is considered that the application site is not in an isolated location as it is adjacent to the built up part of the village, and the scheme will bring with it contributions towards local infrastructure which will be of benefit to the residents of Thurston and the surrounding villages. Therefore, in terms of paragraph 55 of the NPPF, this proposal could be considered to promote sustainable development in a rural area. However, having regards to the fact that the Council does not have a 5 year supply of housing and has to balance the negatives of the scheme against the positives that it brings in line with the requirements of the NPPF, consideration of whether the scheme will be supported as sustainable development or not will be given in the conclusion to this report.
36. In reaching a decision, paragraph 47 of the NPPF is a material consideration and requires Local Planning Authorities to boost significantly the supply of housing, by identifying and updating annually a supply of specific deliverable sites sufficient to provide five years' worth of housing against their housing requirements with an additional buffer of 5% to ensure choice and competition in the market for land. As stated above, the Council cannot demonstrate a 5 year supply of housing and as such paragraph 49 of the NPPF applies and states that in this situation, the relevant policies for the supply of housing in the Council's adopted plan should not be considered to be up to date and that the scheme remains to be considered under the requirements of paragraphs 7 and 14 of the NPPF which defines what sustainable development is and how decisions should be made.
37. Since the submission of this application, four other developers have also submitted application for residential development in Thurston. Bovis Homes have applied for 138 dwellings on land on the west side of Barton Road (4386/16); Persimmon have applied for 250 dwellings plus a new school on land west of Ixworth Road (4963/16); Laurence Homes have applied for 64 dwellings on land at Meadow Lane (4942/16) and Pigeon Capital have applied for 200 homes plus a school on land at Norton Road (5070/16). Including this application, 827 new homes are currently proposed in Thurston.
38. Following receipt of these applications an approach of joint working to explore cumulative infrastructure issues has been agreed between the respective applicants and the District and County Council. This has enabled the constructive exploration of significant infrastructure issues on a collaborative but without prejudice basis to a consensual timetable. Therefore, as there are unprecedented numbers of new dwellings proposed it is considered that all schemes must be considered both on their own merits and in combination with each other to assess if they meet the tests for sustainable development as outlined in the NPPF.
39. Policy FC1 of the Mid Suffolk District Core Strategy Focused Review states that it takes a positive approach to sustainable development and, as with the NPPF requirements, the Council will work proactively with developers to resolve issues that improve the economic, social and environmental conditions in the area. Related policy FC1.1 makes it clear that for development to be considered sustainable it must

be demonstrated against the principles of sustainable development. The policy goes on to say that proposals for development must conserve and enhance the local character of the different parts of the district and how it addresses the key issues of the district.

40. The settlement of Thurston is one of the two largest villages in the district of Mid Suffolk (with the other being nearby Elmswell) where a wide range of local services and local infrastructure is provided. Thurston has both a primary and a secondary school, and a number of other local facilities which act as a service to the inhabitants of the village as well as providing employment opportunities. Whilst Thurston does not have a doctor's surgery, there is one in Woolpit and another in Moreton Hall which is a reasonably short journey away either by car or via public transport.
41. Thurston is also unusual in that it has a railway station which provides access for the residents to be able to commute to Ipswich, Bury St Edmunds and further afield without having to use their cars. Thurston is also on a bus route with a number of designated stops within the village. As part of this scheme the applicant is proposing to provide bus shelters outside of the site to ensure that the future residents of the dwellings can access public transport conveniently without having to walk elsewhere in the village to get to the bus stops.
42. In relation to paragraph 7 of the NPPF, the proposals would contribute to building a strong, responsive and competitive economy through the creation of construction and related jobs and the on-going contribution to the local economy from the creation of up to 175 additional households in the area. The proposals would also contribute towards providing the supply of housing required to meet the needs of present and future generations and by having the potential to create a high quality built environment, as well as contributions towards affordable housing, the highway network and other social infrastructure (public open space, education, health care) through a CIL contribution, or where appropriate, a section 106 agreement.
43. It must also be remembered that paragraph 49 of the NPPF makes it clear that housing applications should be considered in the context of sustainable development. The applicant is proposing up to 175 dwellings in this instance and they have confirmed that it is their intention if they get planning permission to commence with work on site as soon as possible following the granting of their reserved matters application. To speed this up, they have agreed to have a shorter period than is usual to submit their reserved matters application (2 rather than 3 years) which helps to justify that as a developer, they are serious about delivering the houses. They have also signed an agreement with Mid Suffolk and Suffolk County Council to work as a group with the other 4 other developers in Thurston to contribute to and work together to achieve the necessary infrastructure within the area to make this and the other 4 schemes sustainable.
44. The Council's Sustainability Officer has objected to the scheme on the grounds that detail in terms of the build, orientation and energy efficiency of the dwellings has not been submitted. However, it should be noted that this scheme is in outline form and the applicant does not have to provide this information at this stage. This information can be addressed at the more appropriate reserved matters stage where full technical details of the layout, orientation and finish of the dwellings have to be provided.
45. Consideration of whether this proposal is considered to constitute sustainable development, having regard to the contents of policies FC1 and FC1.2 of the

Adopted Core Strategy Focused Review and the contents of the NPPF will be reached in the conclusion to this report.

Site Access, Parking And Highway Safety Considerations

46. Policy T10 of the Mid Suffolk District Local Plan provides criteria on highway considerations when assessing planning applications. This policy requires access points into and out of the site to be safe and an assessment made as to whether the existing local roads can suitably accommodate the impact of the proposal, whether adequate parking and turning spaces exist within the site and that the needs of pedestrians and cyclists have been met. This policy is considered to carry significant weight in the determination of this application as it is in compliance with paragraph 32 of the NPPF which requires all schemes to provide safe access for all.
47. A number of objections have been received to the scheme on the grounds that the use of a single access point into the site would be detrimental to highway safety and that the local road network is unsuitable for a development of up to 175 dwellings. Mention has specifically been made that some local junctions are unsafe at present (see Parish Council objection for details as well as the Local Highway Authority's consultation response), particularly those adjacent to the railway bridge to the south of the village and that this scheme will exacerbate this problem as more vehicles will be using these junctions to access local roads, particularly the A14 to reach other destinations further afield. Comments have also been received that this scheme cumulatively with the other 4 schemes that have been submitted in Thurston for residential development will cause a significant and severe impact on the road network in the locality.
48. The site is located to the north east of the village with Sandpit Lane bordering the site to the west and Norton Road to the north. This proposal originally showed two access points; one off Norton Road and a second off Sandpit Lane. The Local Highway Authority originally objected to this layout, on the grounds that the access off Norton Road was not safe and could not be altered to be made safe. They also commented that the proposal lacked a footpath link from the existing part off Church Road to the edge of the site and that the above was contrary to paragraph 32 of the NPPF which requires safe access for all. The applicant has subsequently amended the scheme in line with the comments made by the Local Highway Authority.
49. The Local Highway Authority has considered the cumulative impact of this proposal on the highway network in Thurston and they have come to the conclusion that the impact of the 5 scheme if they all come forwards will be severe. However, they have made it clear that the NPPF requires all public bodies to try and resolve problems and they are confident that if all 5 developers work together those suitable and cost effective alterations can be made to the highway network to ensure that the impact does not constitute a severe one. The Local Highway Authority has assessed the road network and has suggested alterations and improvements to key areas of it (see the Local Highway Authority's consultation response earlier in this report for more information) which all 5 developers have been asked to contribute towards through either a section 106 agreement or through the Highways Act. All 5 developers which include Hopkins Homes have agreed to contribute towards the works as requested by the Highway Authority. For the Hopkins proposal, the Highway Authority is requesting £94,724 via a S106 agreement, a further £72,333 under section 278 of the Highway Act and a further £30,000 under section 38 of the Highway Act. As such, this proposal no longer fails the requirements of paragraph 32 of the NPPF when considered cumulatively with the other 4 residential schemes as the impact with the alterations carried out to the highway network will no longer be severe.

50. The Local Highway Authority identify that the scheme will offer sustainable travel options to local residents as additional pavements and bus shelters are proposed and these will link up to both existing facilities and those proposed on neighbouring sites by the other developers seeking at the moment to build houses in Thurston. This will help to improve accessibility on foot and via public transport and will ensure that the site is accessible to the local railway station. The Local Highway Authority is also recommending that the applicant is obligated via a S106 agreement to provide a travel plan to ensure that there are sustainable transport options available to the new residents of the scheme rather than just having to rely on their private cars to access local facilities.
51. Having regards to the specific and cumulative highway impacts of the scheme when considered in line with the requirements of paragraphs 21 and 32 of the NPPF the Local Highway Authority has had regards to the fact that in some locations, the impact of the granting of 827 dwellings will be severe on the highway network, but these impacts can successfully be mitigated by the works to the network as suggested. Having regards to the above, it is considered that the proposal complies with the requirements of policy T10 of the local plan and paragraph 32 of the NPPF, in that safe and suitable access for all people can be achieved and that cost effective improvements can be undertaken to the transport network to ensure that non-motorised modes of transport can be used to access local facilities.
52. Concerns by the objectors in terms of the impact of construction traffic on the surrounding highways network, can be controlled by the imposition of a suitable condition should this scheme be granted planning permission. As the application is in an outline form, the indicative layout shows that a suitable internal layout, which would be up to the Council's highway standards, could be provided at reserved matters stage.
53. It is of merit to also note, that a public right of way (PROW) runs along the eastern end of the site and is to be incorporated into the green open part to the eastern end of the site. Having consulted with the SCC PROW Officer, it is noted that no objections have been received in relation to this aspect of the scheme.

Design And Layout [Impact On Street Scene]

54. Section 7 of the NPPF refers to design. Specifically, paragraph 56 states that good design is a key aspect of sustainable development; it should contribute positively to making places better for people. Decisions should aim to ensure that development will function well and add to the overall quality of the area, establish a strong sense of place, create attractive and comfortable places to live, work and visit, optimise the potential of the site to accommodate development, create and sustain an appropriate mix of uses and support local facilities and transport networks. Furthermore it provides that development should respond to local character and history, and reflect the identity of local surroundings and materials, while not preventing or discouraging appropriate innovation. The NPPF goes on to state it is "proper to seek to promote or reinforce local distinctiveness" (para 60) and permission should be "refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions" (para 64). In addition policy CS5 provides that "*All development will maintain and enhance the environment, including the historic environment, and retain the local distinctiveness of the area*" and echoes the provision of the NPPF.

55. Objections have been received stating that the site is currently an open field and that dwellings of the scale and density of the proposal, particularly in reference to the indicative plans to build of 2 to 3 storey dwellings on site is considered to be inappropriate and not in keeping with the locality.
56. The application is in outline form and the plans as submitted provide an indicative layout of how the scheme could potentially look should this outline planning application be approved which relates to the principle of the development of the site. The area to the west and to the south of the site is residential in character. The dwellings to the west that border Sandpit Lane are modern predominantly two storey properties with the properties that run along the southern boundary of the site being a mixture of single and two storey properties again of relatively recent design and construction. The applicant has indicatively shown a layout which is considered to be in keeping with the residential character of the area and this can be altered to take on the concerns of any consultees and local residents at the reserved matters stage. Furthermore, the density of the scheme at approximately 24 dwellings per hectare is low and appropriate to its location and does not reflect the comments of the objectors who consider this scheme to be high density.
57. Having regards to the above, it is considered that the scheme in terms of its suggested layout constitutes good design in line with the requirements of the NPPF and local policy CS5 as it proposes a form of development that would reflect the character and appearance of the surrounding streetscape.

Parish Plan / Neighbourhood Plan

58. A Neighbourhood Plan designation was confirmed in 2013 and covers the Parish of Thurston. At the time of the consideration of this proposal the parish have set up a neighbourhood Plan Committee to prepare the policies for the new Neighbourhood Plan. Both the Parish Council and their Neighbourhood Plan Committee have objected to this scheme with the latter raising objections based on some of the early work that they have carried out for the evidence base for the new plan.
59. The Planning Practice Guidance identifies that *“Paragraph 216 of the National Planning Policy Framework sets out the weight that may be given to relevant policies in emerging plans in decision taking. Factors to consider include the stage of preparation of the plan and the extent to which there are unresolved objections to relevant policies. Whilst a referendum ensures that the community has the final say on whether the neighbourhood plan comes into force, decision makers should respect evidence of local support prior to the referendum when seeking to apply weight to an emerging neighbourhood plan. The consultation statement submitted with the draft neighbourhood plan should reveal the quality and effectiveness of the consultation that has informed the plan proposals. And all representations on the proposals should have been submitted to the local planning authority by the close of the local planning authority’s publicity period. It is for the decision maker in each case to determine what is a material consideration and what weight to give to it”*.
60. As such, whilst it is ultimately for Members to determine the weight that should be given to the plan, whilst it is at an early stage in its development, it is the view of Officers that little material weight can be given at this time.

Landscape Impact

61. Paragraph 58 of the NPPF states that proposals should provide appropriate landscaping to ensure that they integrate well into the surrounding locality. This

requirement is repeated in one of the requirements of policy H13 of the Mid Suffolk District Local Plan. It is proposed to retain and strengthen the hedging on the southern part of the site and also part of the site from the dwelling on Norton Road down to the part where the existing public footpath runs through the site. The most eastern part of the site, which is bordered by Norton Road and Church Road, is the most visible from the surrounding open countryside and which would cause most harm to the surrounding countryside if developed. The indicative plans show that this is to remain undeveloped and act as an attractive green buffer between the scheme and the surrounding open countryside.

62. Objections have been received to this proposal on the grounds that the site lies in an exposed location and that the approval of this scheme will erode the intrinsic beauty and the character of the surrounding open countryside. The County Landscape Officer has been consulted on this scheme and following the submission of the amended plans he has not raised any objections to this scheme. He acknowledges that it will change the character and appearance of the surrounding open countryside, but with suitable landscaping and the provision of the green open space on the eastern side of the site its impact will be minimised both in the medium and longer term.
63. Having regards to the requirements of policy H13 of the MSDC Local Plan and paragraph 58 of the NPPF, it is considered that the scheme provides substantial landscaping both within and on the boundaries of the site to ensure that it assimilates well into the rural edge of Thurston and provides an attractive environment both for the new residents of the site and those living in the surrounding locality.

Residential Amenity

64. Policies within the adopted development plan require, inter alia, that development does not materially or detrimentally affect the amenities of the occupiers of neighbouring properties. This requirement is emphasised in the NPPF Core Values in paragraph 17 where it states that all schemes should seek a good standard of amenity for all existing and future occupants of land and buildings.
65. Objections have been received to this scheme on the basis that the dwellings running along the southern part of the site will be too close and have a negative impact on the living conditions of the occupiers. It has been noted from the site visit, that many of the properties that face north into the site on Sandpit Drive, Victoria Close and Oakfield Road have a number of windows that face into the field with a number of them not having their own boundaries between the field and their gardens and relying on the hedgerow, which is sparse in places as the boundary.
66. However, the application is in outline form with the layout plan only being indicative. The indicative plan shows the dwellings along the southern buffer of the site being separated from the existing dwellings by the estate roads and the hedging along the site boundary being strengthened. It is considered that at reserved matters stage that a suitable layout can be drawn up which would not have a negative impact on the living conditions of the surrounding neighbouring occupiers in terms of loss of privacy and residential amenity.
67. Objections to the scheme have been submitted on the grounds that the erection of houses in close proximity to the 'The Victoria Public House' which lies on the corner of Norton Road and Sandpit Lane will have a negative impact on the operation of the public house which has events both internally and externally which generate noise and nuisance. This concern has also been raised by the Council's Environmental

Health Officer. As stated above, the layout of the site is indicative and whilst dwellings have been shown adjacent to the public house, these could be removed from the scheme that is submitted at reserved matters stage to ensure that noise and nuisance matters are minimised. The reserved matters layout could also take on board the comments raised and propose a form of suitable screening and/or landscaping in this location to further reduce the impact of noise from the users of the public house. It must also be emphasised that anybody buying a house adjacent to a public house must appreciate that such premises will generate noise as stated in paragraph 123 of the NPPF and whilst measures can be put in place to reduce noise impacts, these will never be completely ameliorated whilst the building continues to operate as a public house.

68. It is considered that this proposal does not give rise to any significant concerns of loss of neighbour amenity by reason of noise, form, design, the distance between the dwellings and the substantial landscaping that is proposed along the periphery of the site and as such the proposal meets the relevant NPPF core value in paragraph 17.

Environmental Impacts - Ecology And Land Contamination

69. The application site is a grade 3b agricultural parcel of land which is adjacent to the built up part of Thurston. As the site is in an agricultural use, there is limited tree cover within the site with the majority of the trees and hedging being along the field boundaries.
70. Numerous objections have been received to this scheme on the basis that the loss of the field to create residential development will have a negative impact on animal species, particularly protected species in the locality.
71. Regulation 9(5) of the Conservation of Habitats and Species Regulations 2010 (Implemented 1st April 2010) provides that all "competent authorities" (public bodies) to "have regard to the Habitats Directive in the exercise of its functions." In order for a Local Planning Authority to comply with regulation 9(5) it must "engage" with the provisions of the Habitats Directive.
72. The content of paragraph 118 of the NPPF is also applicable to the consideration of this proposal as it states that when determining planning applications, consideration must be given to 6 principles. The two following principles are applicable to this scheme:
73. If significant harm is caused which cannot be avoided or mitigated by conditions then planning permission should be refused.
74. Opportunities to integrate biodiversity in and around developments should be supported.
75. The County Ecologist has been consulted on this application and they have commented that as the majority of the site is in agricultural use, it will offer limited habitat for protected species. However, bats have been noted in the locality and she considers that in line with the requirements of the directive above and the contents of paragraph 118 of the NPPF that the scheme can be made acceptable by the imposition of conditions to control aspects such as the impact of street and residential lighting and to ensure that natural features such as the hedgerows around the site are protected during the construction of the scheme to protect habitat. It was

also noted that new habitat is proposed as part of the scheme and that a large part of the site to the east is to be retained as open space.

76. Paragraph 121 of the NPPF makes it clear that planning decisions should make sure that the site is suitable for its new use taking account the hazards of any previous use. As the site is currently a field, subject to historical agricultural practices which could have included the spraying of crops with chemicals, and part of the site appears to have been subject to historical landfill waste, a contaminated land report has been submitted to the council for consideration. The Council's Contaminated Land Officer in the Environmental Health team has reviewed the report and has advised that subject to the imposition of conditions, he does not object to the scheme. Therefore, it is considered that it is in compliance with paragraph 121 of the NPPF.

Heritage Issues (The Setting Of Neighbouring Listed Buildings)

77. Both the NPPF and Core Strategy place significant emphasis on safeguarding heritage as an important component of sustainable development.
78. With reference to the treatment of the submitted application, the Council embraces its statutory duties and responsibilities in relation to listed buildings, notably the general duties under sections 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 which requires the local planning authority to have "*special regard to the desirability of preserving [a] building or its setting or any features of special architectural or historic interest which it possesses*".
79. Recent case law on the application of the statutory duty acknowledges that the consideration of the impact of a proposed development on the significance of a designated heritage asset is a matter for its own planning judgement, but that the Local Planning Authority is required to give any such harm considerable importance and weight. However, where special regard to the desirability of preserving heritage assets has been paid and no harm is considered to be posed, the 'balancing' of harm (which should be given considerable weight as above) against public benefits as required by the NPPF, is not engaged.
80. Policy HB1 (Protection of Historic Buildings) places a high priority on the protection of the character and appearance of historic buildings, particularly the setting of Listed Buildings.
81. In paragraph 17 of the NPPF it makes it clear that development should "*conserve heritage assets in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of this and future generations*". Para 131 goes on to state that "*In determining planning applications, local planning authorities should take account of; the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation; the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and the desirability of new development making a positive contribution to local character and distinctiveness.*" Furthermore Para 132 states "*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 more important the asset, the greater the weight should be. Significance can be harmed or lost through alteration or destruction of the heritage asset or development within its setting. As heritage assets are irreplaceable, any harm or loss should require clear and*

convincing justification.”

82. Objections have been received to this scheme on the basis that the proposal is harmful to the setting of three listed buildings. These being the Church of St Peter which is grade II listed, Manor Farm Barn which is grade II* listed and the converted barns to the north of this building which are grade II listed. Manor Farm lies to the north of the eastern field which forms part of this application and is screened from the site by existing trees to its south which separates it from the field adjacent to Norton Road. The listed converted buildings are further north and are also screened from the field which adjoins them and the site by substantial tree screening. The Church of St Peter lies to the east of Church Road and is screened from the site by a group of dwellings to the west. However, due to the height of the church, it is visible from the site and from Norton Road.
83. Historic England and the Council's Heritage Officer have been consulted on the application and they both consider that the proposal will cause harm to the setting of these three listed buildings as they are rural based buildings in an open countryside location. Both have identified that the harm will potentially be limited with the result that the proposal must be considered to be less than substantial harm and assessed in line with the requirement of paragraph 134 of the NPPF where the harm needs to be considered and weighed against the wider public benefits that the scheme will bring forwards. It is also worth noting that the Suffolk Preservation Society supports this scheme and considers the impact on the adjacent listed buildings to be minimal if even there is any harm to their settings generated at all.
84. As there are 5 different applications for major housing development in the northern part of Thurston, the Council's Heritage Officer has been asked to consider the cumulative impact of this scheme in relation to the others. Of the 5 applications, the application by Pigeon Capital for 200 homes plus a school on land at Norton Road (5070/16) lies to the north of the Hopkins site and in combination with each other both schemes will have a cumulative impact on the setting of the listed buildings. It is considered that the other 3 sites are too far removed from the listed buildings to cause impact and as such, the Heritage Officer has been asked to consider the cumulative impact of the Hopkins and Pigeon scheme together on the three listed building previously referred to. He has stated that in his opinion the cumulative harm to the Grade II* Listed farm house would not be greater than medium and the harm to the church would be somewhere between low and medium and as such it is up to officers in line with the NPPF to assess if the harm to the listed buildings is outweighed by the public benefits that the scheme brings as outlined in paragraph 134 of the NPPF.
85. It is considered that as the Council does not have a 5 year supply of housing as required by paragraph 47 of the NPPF (the current supply is 3.9 years) that the proposal will help to contribute towards this deficit by providing up to 175 new dwellings. The scheme will also deliver 35% of the dwellings as affordable houses to help to meet the need in the locality and further contributions which cover matters such a new primary school and pre-school facility as well as providing CIL money to facilitate improvements to the doctor's surgery in Woolpit, to the local library and safety improvements at the Thurston Railway Station. The scheme will also contribute towards improvements to the infrastructure of the local area by installing a new pavement and bus shelter on Sandpit Lane and the creation of a new pavement on Church Road to link the site up to the existing pavement within the village. On a more strategic level, the scheme will also contribute towards improvements to the highway network in and around Thurston to ensure that the road network remains safe for its users.

86. The public benefit of this proposal when considered on its own is highlighted above, but when the above is considered cumulatively with the adjacent Pigeon site, which will also deliver additional houses, provide land for a new primary school and contributions towards the cost of building it, which also including a pre-school and highway infrastructure contributions and also provides CIL money to facilitate bids for library, doctor's surgery and railway station improvements, it is considered that the cumulative benefits of both schemes outweigh the low to medium harm that the proposals will have on the heritage assets identified in this report.

Environment And Flood Risk

87. Paragraph 100 of the NPPF makes it clear that inappropriate development in areas of flood risk should be avoided by directing development away from areas of highest risk. The contents of policy CS4 of the Mid Suffolk Core Strategy is in line with the requirements of the NPPF in terms of flood risk and carries significant weight in the determination of this application. In terms of flooding from rivers, the site complies with local and national policy as it lies in a flood zone 1 area which is land at least risk of flooding. To deal with surface water, the applicant is proposing a pond filled with reed within the north east corner of the site with the surface water flow from the site channelled into it.
88. Objections have been received stating that the site floods to a considerably worse extent than that identified in the Flood risk assessment. Anglian Water and the County Flood and Water team have been consulted on this proposal and both organisations have advised that they do not object to the scheme subject to the imposition of a condition requiring additional technical details relating to the submitted drainage strategy.
89. Due to unprecedented level of growth currently suggested for Thurston, the Environment Agency, County Flood and Water team and Anglian Water have been specifically asked to consider the cumulative impact of this proposal on drainage, flood risk and water supply grounds. They have advised that an increase of 827 dwellings with the mitigation measures proposed by the applicants will not increase flood risk in the locality to an unacceptable level+. Confirmation has also been received that there is capacity in the local pumping station to serve 827 new dwellings in terms of sewage needs. Thurston lies in an area where water supply can be an issue, however Anglian Water has a duty by law to supply new houses with a water supply and this is a matter for them to resolve under their legislation.
90. Having regards to the above, it is considered in terms of flood risk, drainage, water supply and drainage that the scheme when either considered singularly or cumulatively can be made acceptable subject to the imposition of a suitably worded condition to meet the requirements of paragraph 100 of the NPPF and policy CS4 of the Mid Suffolk Core Strategy.

Infrastructure - Planning Obligations / CIL contributions

91. Objections have been received to this scheme on the grounds that the local infrastructure, which includes the local schools and health care, is insufficient to meet the need of the residents of this proposal. Comment has been made that if the scheme is approved without suitable provision, then it will cause significant impact on

the existing community of Thurston.

92. The Council has now implemented CIL which accordingly takes on board requirements such as open space contribution, NHS and education contributions.
93. As part of this proposal the following contributions will be sought under the Council's CIL Scheme:
94. For the future expansion of the doctor's surgery in Moreton Hall which the residents of this scheme would use.
 - For improvements to the local library provision.
 - Safety improvements to the Thurston Railway station.
95. Objections have been received to this scheme on the grounds that a new doctor's surgery will not be provided and that the scheme will only provide 'contributions' rather than actual facilities. It should be noted that the Primary Care Trust (PCT) has made it clear that due to the existing situation with doctors, their salaries and contracts and the government's policy in terms of the NHS that a new doctor's surgery will not happen in Thurston as part of any of the 5 schemes. The PCT will be requesting contributions through CIL in relation to all 5 schemes and the monies will be used to improve the service offered and/or improve the facilities at the Woolpit Surgery and at the Park Farm Surgery in Moreton Hall to meet the expected needs of the additional residents of the new dwellings in Thurston.
96. It has been identified following discussion with the County Infrastructure Officer that as suggested by the objectors and the Parish Council, there is no capacity in the local primary school to expand and as such a contribution of £706,477 is required towards the building of a new 420 place two form primary school in the locality. It has also been suggested that a further £66,664 is required for the provision of new pre-school in the locality to help meet the demand generated by this development. As the CIL 123 list does not include the provision of new pre-school or primary school facilities (it only covers extensions to existing establishments) these contributions will have to be sought under S106 of the Planning Act. The applicant initially indicated that they would not agree to the payment of this contribution as they considered that the matter could be resolved via a CIL contribution to extend the existing school. However, the appellant has indicated to the Council that they have now reassessed the situation as the County Council has made it clear that due to a deficit of land at the school it cannot be extended as it would fail the Department for Education standards for minimum school sizes (both buildings and land) and an extension would not be allowed.
97. Whilst the new school is being built, it has been suggested that the existing school will be provided with two temporary classrooms funded via CIL to cope on a 2 to 3 year period with the increase in pupils generated from the first phase of new housebuilding in Thurston (from any of the 5 sites currently under consideration) until the new school is built. Once that happens, the existing school will be closed and the existing pupils moved over to the new school and the new school will be extended as appropriate up to a capacity of 420 pupils to accommodate the primary school age children arising from any of the proposed housing sites in Thurston. It is understood that the Diocese who own the primary school have committed to ploughing the capital receipt that they receive for the development of the existing school site into the new school which is also to be funded by a joint contribution by all 5 of the developers proposing major housing schemes currently in Thurston.

98. Following further dialogue with the County Obligations Manager it is understood that progress is being made to secure options on the potential school sites proposed in other applications. The delivery of a new primary school is a necessary pre-requisite to mitigate the potential pressure on education infrastructure from the development and it has been agreed that a restrictive phasing condition is not necessary given the progress that has been made on options. Nevertheless the securing of a primary school site is a material consideration upon which the delivery of this development is predicated.
99. As is the case for new education buildings, affordable Housing is not part of CIL and members should note that policy to seek up to a 35% provision remains in effect. The applicant has confirmed that he is agreeable to provide a policy compliant scheme for affordable housing and that this will be achieved via a Section 106 contribution.
100. Network Rail has been consulted on this scheme and has asked for a contribution of £1million through a S106 agreement between all five developers to close the existing level crossing and to provide safer and improved facilities at Thurston Railway Station having regards to the increased use of the facilities that will occur from the residents of the proposed 827 dwellings. The Council's CIL 123 list includes provision for improvements to transport infrastructure. As such it is considered that it would be appropriate for Network Rail to bid for the specified amount to make the improvements they have requested to improve pedestrian safety at the station under the CIL scheme.
101. The Local Highway Authority has, as stated earlier in the report, asked for £94,724 under section 106 of the Planning act to pay for Hopkins Homes contribution for works to the highway infrastructure to ensure that the impact of approving all 5 housing schemes totalling 872 houses in Thurston is not severe on the highway network as referred to in paragraph 32 of the NPPF. Additional monies is also being ask for travel plan initiatives for this scheme to ensure that sustainable forms of transportation is available to local residents.
102. It is noted that the applicant has stated in his supporting statement that it is his intention to gift land adjacent to the church for use as an extension site to the existing graveyard. It must be noted that this land is outside the red line site boundary for this application and the provision of this land for an extension to the graveyard is not necessary to make this application acceptable in planning term and as such fails the CIL tests outlined above. However, as stated in the applicant's supporting documents, this land can be gifted to the church regardless of the outcome of this application through other non-planning means.
103. Having regards to the above, in accordance with the Community Infrastructure Levy Regulations, 2010, the obligations recommended to be secured above by way of a planning obligation deed are (a) necessary to make the Development acceptable in planning terms (b) directly related to the Development and (c) fairly and reasonably relate in scale and kind to the Development.

Details Of Financial Benefits / Implications (S155 Housing and Planning Act 2016)

- Council Tax payments from the dwellings when built
- Planning Delivery Grant from Central Government for delivering the dwellings
- S106 Agreement:
 - £706,447 is required towards the building of a new primary school in Thurston.
 - £55,642 towards the cost of the land to provide a new primary school.

£66,664 is required for the provision of new pre-school facility in Thurston
£94,724 is required for physical highway infrastructure works.

Travel Plan Travel Plan Evaluation and Support Contribution - £1,000 per annum from occupation of the 100th dwelling for a minimum of five years, or one year after occupation of the final dwelling, whichever is longer.

Travel Plan Implementation Bond, or cash deposit - £104,631 (£598 per dwelling – based on the estimated cost calculated by Suffolk County Council of fully implementing the travel plan). This is to cover the cost of implementing the travel plan on behalf of the developer if they fail to deliver it themselves.

- CIL payments per dwelling built on site.

PART FOUR – CONCLUSION

Planning Balance

104. The proposal for residential development on land at Sandpit Lane/Norton Road in Thurston and is considered to be contrary to the adopted Mid Suffolk Core Strategy as the application site lies within the countryside outside the built framework of the settlement of Thurston on what is open agricultural land.
105. However, as the housing policies in the Core Strategy are out of date due to the Council not having a deliverable five year supply of housing, this scheme falls to be considered in relation to paragraph 14 and 49 of the NPPF which relate to residential development and sustainable development.
106. Paragraph 14 states that where the development plan for the area is out of date permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF as a whole or specific policies in the NPPF which indicate that the development should be restricted. Whilst it has been identified that the proposal either when considered on its own or in combination with the four other residential schemes that are with the Council for consideration will have an adverse impact on the quality of the landscape character of the area, and that it will result in the irreplaceable loss of countryside and has an impact on the setting of three listed buildings in the locality and have a potentially severe impact on parts of the highway network, it is considered that the benefits that the scheme brings such as the provision of such as the provision of new housing of which 35% of them will be affordable, contributions towards local infrastructure such as the highways improvements, provision of open space and the new school that the appellant has agreed to contribute towards outweighs the negative issues.
107. Significant weight must also be given to the fact that there are no objections from the Council's consultees to the scheme. There are no objections in terms of design; crime prevention; amenity; pollution; contamination; ecology; landscape; flood risk and drainage either when considered in relation to the site or in combination with the 4 other proposed residential sites in Thurston.
108. In relation to highways impacts there are road safety impacts which can be addressed through mitigation at Fishwick Corner and other highways infrastructure improvements which weigh in favour of the scheme by providing enhanced sustainable links.

109. There remains a road safety and capacity issue at the A143 Thurston Road junction (adjacent to The Bunbury Arms). A number of solutions have been investigated and the current preferred solution is traffic signals. The highway authority consider that the effects of the development can be mitigated but further detailed work needs to be undertaken to obtain the most practicable and viable solution to address the risks. For this reason Committee is asked to reach a “minded to” resolution which reserves the local planning authority’s position pending the outcome of that detailed further investigation and junction design. Once the outcome of this investigation is known the application can be reported with a substantive recommendation to Committee.
110. Therefore, it is considered having regards to paragraph 14 of the NPPF that the benefit the proposal brings outweighs the negatives. Furthermore, when assessing the proposal against the NPPF it is not contrary to its requirements as a whole and there are no specific policies within it that would restrict this development and as such it is considered that it constitutes sustainable development which should be approved planning permission without delay in line with the requirements of paragraph 14.

Statement Required By Article 35 Of The Town And Country Planning (Development Management Procedure) Order 2015.

111. When determining planning applications The Town and Country Planning (Development Management Procedure) (England) Order 2015 requires Local Planning Authorities to explain how, in dealing with the application they have worked with the applicant to resolve any problems or issues arising.
112. In this case the planning authority has worked with the applicant to overcome highway objections to the scheme and to clarify issues relating to drainage and impact on listed buildings.

Identification of any Legal Implications of the decision

113. There are no known legal implications derived from the determination of this application.
114. The application has been considered in respect of the current development plan policies and relevant planning legalisation. Other legislation including the following has been considered in respect of the proposed development.
- Human Rights Act 1998
 - The Equalities Act 2012
 - Town & Country Planning (Listed Buildings & Conservation Areas) Act 1990
 - Natural Environment and Rural Communities (NERC) Act 2006 (any rural site)
 - The Conservation of Habitats and Species Regulations 2010
 - Localism Act
 - Consideration has been given to the provisions of Section 17 of the Crime and Disorder Act, 1998, in the assessment of this application but the proposal does not raise any significant issues.

RECOMMENDATION

That Committee express a “minded to” resolution, subject to the further investigation and reporting back of highway matters in relation to the A143 Thurston Road junction, on the following basis:

That the authority would be minded to delegate to the Corporate Manager - Growth & Sustainable Planning to grant full planning permission subject to the prior completion of a Section 106 or Undertaking on terms to his satisfaction to secure the following heads of terms:

- £706,447 is required towards the building of a new primary school in Thurston.
- £55,642 towards the cost of the land to provide the new primary school.
- £66,664 is required for the provision of new pre-school facility in Thurston
- 35% Affordable Housing to be transferred over to a Registered Provider
- To secure the provision of public open space to be managed by a dedicated management company
- £94,724 to secure off site highway improvement works as listed below:
 - Highway Improvement Contribution: £2333 contribution towards a Traffic Regulation Order (TRO) and associated works to extend the existing 30mph of speed limit on Norton Road eastwards to improve road safety for road users associated with the development. Payable prior to occupation of the first dwelling.
 - Highway Pedestrian Crossing Improvement Contribution: £10,000 Contribution towards provision of pedestrian crossing facilities at Norton Road / Station Hill / Ixworth Road junction to provide improved pedestrian access to the Academy and mitigate increase pedestrian and vehicle use. Payable on occupation of the first dwelling.
 - Highway Capacity Improvement Contribution: £10,000 Contribution towards improvements at the A143 Bury Road / C691 Thurston Road/ C649 Brand Road, junction at Great Barton to mitigate congestion at peak periods. Payable on commencement of work on site.
 - Highway Safety Improvement Contribution: £50,000 Contribution towards safety improvements at the C693 Thurston Road / C692 Thurston Road / C693 New Road including a contribution towards 40mph speed limit on the C692 Thurston Road to improve road safety and mitigate increased use. Payable on commencement of the first dwelling.
- To secure a travel plan in connection with the scheme detailed as follows:
 - Travel Plan Travel Plan Evaluation and Support Contribution - £1,000 per annum from occupation of the 100th dwelling for a minimum of five years, or one year after occupation of the final dwelling, whichever is longer.
 - Travel Plan Implementation Bond, or cash deposit - £104,631 (£598 per dwelling – based on the estimated cost calculated by Suffolk County Council of fully implementing the travel plan). This is to cover the cost of implementing the travel plan on behalf of the developer if they fail to deliver it themselves.

and that such permission be subject to the conditions as set out below:

- 1) Two year time limit for submission of reserved matters (as opposed to the usual 3 years)
- 2) Reserved matters (outline)

- 3) Existing tree protection
- 4) Contaminated land
- 5) Construction management agreement
- 6) External lighting
- 7) Commencement period for landscaping
- 8) Protection of birds during construction period
- 9) Works to be carried out in line with the ecological report.
- 10) Archaeology
- 11) Highway Conditions (covering site access, Internal layout, Construction management plan, highway drainage, footway and cycle connectivity)
- 12) Surface water drainage