

Committee Report

Item No: 1

Reference: 0408/17

Case Officer: Alex Scott

Ward: Bramford & Blakenham.

Ward Member/s: Cllr John Field. Cllr Kevin Welsby.

Description of Development

Application for Outline Planning Permission (with all matters reserved except for access) - Change of use of land from commercial nursery to residential - Erection of up to 20 no. new dwellings (5 no. proposed to be live/work units, and 7 no. proposed to be affordable housing), alterations to existing vehicular access, and creation of pedestrian footway (Following demolition of existing nursery buildings)

Location

By-Pass Nurseries, Bramford Road, Bramford,

Parish: Bramford

Site Area: 1.5ha

Conservation Area: No

Listed Building: No

Received: 30/01/2017

Expiry Date: 22/09/2017

Application Type: OUT - Outline Planning Application

Development Type: Major Large Scale - Dwellings

Environmental Impact Assessment: Environmental Assessment Not Required

Applicant: Mr Mecklenburgh

Agent: Mr B Willis

DOCUMENTS SUBMITTED FOR CONSIDERATION

This decision refers to drawing number 8323/01 received 30/01/2017 as the defined red line plan with the site shown edged red. Any other drawing showing land edged red whether as part of another document or as a separate plan/drawing has not been accepted or treated as the defined application site for the purposes of this decision.

The plans and documents recorded below are those upon which this decision has been reached:

- Indicative Storey Heights Plan - 8323-07A - Received 03/03/2017

- Indicative Refuse Collection Plan - 8323-08A - Received 03/03/2017

Affordable Housing Plan - Indicative - 8323-09A - Received 03/03/2017

Defined Red Line Plan 8323/01 - Received 30/01/2017

Highway Access Plan 17-000-PL-02 - Received 14/06/2017
Block Plan - Proposed - Indicative - 8323-02A - Received 03/03/2017
Site Plan 8323-03 - Received 30/01/2017
- Indicative Garden Compliance Plan - 8323-05 - Received 30/01/2017
Parking Layout - Indicative - 8323-06A - Received 03/03/2017
Materials Schedule - Indicative - 8323-10A - Received 03/03/2017
Hard Landscaping - Indicative Boundary Treatment Plan - 8323-11A - Received 03/03/2017
Hard Landscaping - Indicative Boundary Treatment Plan - 8323-12 - Received 30/01/2017
Street Scene - Proposed - Indicative - 8323-13A - Received 03/03/2017
- Proposed live/work units indicative Elevations and Floor Plans - 8323-15 - Received 10/04/2017
- Proposed live/work units indicative location plan - 8323-16 - Received 10/04/2017
Arboricultural Assessment Plan - Existing and Proposed Indicative - 5244/D - Received 30/01/2017

The application, plans and documents submitted by the Applicant can be viewed online at www.midsuffolk.gov.uk. Alternatively a copy is available to view at the Mid Suffolk and Babergh District Council Offices.

PART ONE – REASON FOR REFERENCE TO COMMITTEE

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

The Corporate Manager - Growth and Sustainable Planning considers the application to be of a controversial nature having regard to the planning reasoning expressed by the Parish Council and / or the extent and planning substance of comments received from third parties and / or the location, scale and / or nature of the application.

It is a “Major” application for:

- a residential land allocation for 15 or more dwellings

PART TWO – APPLICATION BACKGROUND

History

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:

2255/16	Application for Outline Planning Permission for the demolition of buildings and the change of use of land from commercial nursery to land for residential development. Alterations of vehicular access and creation of pedestrian foot way	Withdrawn 09/12/2016
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All Policies Identified As Relevant

The proposal has been assessed with regard to adopted development plan policies, the National Planning Policy Framework and all other material considerations. Highlighted local and national policies

are listed below. Detailed assessment of policies in relation to the recommendation and issues highlighted in this case will be carried out within the assessment:

Summary of Policies

NPPF - National Planning Policy Framework
FC01 - Presumption In Favour Of Sustainable Development
FC01_1 - Mid Suffolk Approach To Delivering Sustainable Development
FC02 - Provision And Distribution Of Housing
FC03 - Supply Of Employment Land
CS01 - Settlement Hierarchy
CS03 - Reduce Contributions to Climate Change
CS04 - Adapting to Climate Change
CS05 - Mid Suffolk's Environment
CS06 - Services and Infrastructure
CS07 - Brown Field Target
CS09 - Density and Mix
GP01 - Design and layout of development
H04- Altered Policy H4
H13 - Design and layout of housing development
H14 - A range of house types to meet different accommodation needs
H15 - Development to reflect local characteristics
H16 - Protecting existing residential amenity
H17 - Keeping residential development away from pollution
CL08 - Protecting wildlife habitats
E04 - Protecting existing industrial/business areas for employment generating uses
T02 - Minor Highway improvements
T09 - Parking Standards
T10 - Highway Considerations in Development
RT12 - Footpaths and Bridleways

List of other relevant legislation

- Human Rights Act 1998
- 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.

Details of Previous Committee / Resolutions and any member site visit

None.

Details of any Pre Application Advice

None, however prior advice was given during course of prior application 2255/16 which was withdrawn pending the current re-submission.

Consultations and Representations

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

A: Summary of Consultations

Bramford Parish Clerk

Oppose the application - Proposal would result in overcrowding of the site - Reluctant to see the removal of the existing hedging along the road-facing boundary - Request further information as to who would be expected to maintain a hedge adjacent to the road in the interest of highway safety - Concern with regards the proposed new access for the existing dwelling at Nursery Cottage - Concern that proposal would build on the last remaining space that separates Ipswich from the village and Bramford residents wish to maintain a separate identity from Ipswich - Consider the proposed public footpath to be unsuitable for residents on the development to access village facilities, as this path directs pedestrians along an unmade public footpath inaccessible during inclement weather conditions - Should residents wish to access facilities in Ipswich they will be forced to make a number of road crossings, as will children attending the village primary school - Concern that the proposed layout shows plot 6 to be over a soakaway drain - question who will be responsible for the maintenance of the green space proposed on the plan.

SCC - Highways

No objection on basis of proposed access plan ref. 17-000-PL-02, received 14 June 2017, subject to compliance with suggested conditions.

SCC - Rights Of Way Department

No objection - Note public footpath 32 is recorded adjacent to the proposed development area.

Bob Boardman - Ramblers Association

No response received.

Economic Development & Tourism

No objections should the 5 no. live work units be provided on site as indicated - would welcome discussion regarding the final layout, format, size and location of the live/work units prior to a reserved matters submission.

Landscape - Place Services

Proposal will have a low impact in terms of likely visual effect on the surrounding landscape character due to its enclosed character - Recommend final layout retains existing vegetation between the railway line and the residential development as a landscape buffer, wildlife corridor, and green amenity space linked with existing public rights of way - Detailed layout should be produced in accordance with a landscape strategy which conforms to the recommendations set out in the habitat survey report and landscape visual impact assessment provided with the application - Recommend a detailed landscape planting plan, landscape maintenance plan and specification are provided as part of a planning condition, if the application is approved.

Suffolk Wildlife Trust

Satisfied with the findings and recommendations of the ecological report provided with the application.

SCC - Archaeological Service

There are no grounds to consider refusal of permission in order to achieve preservation in situ of any important heritage assets. However in accordance with NPPF paragraph 141, any permission granted should be the subject of a planning condition to record and advance understanding of the significance of any heritage asset before it is damaged or destroyed.

Environmental Health - Land Contamination

No objection - However, as the land contamination assessment of the site has identified several moderate, moderate to low, and low risk potential sources of contamination from on-site and off-site sources recommend a condition requiring further contaminated land investigation and remediation prior to commencement.

Environmental Health - Sustainability Issues

No objections to the application subject to a condition that ensures the development is designed and constructed in the manner offered by the sustainable development and construction statement provided.

Environmental Health - Noise/Odour/Light/Smoke

No objection to the proposed development should acoustic grade fencing be erected to the gardens of dwellings to the western boundary of the site, and acoustic ventilation to be applied to the western, northern and southern facades of selected properties in order to mitigate noise from passing trains.

SCC - Flood & Water Management

Recommend approval subject to conditions requiring the submission of a surface water drainage scheme and surface water management plan.

SCC - Fire & Rescue

The proposal will require additional fire hydrants however the precise number will not be known until the water planning stage.

Anglian Water

The sewerage system at present has available capacity for these flows - The foul drainage from this development is in the catchment of Ipswich Cliff Quay Water Recycling Centre - The preferred method of surface water disposal would be to a sustainable drainage system (SuDS).

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

The application is for up to 20 residential dwellings and triggers an affordable housing provision requirement of 35% under policy H4 of the Development Plan - This equates to the on-site delivery of 7 no. affordable housing units - Recommend 5 units are provided for Affordable Rent Tenancy (2 x 1 bedroom flats and 3 x 2 bedroom houses) and 2 units for Shared Ownership (1 x 2 bedroom house and 1 x 3 bedroom house).

SCC - Corporate S106 And Education

Intention is to bid for CIL monies contribution towards primary, secondary and pre-school education and libraries.

Network Rail

No objection subject to the developer being made aware of their responsibilities regarding future maintenance, drainage, plant and materials, scaffolding, piling, fencing, lighting, noise and vibration, landscaping adjacent to the railway boundary.

B: Representations

Three letters raising concern or objection to the application proposal have been received, the content of which are summarised below:

- The pedestrian route from the proposed development to the village school and shops will mean crossing the main B1067 highway twice, and to catch a bus to Ipswich and the High Schools it will need to be crossed three times - concern with regards pedestrian safety;
- The pavements are narrow and not really suitable for pedestrians;
- The proposed separate vehicle access to the existing Nursery Cottage would be dangerous;
- The traffic and highways situation would make this already dangerous area even worse;
- It would be very dangerous for vehicles entering and exiting and for the vehicles already on the highway;
- The site, with its trees, flora and fauna provides a buffer between Bramford and Ipswich, a green corridor that residents of Bramford are keen to keep;
- The development would be detrimental to the character of Bramford by linking the built up area along Bramford Road and losing its identity as a separate rural area;
- Bramford should remain separate from Ipswich;
- The existing public footpath to the rear of the site is narrow, overgrown and often muddy with no lighting - this is not considered to be a practical route into Bramford.

PART THREE – ASSESSMENT OF APPLICATION

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.

1. The Site and Surroundings

- 1.1. The site extends to approximately 1.5 hectares and lies to the western side of Bramford Road, Bramford.
- 1.2. The site operated as a commercial nursery from the early 1940's to the late 1990's. The site was last used as a stone yard which has also recently closed.
- 1.3. The site comprises the remains of the former nursery buildings and glass houses. The existing brick and concrete structures have a cumulative floor area of approximately 300 square metres and the remaining glass houses and ancillary structures have a cumulative floor area of approximately 2,800 square metres. The site is currently disused and overgrown.
- 1.4. The site is served by an existing vehicular access onto Bramford Road which served the previous commercial businesses on the site.
- 1.5. The site lies outside of the village settlement boundary, which lies adjacent to the north-east. And a public footpath (public footpath no. 32) runs adjacent to the south and west boundaries of the site.

1.6. Existing residential properties lies to the south of the site with a health club and spa complex to the south-east. The neighbouring dwelling of Firlawns lies adjacent to the north-east of the site with the village allotments further to the north. To the west, across the Bramford Road Highway lies a green field with the A14 trunk road beyond. To the east, beyond the public right of way, runs the main Ipswich to Bury St. Edmunds rail line.

2. The Proposal

2.1. The application seeks outline planning permission (with all matters reserved except for access) for the erection of up to 20 no. new dwellings on the site. 5 no. of the proposed new dwellings would be provided as live/work units and 7 no. would be provided as affordable housing. The application also proposes the alteration and improvement of the existing vehicular access to Bramford Road, including the creation of a pedestrian footway along the frontage of the site adjacent to the western side of Bramford Road. The application proposes a density of 13.33 dwellings per hectare (however this does include land to the west of the site proposed as a green amenity area/landscape buffer zone/biodiversity corridor and the far south of the site which comprises the existing dwelling at Nurseries Cottage and its curtilage).

2.2. Indicative information provided with the application shows the proposed dwellings would be two-storey in scale with single-storey detached garages all with on-site parking and large private rear gardens.

2.3. The indicative layout also proposes an area of green space to the west of the site, between the development and the public right of way and railway line. This is intended to serve as public open space, a green buffer zone and wildlife corridor.

3. National Planning Policy Framework

3.1. 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.

4. Core Strategy

4.1. Summary of relevant policies Core Strategy 2008 and Core Strategy Focused Review:

- o FC1 - Presumption in favour of sustainable development
- o FC1.1 - Mid Suffolk's approach to delivering sustainable development
- o FC2 - Provision and distribution of housing
- o FC3 - Provision and distribution of employment related development
- o CS1 - Settlement hierarchy
- o CS3 - Reduce contributions to climate change
- o CS4 - Adapting to Climate Change
- o CS5 - Mid Suffolk's Environment
- o CS6 - Services and Infrastructure
- o CS7 - Brown field target
- o CS9 - Density and Mix of Housing

6. Saved Policies in the Local Plans

6.1. Summary of saved policies in the Mid-Suffolk Local Plan adopted June 1998:

- o GP1 - Design and layout of development
- o H4 - Affordable housing in new housing developments
- o H13 - Design and layout of housing development
- o H14 - A range of housing to meet different accommodation needs
- o H15 - Development to reflect local characteristics
- o H16 - Protecting existing residential amenity
- o H17 - Keeping residential development away from pollution
- o CL8 - Protecting wildlife habitats
- o E4 - Protecting existing industrial/business areas for employment generating uses
- o T2 - Minor highway improvements
- o T9 - Parking Standards
- o T10 - Highway considerations in development
- o RT12 - Footpaths and bridleways

7. The Principle Of Development

7.1. It is noted that the Parish Council and other third party representations raise significant concerns with regards to the sustainability of the site, particularly with regard to;

- o The requirements of the NPPF to be taken as a whole;
- o The fact that the site lies outside of the settlement boundary of the village, as detailed in the local plan;
- o That the employment generated by the construction would be only a short term gain and Sustainability is long term;
- o The proposal does not meet the environmental role. The lack of existing walking and cycling into the village does not support claims that this would occur here;
- o There is little employment in the village;
- o Bramford Parish Council considers that sites should be assessed through a strategic allocations process before speculative applications are considered;
- o The approval of sites outside other settlements does not provide a precedent;
- o The details cannot be fully considered when dealing with an outline application.

7.2. Paragraph 49 of the NPPF states that: "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."

7.3. Mid Suffolk District Council does not have this housing land supply at this time and, as such, the Council's housing supply policies are not considered to be up to date and not, therefore, to carry due weight when assessing the principle of development.

7.4. Paragraph 14 of the NPPF states in this respect: "For decision-taking this means: approving development proposals that accord with the development plan without delay; and where the development plan is absent, silent or relevant policies are out of date, granting permission unless: any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole; or specific policies in this Framework indicate development should be restricted"

7.5. In light of this, as the development plan is considered out of date in terms of the Council's housing supply policies, it is necessary to consider that, nevertheless, the NPPF requires that development be sustainable and assess whether the adverse impacts outweigh the benefits when considered in the whole.

7.6. 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:

7.7. 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

7.8. 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."

7.9. While the application site does not lie within the settlement boundary of the village, it is very much a part of its existing settlement pattern. The village is also defined as a key service centre in policy CS1 of the development plan and benefits from a range of services required to meet the day to day needs of residents. It is not disputed that the site does not benefit from a continuous footpath link to the centre of the village as this is on the opposite side of the Bramford Road. However, neither do any of the existing properties at this side of the village and the existing paved footpath network is considered adequate in providing a pedestrian link to the centre of the village and to Ipswich. The proposal would result in a marginal increase in pedestrian traffic and the proposed new paved footway along the site frontage is considered to improve the existing situation.

7.10. The proposal site is also located in close proximity to Ipswich with regular bus services available to the town centre at such times as to be viable for employment purposes. Villages are, by their very nature, a mixture of people of varying characters and natures, whereby what does or doesn't work for one may be entirely appropriate for another. In this regard, the distances to facilities and services are not such that would be entirely unreasonable for people to access via public transport, cycle or even walking.

7.12. As such, the proposal is considered to represent sustainable development with regards to access to services and facilities.

7.13. With regards to a need for dwellings local to Bramford itself, the development would deliver 20 new dwellings, 7 of which would be provided as affordable housing, which would contribute the wider supply of housing. The Council could not sustain a refusal of planning permission solely on the basis of their being no locally identified need in the village, particularly in the absence of a five year supply of deliverable land overall.

7.14. Whilst it is acknowledged that the proposal would result in the loss of its existing employment related use the site has remained predominantly unused for many years. Paragraph 22 of the NPPF states that long term protection of sites allocated for employment use should be avoided where there is no reasonable prospect of a site being used for that purpose, and where there is no reasonable prospect of a site being used for the allocated employment use, applications for alternative uses of land or buildings should be treated on their merits having regard to market signals and the relative need for different land uses to support sustainable local communities.

7.15. The Council's Economic development team has assessed the application proposal and does not consider there to be a reasonable prospect of the site being used for its existing purpose, or for any other employment generating development of a similar scale. It is however acknowledged that there is a general shortfall of small scale employment units across the district and should the proposed development include a proportion of live/work units on the site it is considered that the proposal accord with the provisions of policies FC3 and E4 of the development plan, having taken into account NPPF paragraph 22. In addition the provision of employment during the construction period would provide an additional short term economic gain. Whilst these economic considerations do not weigh heavily in favour of the development, it also does not result in any adverse impact to the economy, indeed it is considered that an increased population base would provide a greater catchment and more opportunities for local business growth as a result.

7.15. It is acknowledged that the proposed development would meet a social role as required by the NPPF by providing new family homes that would serve to support and grow local services and facilities. The proposal would also deliver 7 no. affordable homes which would score positively with regards the social dimension of sustainable development in supporting mixed and balanced communities.

7.16. In conclusion, it is acknowledged that the Parish have concerns regarding the sustainability of the development relative to the NPPF and these have been taken into account when considering this proposal. However, it is not considered that the proposal conflicts with the NPPF to such an extent that would justify refusal of the application. Occupiers of the development would have access to a range of facilities and services via alternative means of transport, the development would not be isolated despite its position outside the settlement boundary and would therefore provide sustainable development in accordance with the NPPF when taken as a whole.

8. Design And Layout [Impact On Village Character and Landscape]

8.1. It is noted that the Parish Council and other third party representations raise significant concerns with regards the proposal resulting in the coalescence of Bramford and Ipswich and the loss of Bramford's independent Identity.

8.2. The proposal site is an existing area of previously developed (or brownfield land) with existing housing developments to the north and south. The site would be bounded by allotments to the north and open green areas to the east. The site is located approximately 300 metres from Ipswich to the east with the A14 corridor and existing green buffering in between.

8.3. Whilst it is accepted that there will be a clear change as a result on the development, the proposal would make use of previously developed land (Brownfield Land) and would not result in the loss of open countryside and infilling of existing fields which would be considered more harmful. For the reason that the proposal would utilise previously developed land and would not result in the loss of existing Greenfield land between Bramford and Ipswich it is not considered that the development would in itself result in the coalescence of the two settlements.

8.4. Indicative information provided with the application shows the proposed dwellings are intended to be of two-storey scale and of a traditional design with single-storey garages.

8.5. The proposed indicative design and layout also proposes sustainability measures which have been approved in principle by Council sustainability experts.

8.6. Further consideration of the final detailed layout, scale and design of development will be undertaken as part of a reserved matters application. Proposed landscaping is also expected as part of a reserved matters submission.

9. Site Access, Parking And Highway Safety Considerations

9.1. The application proposes the construction of a principle new access giving vehicle and pedestrian access to Bramford Road for the proposed dwellings and the existing dwelling at Nurseries Cottage. A detailed access layout drawing has been provided with the development proposal which has been assessed and given the approval of the Local Highway Authority. The proposed access is therefore assessed to be of an appropriate width, and to afford appropriate highway visibility relative to the quantum of development proposed.

9.2. In addition a new paved footway is proposed along the frontage of the site, adjacent to Bramford Road, in an effort to improve pedestrian safety. The proposed footway would overlap the existing paved footway to the east side of Bramford Road enabling pedestrians to walk from the proposal site in order to access local services and facilities.

9.3. The indicative layout provided with the application indicates that driveways, hard standing parking spaces and garages will be provided as part of the development proposal. The indicative layout indicates that 60 on-site parking spaces, clear of the existing public highway and proposed estate roads, will be provided for the proposed development (3 spaces per dwelling). Further detailed information in this regard is expected as part of an application for approval of reserved matters, however the indicative layout provided indicates that the proposal is capable of providing an appropriate number of on-site parking spaces, clear of the public highway, in accordance with advisory parking standards provided by the Local Highway Authority.

10. Impact On Residential Amenity

10.1. The indicative layout shows the proposed dwellings would be located approximately 7 metres from the boundaries with the existing neighbouring property at Firlawns and would be approximately 21 metres from the existing dwelling on this neighbouring site. The proposed dwellings would also be located a minimum distance of approximately 21 metres from the existing dwelling of Nurseries Cottage to the south of the site.

10.2. Having considered the indicative two-storey scale of the proposed dwellings and their indicative siting in relation to existing neighbouring properties it is not considered that the proposal would result in demonstrable harm to the amenities currently enjoyed by occupants of neighbouring properties to consider refusal of the application on such grounds. Indicative plans are there to demonstrate at least one layout is possible without significant harm and your officers consider this to be the case here. However, given the low density proposed and having had regard to the site area and shape, there are other reasonable layouts available that could lessen the impacts further and this would also depend on the final house type and design. On the basis of what has been provided officers are satisfied that reserved matters can be assessed and such matters would not be overly constrained by the outline as to avoid further improvement.

10.3. Further assessment with regards the proposal's impact on the amenities of neighbouring properties will be required at reserved matters stage when final details of the layout, scale and appearance of the proposed buildings are provided.

11. Ecology

11.1. The ecological surveys provided with the application conclude that the site is considered to support a 'medium' population of common lizards and a 'low' population of slow worms. The survey report concludes that although reptiles may occupy the site, they are likely to live at lower density than where better aggregates of habitat features exist, such as scrub/grassland margins, or woodland fringes.

11.2. Should planning permission be granted, the report specifies that a receptor area should be identified which offers a minimum of 0.46 hectares of habitat suitable for both slow worms and common lizards.

11.3. The report notes that the application proposal would also retain 0.1 hectares of land on the site which could be landscaped to support reptiles. It is considered that the provision of a wildlife area along the western boundary of the site, abutting the existing public right and railway line will provide good connectivity for species north to south through the site.

11.4. The report states that the long term viability of retaining reptile populations on the site is unlikely to be achievable and may lead to extinction. It is, therefore, recommended that a mitigation strategy, to include identification of a viable receptor area and a scheme of translocation, is prepared.

11.5. The report states that by moving the reptiles at a suitable time of year and using approved methods from the site to a chosen and prepared receptor site it will be possible to conserve and protect the populations for the future.

11.6. In addition to the proposed mitigation for reptiles, the ecological reports also proposed a number of general ecological enhancement measures (such as the provision of bird, bat and hedgehog boxes, planting of native broad leaved trees, and retention of log piles within the green corridor) which are recommended should permission be granted.

11.7. Should the proposed mitigation and enhancement measures be secured by way of condition then the proposal is not considered to result in long term harm to protected and priority species and their habitats.

12. Land Contamination

12.1. The land contamination assessment received with the application has identified several moderate, moderate to low, and low risk potential sources of land contamination from on-site and off-site sources.

12.2. Council Land Contamination specialists have assessed the application has advised that, although there are not potential impacts that would preclude residential development on the site further intrusive investigation of on-site land contamination, and remediation is required prior to commencement of any development on the site.

13. Flood Risk

13.1. A detailed Flood Risk Assessment (including a proposed surface water drainage scheme for the site) has been provided with the application which concludes that the development proposal is not at any significant risk from flooding and that surface water can be drained to ground on-site via sustainable drainage systems in a sustainable manner without resultant impacts on the surrounding water catchments.

13.2. Anglian Water Services have been consulted on the application and have advised that there is capacity within the existing foul sewerage network for the proposed additional flows. Anglian Water also advise that the preferred method of surface water disposal would be to a sustainable drainage system (SuDS), as proposed.

13.3. The proposal is not, therefore, considered to result in increased flood risk on or off the proposal site.

14. Archaeology

14.1. The site lies within an area of high archaeological potential recorded on the County Historic Environment Record. The site is located within the Gipping Valley, in a topographically favourable location for archaeological activity. To the south-east, three human skeletons were uncovered. Surrounding the site, finds scatters of Roman, Saxon and medieval date have also been recorded. As a result, there is high potential for the discovery of below-ground heritage assets of archaeological importance within this area, and groundworks associated with the development have the potential to damage or destroy any surviving archaeological remains.

14.2. The County Archaeological Unit have been consulted on the application and have advised that there are no grounds to consider refusal of permission in order to achieve preservation in situ of any important heritage assets. However, in accordance with NPPF paragraph 141, it is advised that any permission granted should be the subject of a planning condition to record and advance understanding of the significance of any heritage asset before it is damaged or destroyed.

14.3. Should an programme of archaeological work, agreed by the County Archaeological Unit, be undertaken on site prior to commencement of development then the proposal is not considered to result in harm to any buried heritage assets which may exist.

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

15.1. The application is liable to CIL and therefore Suffolk County Council have outlined the monies that they would be making a bid for to mitigate the impact of the development on existing infrastructure.

15.2. In accordance with the Community Infrastructure Levy Regulations, 2010, the obligations recommended to be secured 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.

15.3. The application, if approved, will require the completion of a S106 agreement to secure the on-site delivery of 7 no. affordable dwellings.

PART FOUR – CONCLUSION

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

16.1. 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.

16.2. In this case negotiation occurred and further information was provided by the applicant which enabled planning officers to be able to support the application and recommend approval.

17. Identification of any Legal Implications and/or Equality Implications (The Equalities Act 2012)

17.1. 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.

18. Planning Balance

18.1. In order to achieve sustainable development, the Framework identifies that economic, social and environmental gains must be sought jointly and simultaneously.

18.2. The Framework seeks to boost significantly the supply of housing and the development would contribute to housing supply in an area where there is a current acknowledged shortage. The proposed development would therefore provide economic benefits. The proposal would also provide economic developments in the on-site provision of live/work units which would contribute to the present shortfall of this scale of units in the district. Furthermore, the development would give rise to other economic benefits relating to employment during the construction phase, although these would be limited and temporary and as such are afforded limited weight.

18.3. The proposed development would offer significant social benefits in respect of on-site affordable housing provision and the provision of an additional paved public footpath alongside the existing vehicular highway. The proposal should, therefore, be attributed positive weight in terms of the social dimension of sustainable development.

18.4. In terms of the environmental pillar of sustainable development, the site would bring back into use an existing area of previously development land which is attributed positive weight by the Framework. Should successful ecological mitigation and enhancements be implemented the proposal is considered to result in neutral to small positive weight in this regard. The impact on character and appearance of the area and flood risk is considered to be neutral. By reason of its location between a key service centre and Town the proposal is not considered to place reliance on the private car as a means of transport which would minimise potential environmental harm in this respect. Whilst the proposal would not result in significant environmental benefit, proposed mitigation by way of landscape planting, sustainable land drainage and increased linkage to the Town's existing pedestrian network is considered to offset any harm. The proposal is therefore considered to have a neutral to small positive impact in terms of the environmental dimension of sustainable development.

18.5. The application proposal is, therefore, considered to on balance represent sustainable development.

RECOMMENDATION

That the Corporate Manager - Growth & Sustainable Planning be authorised to Grant Outline Planning Permission Subject to the prior completion of a Section 106 or Undertaking on terms to their satisfaction to secure the on-site provision of 7 no. affordable housing units in the tenure as advised by Council Strategic Housing Officers (above), subject to the following conditions, including:

- 1) Standard list of approved plans
- 2) Standard time limit for reserved matters
- 3) Standard reserved matters condition
- 4) Contaminated land investigation and mitigation prior to commencement
- 5) Programme of Archaeological works prior to commencement
- 6) Landscape scheme and aftercare
- 7) Ecological mitigation in accordance with approved details
- 8) Sustainable Construction as agreed
- 9) Acoustic fencing to be applied to garden boundaries facing railway track
- 10) Acoustic insulation to be applied to walls of dwellings facing railway track
- 11) Surface water drainage scheme and management plan
- 12) Provision of fire hydrants
- 13) Highways – Access in accordance with approved drawing
- 14) Highways – Access visibility splays to be provided and maintained prior to first use
- 15) Highways – Details of estate roads and footpaths
- 16) Highways – Estate roads and footpaths to be completed to at least Binder Course Level prior to occupation
- 17) Highways – Details of on-site manoeuvring and parking areas
- 18) Highways – Provision of new footway along Bramford Road frontage prior to occupation