

Committee Report

Item No: 3

Reference: 0210/17

Case Officer: James Platt

Ward: Elmswell & Norton

Ward Member/s: Cllr John Levantis & Cllr Sarah Mansel

Description of Development

Outline planning application for the development of up to 106 residential units with all matters reserved except for access.

Location

Land to the east of Ashfield Road, Elmswell

Parish: Elmswell

Site Area: 4.5 hectares

Conservation Area: No

Listed Building: No

Received: 17/01/2017

Expiry Date: 22/12/2017

Application Type: OUT - Outline Planning Permission

Development Type: Major Large Scale - Dwellings

Environmental Impact Assessment: Environmental Assessment Not Required

Applicant: The Godbold Turner Partnership

Agent: Savills (UK) Ltd

DOCUMENTS SUBMITTED FOR CONSIDERATION

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:

- This application is reported to committee as the application is Major Development comprising 15 or more dwellings.

PART TWO – APPLICATION BACKGROUND

History

None

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

FC01 - Presumption In Favour Of Sustainable Development
FC01_1 - Mid Suffolk Approach to Delivering Sustainable Development
FC02 – Provision and Distribution of Housing
CS01 - Settlement Hierarchy
CS02 - Development in the Countryside & Countryside Villages
CS04 - Adapting to Climate Change
CS05 - Mid Suffolk's Environment
CS06 - Services and Infrastructure
CS09 - Density and Mix
GP01 - Design and layout of development
HB01 - Protection of historic buildings
HB14 - Ensuring archaeological remains are not destroyed
H07 - Restricting housing development unrelated to needs of countryside
H13 - Design and layout of housing development
H15 - Development to reflect local characteristics
H16 - Protecting existing residential amenity
H17 - Keeping residential development away from pollution
CL08 - Protecting wildlife habitats
CL11 - Retaining high quality agricultural land
T09 - Parking Standards
T10 - Highway Considerations in Development
RT04 - Amenity open space and play areas within residential development
RT12 - Footpaths and Bridleways
NPPF - National Planning Policy Framework

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

Pre-application advice was sought from the local authority. Those matters discussed included the principle of development, access, design and validation requirements.

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

Elmswell Parish Council – Support this proposal in principle having an eye to the Applicant fulfilling earlier promises of land allowing infrastructure provision outside of requirements imposed as part of any permission. However, urge the Planning Authority to stay its hand pending on-going an imminent initiatives to independently inform the process of traffic management with reference to the community's identified aspiration for a relief road to address once and for all the ever growing delays and hazards caused by the railway crossing.

Wetherden Parish Council - Wetherden Parish Council objects on the grounds of increased traffic, the lack of any proposals to overcome this, and related hazards, lack of infrastructure, environmental damage, the health and safety of residents of both Wetherden and indeed the new development. We ask that the developers take into consideration the concerns of neighbouring villages and the impact these developments will have on them. Equally we wish to learn from the relevant authority (SCC, MSDC, NHS) how they plan to provide the relevant levels of public services as laid down by rules, for our residents.

Suffolk County Council – Highways – No objection subject to conditions and s106 planning obligations.

Suffolk County Council – Public Rights of Way – Request contribution of £6,287.50 for public rights of way improvements, comprising the following;

- Public Footpath creation agreement to secure a connection from the development to Public Footpath 7.
- Public Footpath creation agreement to secure a connection from Public Footpath 7 to Public Footpath 8 and creation of a footbridge.
- Public Footpath diversion of last section of Public Footpath 8 (Grove Farm end) to edge of playing field to connect with Grove Lane.
- Public Footpath creation agreement to secure a connection from the development to the village hall/ playing fields and to the wider PROW network.

Suffolk County Council – Archaeology – No objection subject to conditions.

Suffolk County Council – Fire and Rescue – No objection.

Suffolk County Council – Flood and Water Management Team – Recommend approval subject to conditions.

MSDC – Tree Officer – No objection in principle. However, requests an Arboricultural Impact Assessment to indicate any specific losses or area requiring precautionary measures and/or mitigation and a detailed Arboricultural Method Statement and Tree Protection Plan secured by way of condition,

MSDC – Housing Enabling – No objection.

MSDC - Environmental Health - Land Contamination – No objection subject to a condition.

MSDC - Environmental Health – Other Issues – No objection subject to conditions.

MSDC - Environmental Health – Sustainability – No objection subject to a condition.

MSDC – Waste Services – No objection.

Anglian Water – No objection subject to a condition.

Place Services – Landscape – The proposals will inevitably have an impact on the existing rural character of this edge of Elmswell village; however this impact can be reduced if appropriate landscape mitigation and character continuity measures are put in place.

- The following points highlight our key recommendations for the revised submitted proposals:

- The transition between the edge of the village and residential development by Oak Lane to the north needs to relate to the existing landscape and built character. If the outline application is approved, further detail design needs to be addressed.

- The existing local built character is that of dwellings set back from the road with generous front gardens, low hedge planting and grass verge. The residential layout along the Ashfield Road should be in keeping with the surrounding context.

- Removal of the existing hedge on the southern part along Ashfield Road and the creation of a green open space have been proposed to replace units 1-6. The layout does not benefit from this removal and it should be reinstated into the design to follow recommendation point 2 above.

- Recommended mitigation proposals from the Design and Access Statement report shall be followed and further details on planting boundary treatment need to be produced to ensure the appropriate level of screening. Planting species should relate to existing tree and hedgerow species and to those related to its landscape character type described on the Suffolk Landscape Character Assessment.

- A detailed hard landscaping plan and specification should be submitted as part of a planning condition, if the application is approved.

- A detailed landscape planting plan, landscape maintenance plan and specification, (which clearly sets out the existing and proposed planting), will need to be submitted as part of a planning condition, if the application is approved. We recommend a landscape maintenance plan for the minimum of 3 years, to support plant establishment. It is recommended that maintenance of SuDS features such as the detention basin and others with landscaping elements to be included on the landscape management plan.

- A detailed (and appropriate) boundary treatment plan and specification will need to be submitted as part of a planning condition, if the application is approved.

Place Services – Ecology – Register a holding objection, request further information regarding farmland birds.

Suffolk Wildlife Trust – Request recommendations are secured by conditions

Natural England – No comments.

Network Rail – No objection.

Highways England – No objection.

Suffolk Constabulary – Designing out Crime Officer – Comments that they do not have the level of detail required to make comments in relation to ‘designing out crime’ for this outline application. However, recommend that the development should seek to achieve Secured by Design SBD New Homes 2016 accreditation.

NHS England – Comments that the proposal is likely to have an impact of the NHS funding programme for the delivery of primary healthcare provision within this area and specifically within the health catchment of the development. NHS England would therefore expect these impacts to be fully assessed and mitigated by way of a developer contribution secured through the Community Infrastructure Levy (CIL).

B: Representations

Third party representations have been received, comments are summarised below;

- The proposal would lead to increase in traffic that cannot be accommodated within the existing road network.
 - The proposal would give rise to highways safety issues.
 - Infrastructure within Elmswell is at capacity.
 - Concerns raised regarding the legitimacy of the submitted flood risk and drainage information.
 - Insufficient sewage and drainage capacity
 - The proposal would give rise to harm to the landscape.
 - The proposal would lead to a loss of amenity to neighbouring properties.
 - The proposal site is a Greenfield site, Brownfield sites should be developed first.
 - The existing hedge along Ashfield Road should be retained.
 - The proposed public open space and play equipment should be located to the centre of the site
 - Unacceptable level of light pollution would arise from the development.
 - The proposal would unacceptably increase the risk of flooding.
 - Traffic information submitted is not accurate
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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 proposal site comprises approximately 4.5 hectares of agricultural land on the eastern side of Ashfield Road, on the northern edge of the village of Elmswell. The proposal site is bounded by agricultural land to the east, residential properties to the north and south and the highway to the west. The proposal site is located within the countryside; adjacent to the settlement boundary of Elmswell.

2. The Proposal

2.1 This application seeks outline planning permission for the erection of up to 106 dwellings. Access is included as part of the application and proposed from Ashfield Road, whilst the matters of appearance, landscaping, layout, and scale remain reserved. In the event that outline planning permission is granted, these reserved matters would be the subject of a future application.

2.2 The application has been subject to revision, reducing the maximum quantum of development from the originally proposed 120 to 106 dwellings. The applicant amended the quantum of development as to maintain suitable separation from the neighbouring listed building.

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.

- Para 6: Achieving sustainable development
- Para 7: Three dimensions to sustainable development
- Paras 11 – 15: The presumption in favour of sustainable development
- Para 17: Core planning principles
- Paras 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.
- Paras 203 -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

4. Core Strategy

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

- Policy FC1: Presumption in favour of sustainable development.
- Policy FC1.1: Mid Suffolk's approach to delivering sustainable development
- Policy FC2: Provision and distribution of housing.
- Policy CS1: Settlement hierarchy
- Policy CS2: Development in the countryside & countryside villages
- Policy CS4: Adapting to climate change.
- Policy CS5: Mid Suffolk's environment
- Policy CS6: Services and infrastructure
- Policy CS9: Density and mix

5. Neighbourhood Plan

5.1 Elmswell Parish Council is preparing a Neighbourhood Development Plan. The National Planning Practice Guidance confirms that an emerging neighbourhood plan may be a material consideration. Factors to consider include the stage of preparation of the plan. The plan in this instance is at an early stage, with consultation on the designated Neighbourhood Plan Area completed, however, a draft Plan is yet to be submitted for formal consultation. Given that the Plan remains at this early stage of preparation, Officers consider limited weight should be given to it in the determination of this application.

6. Saved Policies in the Local Plans

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

- Policy GP1: Design and layout of new developments
- Policy HB1: Protection of historic buildings

- Policy HB14: Ensuring that Archaeological remains are not destroyed
- Policy H7: Restricting housing development unrelated to the needs of the countryside
- Policy H13: Design and layout of development
- Policy H15: Development to reflect local characteristics.
- Policy H16: Protecting existing residential amenity
- Policy H17: Keeping residential development away from pollution
- Policy CL8: Protecting wildlife
- Policy CL11: Retaining high quality agricultural land
- Policy T9: Parking standards
- Policy T10: Highway consideration in developments
- Policy RT4: Amenity open space and play areas within residential development
- Policy RT12: Footpaths and bridleways

7. Housing Land Supply

7.1 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.

7.2 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 permission without delay (unless material considerations indicate otherwise).

7.3. The precise meaning of ‘relevant policies for the supply of housing’ has been the subject of much case law, with inconsistent results. However, in May 2017 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, as defined above.

7.4. In accordance with Planning Practice Guidance (PPG) 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...’

7.5. The Council adopted its Core Strategy Focussed Review in December 2012 having been tested and examined as a post-NPPF development plan. The Council published the Ipswich and Waveney Housing Market Areas Strategic Housing Market Assessment (SHMA) in May 2017 which is important 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.

7.6. 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

7.7. The NPPF requires that development be sustainable and that adverse impacts do not outweigh the benefits to be acceptable in principle. 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."

7.8 In light of all of the above, this report will consider the proposal against the three strands of sustainable development, and also give due consideration to the provisions and weight recommended to be applied to the policies within the development plan, in the context of the authority not being able to demonstrate a 5 year land supply.

8. Sustainability of the Proposal

8.1. Policy CS1 of the Core Strategy identifies a settlement hierarchy as to sequentially direct development, forming part of a strategy to provide for a sustainable level of growth. The Policy identifies categories of settlement within the district, with Towns representing the most preferable location for development, followed by the Key Service Centres, Primary then Secondary Villages. The countryside is identified as the areas outside of those categories of settlement referred to above.

8.2. Policy CS2 of the Core Strategy restricts development in the countryside to defined categories, including, rural exception housing, consisting of the following;

- agricultural workers dwellings
- possible conversion of rural buildings
- replacement dwellings
- affordable housing on exception sites
- sites for Gypsies and Travellers and travelling showpeople

8.3. Policy H7 of the Local Plan seeks to restrict housing development in the countryside in the interests of protecting its existing character and appearance.

8.4. The proposal site is located in the countryside, where Policy CS1 and CS2 of the Core Strategy states that only development for rural exception housing will be permitted. The proposal does not represent rural exception housing for the purposes of the Core Strategy, whilst remaining inconsistent with Policy H7 of the Local Plan.

8.5. Policy CS1 and CS2 of the Core Strategy and H7 of the Local Plan form part of a suite of policies to control the distribution of new housing, they can be afforded weight, since it contributes to ensuring that development is sustainably located and unsustainable locations are avoided. This planning objective remains important and is consistent with the NPPF presumption in favour of sustainable development, by limiting development in less sustainable locations with a limited range of services to meet the needs of new residents in a sustainable manner. However, in the absence of a five-year supply and significant weight afforded to the provision of housing as to address the housing shortfall, Officers are of the view that these policies should be afforded limited weight as they restrict housing development in the countryside to solely exception housing.

8.6. In this case, despite its location within the countryside, Officers consider the proposal when assessed against the NPPF, is a sustainable location due to the accessibility to services and facilities, including by sustainable modes of transport, as detailed below, thereby is acceptable in principle.

8.7. The dimensions of sustainable development, in the context of the proposed development, are assessed in detail below.

9. Economic

9.1. The provision of up to 106 dwellinghouses will give rise to employment during the construction phase of the development. Furthermore, future occupiers of the development would be likely to use local services and facilities. Both factors will be of benefit to the local economy.

10. Social

10.1 The development would provide a significant benefit in helping to meet the current housing shortfall in the district through the delivery of up to 106 additional dwellings, including 35% affordable housing provision.

10.2 The matter of the sustainability of the site in terms of access to local services and facilities is discussed further below.

11. Environmental

11.1. *Access to Services and Facilities*

11.2. Paragraph 55 of the NPPF seeks to promote sustainable development in rural areas advising 'housing should be located where it will enhance or maintain the vitality of rural communities', and recognises that where there are groups of smaller settlements, development in one village may support services in a village nearby.

11.3. The site is located in the countryside, however, given the adjacency to the Elmswell Settlement Boundary, Officers consider the site is related to the settlement geographically and in its dependency upon services/facilities.

11.4 Elmswell is served by some services and facilities, including a primary school, pharmacy, small supermarket, two pubs, food takeaways, a butchers and community centre.

11.5 The reasonable access to services and facilities is reflected in Elmswell being designated a 'Key Service Centre' in the Core Strategy settlement hierarchy, the main focus for development outside of the towns. However, whilst the settlement is served by some services and facilities, it is reasonable to suggest that journeys out of the village would be a requirement for the majority of residents in order to access many day-to-day services.

11.6 The nearest settlement offering the range of services and facilities to meet every day needs of future occupiers is the town of Stowmarket, situated approximately 6 miles from the proposal site. Additionally, the town of Bury St Edmunds is approximately 10 miles from the proposal site.

11.7 Elmswell is subject to a train station, with a service running between Ipswich and Cambridge via Elmswell. Stops along the route include the towns of Needham Market, Stowmarket, Bury St Edmunds, and Newmarket. The service to Ipswich operates hourly, between the approximate hours of 6:00 and 24:00 Monday– Saturday, with a reduced service on a Sunday between the hours of 10:00 and 24:00. Similarly, the service to Cambridge operates hourly, between the approximate hours of 5:00 and 22:00 Monday – Saturday, with a reduced service on a Sunday between the hours of 07:00 and 22:00. Elmswell train station lies approximately 0.5 miles to the south of the proposal site.

11.8 A bus service that connects Elmswell to Stowmarket and Bury St Edmunds is also available. The service to Bury St Edmunds operates between the approximate hours of 7:00 and 18:00 Monday to Friday and 9:00 and 18:00 Saturdays. The nearest bus stops offering services to Stowmarket and Bury St Edmunds are situated at Shop Corner, on School Road, approximately 0.5 miles from the proposal site.

11.9 An existing footway lies on both sides of Ashfield Road, connecting the proposal site to those services within Elmswell, including the bus stop and train station.

11.10 Given the above, Officers consider the proposal is located as to enable future occupiers access to services and facilities within Elmswell, whilst alternative methods of transport opposed to the private car offer a sufficiently attractive alternative for occupiers of the proposed accommodation, consistent with the environmental and social dimensions of sustainable development contained within the NPPF.

11.11 *Impact on the Landscape*

11.12 Policy CS5 of the Core Strategy seeks to protect and conserve landscape qualities taking into account the natural environment and the historical dimension of the landscape as a whole rather than concentrating solely on selected areas, protecting the District's most important components and encouraging development that is consistent with conserving its overall character.

11.13 Paragraph 109 of the NPPF states that the planning system should contribute to and enhance the natural and local environment by protecting and enhancing valued landscapes, geological conservation interests and soils.

11.14 The landscape of the proposal site is not designated in any way and is not subject to the protection afforded in the NPPF to National Parks or Areas of Outstanding Natural Beauty. In addition, the site is not a locally designated Special Landscape Area or visually important open space.

11.16 The Suffolk Landscape Character Assessment defines the site and surrounding area as part of the Ancient Plateau Claylands landscape. Key characteristics identified include a flat or gently rolling arable landscape dissected by small river valleys; a dispersed settlement pattern of loosely clustered villages; scattered ancient woodland parcels and hedgerow with hedgerow trees.

11.17 The proposal site comprises a parcel of relatively flat, open agricultural land, with hedgerow and hedgerow trees to the northern, southern and western site boundaries. The eastern boundary although partially subject to planting, remains predominately open. The eastern side of Ashfield Road, on which the proposal site sits, is subject to residential development, with dwellings to the north and south of the site.

11.18 Whilst the introduction of the dwellings would extend development into the countryside, Officers consider the proposal buildings would be mostly seen in the context of existing, relatively dense residential development along the eastern side of Ashfield Road. Furthermore, whilst development would most likely remain visible, the incorporation of areas of open space and planting, to be agreed at reserved matters stage, would significantly help in reducing the level of visibility and harm to landscape character.

11.19 The Councils Landscape Consultant has reviewed the application. The consultant concludes that the proposal will inevitably have an impact on the existing eastern rural edge setting of the surrounding landscape, however, identifies suitable measures to mitigate the impacts of the development, including the following recommendations;

- The transition between the edge of the village and residential development by Oak Lane to the north needs to relate to the existing landscape and built character. If the outline application is approved, further detail design needs to be addressed.
- The existing local built character is that of dwellings set back from the road with generous front gardens, low hedge planting and grass verge. The residential layout along the Ashfield Road should be designed to reflect the surrounding context.
- Removal of the existing hedge on the southern part along Ashfield Road and the creation of a green open space have been proposed to replace units 1-6. The layout (revision A) does not benefit from this removal and it should be reinstated into the design to follow recommendation point 2 above.
- If the outline application is approved, the recommended mitigation proposals from the Design and Access Statement report shall be followed with further details on planting boundary treatment need to be produced to ensure the appropriate level of screening. Planting species should relate to existing tree and hedgerow species and to those related to its landscape character type described on the Suffolk Landscape Character Assessment.

11.20 The above recommendations, as set out in the consultants response, should be incorporated into the design of any future application for the approval of reserved matters.

11.21 Officers consider it is axiomatic that the introduction of development to an otherwise undeveloped parcel of agricultural land would cause a harmful impact upon the landscape, attributed to the inevitable urbanising effect of development. Thus, Officers find that the proposal would result in a degree of harm to the existing landscape quality conflicting with Policy CS5 of the Core Strategy.

11.22 However, given the landscape qualities and characteristics identified and the measures that can be incorporated and agreed at reserved matters stage, Officers consider the impact of the proposal on the landscape could be mitigated, giving rise to a degree of harm to the landscape that is low.

11.23 *Design and Impact upon the Character and Appearance of the Area*

11.24 Policy CS5 requires development to be of a high quality design that respects the local distinctiveness and the built heritage of Mid Suffolk, enhancing the character and appearance of the district.

11.25 Policy CS9 of the Core Strategy seeks average densities of at least 30 dwellings per hectare unless there are special circumstances that require a different treatment

11.26 Policy H13 of the Local Plan requires new housing development to be expected to achieve a high standard of design and layout and be of a scale and density appropriate to the site and its surroundings, whilst Policy H15 of the Local Plan similarly requires new housing to be consistent with the pattern and form of development in the area and its setting.

11.27 Policy GP1 of the Local Plan states that proposals comprising poor design and layout will be refused, requiring proposals to meet a number of design criteria including maintenance or enhancement of the surroundings and use of compatible materials.

11.28 Paragraph 56 of the NPPF attaches great importance to the design of the built environment, stating that good design is a key aspect of sustainable development

11.29 The built form of the area includes both linear residential development extending along Ashfield Road and 'close/estate' type development, including at Oak Lane, Blacksmith Way and Blackbourne Road. As such, the principle of an 'estate' type development, served by a single point of access, as per the illustrative layout, would not be out of keeping with the form of the locality.

11.30 The application proposes new housing at a density of approximately up to 23 dwellings per hectare (dph). Whilst the proposed density falls below that sought under Policy CS9, the proposed quantum of development would enable the inclusion of open space and landscaping to allow suitable mitigation with respect to landscape and the neighbouring heritage assets, as identified in this report. Officers thereby consider the proposal represents a special circumstance for the purposes of Policy CS9.

11.31 The application is in outline only with appearance, landscaping, layout and scale remaining reserved. However, given the above, Officers consider that the site, in principle, is capable of providing the proposed number of dwellings, having regard to the constraints of the site, and in manner which would not materially detract from the character of the area.

11.32 *Impact Upon Heritage Assets*

11.33 Policy HB1 of the Local Plan seeks to protect the character and appearance of buildings of architectural or historic interest, particularly protecting the settings of Listed Buildings.

11.34 Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 states that special attention shall be paid to the desirability of preserving or enhancing the character or appearance of a Listed Building or its setting.

11.35 Where policies are out of date, paragraph 14 of the NPPF says that 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 taken as a whole; or specific policies indicate development should be restricted. In this case there are specific NPPF policies relating to designated heritage assets that should be considered.

11.36 Paragraph 129 of the NPPF identifies that the impact of a proposal on the significance of a heritage asset should be taken into account, in order to avoid or minimise conflict between the heritage asset's conservation and any aspect of the proposal.

11.37 Paragraph 134 of the NPPF states that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal, including securing its optimum viable use.

11.38 The NPPF defines the setting of a heritage asset as the surroundings in which it is experienced. The extent is not fixed and may change as the asset and its surroundings evolve. Elements of a setting may make a positive or negative contribution to the significance of an asset; may affect the ability to appreciate that significance; or may be neutral.

11.39 English Heritage (now Historic England) (HE) guidance indicates that setting embraces all of the surroundings from which an asset can be experienced or that can be experienced from or within the asset. Setting does not have a fixed boundary and cannot be defined, in perpetuity, as a spatially bounded area or as lying within a set distance of a heritage asset. The NPPF states that the significance of an asset is defined as its value to this and future generations because of its heritage interest. That interest may be archaeological, architectural, artistic or historic. Significance derives not only from a heritage asset's physical presence, but also from its setting. Heritage significance can be harmed through development within setting.

11.40 The Councils Heritage Officer has identified that the proposal would potentially affect the heritage assets of White House Farmhouse (Grade II Listed Building) and a group of Grade II listed farmhouses to the west of Ashfield Road, comprising; Dagwood Farmhouse, Oak Farmhouse, Green Farmhouse and Willow Farmhouse.

11.41 The Heritage Officer identifies that the illustrative layout has been further amended so as to retain a green 'buffer' belt of undeveloped land along the boundary with Whitehouse Farmhouse. This goes some way to retaining the sense of its spacious rural setting, including the direct relationship with land to the front and rear. The proposal is found to give rise to harm to the setting of Whitehouse Farmhouse and its significance. Furthermore, harm to the setting of the group of listed farmhouses to the west of Ashfield Road has been identified, although the omission of development to the frontage of Whitehouse Farmhouse has reduced the degree of harm to low. In conclusion, the harm to these heritage assets has been identified as between low and medium.

11.42 Officers concur with the findings of the Councils Heritage Officer.

11.43 In conclusion, the proposed scheme would lead to a degree of harm to the settings of heritage assets that is between low and medium, conflicting with the aims of Core Strategy Policy CS5, Local Plan policy HB1 and Section 66 of the Planning (Listed Buildings and Conservation Areas) Act. The degree of harm that would occur falls well within the category of 'less than substantial harm' as set out in paragraph 134 of the NPPF. Officers identify that considerable importance and weight should be attached to this harm.

11.44 In identifying 'less than substantial harm' paragraph 134 of the NPPF engages, requiring the harm to be weighed against the public benefits of the proposal.

11.45 In this instance, the public benefits of the proposal are considered to include the following:-

- Delivery of up to 106 no. dwellings, that would have inherent social and economic benefits through the contribution to meeting housing need and delivery of economic growth.
- An affordable housing provision of 35% on site units.
- Public open space delivery.
- Infrastructure contributions including improvements to public rights of way.

11.46 It is considered that in combination these public benefits are sufficient to outweigh the potential 'less than substantial harm' to the designated heritage assets identified, even when considerable importance and weight is given to the desirability of preserving those relevant designated heritage assets.

11.47 Officers thereby consider the Heritage Policies within the NPPF do not indicate that the development should be restricted in this instance.

11.48 *Residential Amenity*

11.49 Policy H13 of the Local Plan seeks to ensure new housing development protects the amenity of neighbouring residents.

11.50 Policy H16 of the Local Plan seeks to protect the existing amenity of residential areas.

11.51 Paragraph 17 of the NPPF sets out a number of core planning principles as to underpin decision-taking, including, seeking to secure a good standard of amenity for all existing and future occupants of land and buildings.

11.52 The Councils Environmental Protection Team raises no objection to the proposal subject to a condition restricting hours of operation for noise intrusive works, details of a Construction Management Plan, details of illumination and the restriction of burning on site during the construction phase of development.

11.53 The application is in outline only and therefore the layout plan submitted is for illustrative purposes. However, Officers consider, at this stage, that the site is capable of accommodating the amount of development proposed, without having a detrimental impact on the residential amenity of future occupiers of the proposal and neighbouring properties.

11.54 *Highway Safety*

11.55 Policy T10 of the Local Plan requires the Local Planning Authority to consider a number of highway matters when determining planning applications, including; the provision of safe access, the safe and free flow of traffic and pedestrian safety, safe capacity of the road network and the provision of adequate parking and turning for vehicles.

12.56 The Policy is supplemented by Policy T9 of the Local Plan, requiring proposals to provide areas of parking and manoeuvring in accordance with the parking standards adopted by the district.

12.57 Paragraph 32 of the NPPF confirms that development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe.

12.58 The proposal includes details of access. The development proposes a single point of access from Ashfield Road. Additional highway works include the provision of a footway on the eastern side of Ashfield Road, continuing from the proposal site southward towards the existing footway.

12.59 The village of Elmswell has been the subject of applications for major residential development. Due to concerns raised regarding the cumulative impact of traffic generated by developments in Elmswell, Suffolk County Council and Mid Suffolk District Council commissioned an independent review of the impacts on the highway network. The review is summarised in following technical reports;

- Technical Note – Elmswell Traffic assessment with Sensitivity Test, July 2017

- Technical Note - Elmswell Traffic Assessment, June 2017

12.60 The Local Highway Authority have confirmed that the information within the Technical Reports has been used to guide their consideration as to whether the developments traffic would cause a severe impact.

12.61 Further to the above, a Traffic Study for Elmswell has been prepared by Waterman Infrastructure & Environment Limited (June 2017) on behalf of Elmswell Parish Council and submitted as information relevant to the determination of this and other applications in Elmswell.

12.62 The Local Highway Authority have considered the proposal in the context of the above information and raise no objection subject to conditions, including the provision of the footway as identified above. The land required to provide the improvements is within the adopted highway or applicants ownership, it is thereby considered to be reasonable to secure the improvements by way of condition.

12.63 Public Rights of Way

12.64 Policy RT12 of the Local Plan seeks to safeguard the footpath and bridleway network and, where appropriate, will support proposals to secure its improvement and modification, including extensions and extinguishments.

12.65 Paragraph 75 of the NPPF seeks to protect and enhance public rights of way and access.

12.66 Suffolk County Council Rights of Way and Access request a contribution of £6,287.50 for public rights of way improvements. Officers recommend the contributions be secured by way of Section 106 Legal Agreement.

12.67 Flood Risk

12.68 The proposal site lies within Floodzone 1 of the Environment Agency flood mapping, where flooding from rivers and the sea is very unlikely. There is less than a 0.1 per cent (1 in 1000) chance of flooding occurring each year.

12.69 Further to the above, the Suffolk County Council Flood and Water Management Team raise no objection to the proposal subject to details of surface water drainage and sustainable urban drainage secured by condition. Officers consider the conditions suitably address matters of surface water flooding and drainage at this outline stage.

12.70 Land Contamination

12.71 The application is supported by a Phase 1 Contaminated Land Survey.

12.72 The Councils Environmental Protection Team have reviewed the information and raises no objection to the proposal subject to a condition securing a scheme of contamination investigation. Officers concur with the findings of the Environmental Protection Team and consider the proposal is thereby acceptable in this regard.

12.73 Archaeology

12.74. Suffolk County Council Archaeological Service have identified that the site lies within an area of high archaeological potential, as recorded in the County Historic Environment Record. No objections to the proposal are raised, however planning conditions securing a programme of archaeological work are requested.

12.75 Officers concur with the findings of the Archaeological Service and consider the impacts upon archaeological assets are acceptable, subject to the imposition of the conditions as recommended.

12.76 *Trees*

12.77 The Local Authorities Tree Officer raises no objection to proposal in principle. However, the Tree Officer identifies the requirement for an Arboricultural Impact Assessment to indicate any specific losses or area requiring precautionary measures and/or mitigation.

12.78 The proposal is in outline; therefore the layout of development and those trees required to be removed to facilitate development are still to be agreed. Furthermore, should outline planning permission be granted, the details of landscaping would be required to be agreed through the submission of an application for the approval of reserved matters. Officers therefore consider that the Arboricultural Impact Assessment can be dealt with by an appropriate condition.

12.79 Further to the above Officers consider a detailed Arboricultural Method Statement and Tree Protection Plan, as requested by the Tree Officer, should be conditioned to help ensure appropriate protection measures.

12.80 *Biodiversity*

12.81 Policy CS5 of the Core Strategy requires development to protect, manage and enhance Mid Suffolk's biodiversity.

12.82 The application is accompanied by a Preliminary Ecological Appraisal and Reptile, Great Crested Newt and Breeding Bird Surveys.

12.83 Suffolk Wildlife Trust raises no objection to the proposal, however make various recommendations.

12.84 The Councils Ecology Consultant registers a holding objection to the proposal, requiring further ecological information to understand the impacts of development on farmland birds, particularly Skylark. The applicant has submitted a Breeding Bird Survey as to address these comments.

12.85 The Councils Ecology Consultants has been consulted on the Breeding Birdy Survey, the consultants comments will be provided as an update to Members.

12.86 *Loss of Agricultural Land*

12.87 Policy CL11 of the Local Plan seeks to conserve the districts best and most versatile agricultural land.

12.88 The Agricultural Land Classification of England and Wales provides a framework for classifying land according to the extent to which its physical or chemical characteristics impose long- term limitations on agricultural use. Land is graded on a scale of 1-5, with Grade 1 deemed excellent quality and Grade 5 deemed very poor quality agricultural land.

12.89 The application site is Grade 3a agricultural land. However, in reviewing the agricultural land classifications for Mid Suffolk, the majority of the land within the district is classified as Grades 2 and 3, with limited land in the lower categories. Accordingly, Officers thereby consider there to be limited poorer quality land available that would represent a preferable location.

12.90 Nonetheless, the proposal would give rise to the loss of agricultural land and thus give rise to a degree of harm in this regard. However, Officers consider as the district is predominantly rural in character and that the proposal site comprises a modest parcel of land, it is considered that the loss of this parcel of agricultural will give rise to limited harm.

13. **Other Matters**

13.1 *CIL and S.106 Planning Obligations*

13.2 The Community Infrastructure Levy is a tool for local authorities in England and Wales to help deliver infrastructure to support the development of the area.

13.3 Mid Suffolk District Council adopted a CIL Charging Schedule On 21st January 2016 and started charging CIL on planning permissions granted from 11th April 2016. Mid Suffolk are required by Regulation 123 to publish a list of infrastructure projects or types of infrastructure that it intends will be, or may be, wholly or partly funded by CIL.

13.4 The current Mid Suffolk 123 List, dated January 2016, includes the following as being capable of being funded by CIL rather than through planning obligations:

- Provision of passenger transport
- Provision of library facilities
- Provision of additional pre-school places at existing establishments
- Provision of primary school places at existing schools
- Provision of secondary, sixth form and further education places
- Provision of waste infrastructure
- Provision of health facilities

13.5 With particular regard to education provision, Suffolk County Council forecast that there is sufficient secondary school and sixth form places to accommodate children arising from the proposal, however, forecast to have no surplus places at the catchment Primary School. Suffolk County Council commissioned a stage 1 feasibility report that confirmed it would be possible to increase the school capacity to 420 places whilst also improving the school operational environment. Expanding the existing school is considered to be the most sustainable and cost effective solution to cope with pupils arising from housing growth. This approach would be captured through the Community Infrastructure Levy (CIL).

13.6 The development is in the Elmswell and Norton Ward where there are five early years providers. It is predicted that there will be a deficit of 25 places in this area. This matter would result in approximately 11 pre-school children arising.

13.7 The information below would form the basis of a future bid from Suffolk County Council to the District Council for CIL funds if planning permission is granted and implemented. This will be reviewed when a reserved matters application is submitted.

- Pre-School Provision - £6091 (per place)
- Primary School Provision - £12,181 (per place)
- Libraries - £216.00 (per dwelling)

13.8 NHS England have confirmed the proposed development is likely to have an impact on the services of Woolpit Health Centre. The GP Practice does not have capacity for the additional growth resulting from this development, thereby giving rise to the need for improvements to capacity, in line with emerging CCG Estates Strategy, by way of extension, refurbishment, or reconfiguration. A Capital Cost Calculation

for additional primary healthcare arising from the development proposal would form the basis of a future bid to the District Council for CIL funds.

13.9 The above are considered to fall within the Councils CIL 123 list. As such, these infrastructure improvements should be dealt with by a future bid for CIL funds.

13.10 Further to the Community Infrastructure Levy, developers may be asked to provide contributions for infrastructure by way of planning obligations in the form of Section 106 agreements.

13.11 Planning obligations assist in mitigating the impact of unacceptable development to make it acceptable in planning terms. Planning obligations, including where tariff style charges are sought, may only constitute a reason for granting planning permission if they meet the tests, as set out in The Community Infrastructure Levy Regulations 2010. The tests comprise the following:

- that they are necessary to make the development acceptable in planning terms,
- directly related to the development,
- and fairly and reasonably related in scale and kind.

13.12 Suffolk County Council have set out requests for Planning Obligations to be secured through a Section 106 Legal Agreement. Comprising the following;

- £5000 for raised bus stop kerbs and £6,000 for a bus shelter and base.
- £6,287.50 for public rights of way improvements
- £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 longest. This is to cover Suffolk County Council officer time working with the Travel Plan Coordinator and agreeing new targets and objectives throughout the full duration of the travel plan.
- Travel Plan Implementation Bond, or cash deposit - £106,105 (£884 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 were to fail to deliver it themselves.
- Implementation of the Interim Travel Plan (when approved).
- Provision of an approved welcome pack to each dwelling on first occupation.
- Approval and full implementation of the Full Travel Plan.
- Monitoring the Travel Plan for a minimum of five years, or one year after occupation of the final dwelling, whichever is longest.
- Securing and implementing remedial Travel Plan measures if the vehicular reduction targets are not achieved, or if the trip rate in the Transport Assessment is exceeded when the site is occupied

13.13 Officers consider the provision of raised bus stop kerbs and bus shelter fall within the Councils CIL 123 list, therefore this request should not be sought through a planning obligation.

13.14 Officers consider that those remaining obligations meet the tests for obligations set out in The Community Infrastructure Levy Regulations, and thereby recommended they be secured through a Section 106 Legal Agreement.

PART FOUR – CONCLUSION

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

14.1. 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.

14.2. In this case The Local Planning Authority, and in instances in combination with relevant consultees, requested the applicant provide additional/amended information, including amended Flood Risk Assessment & Drainage Strategy, amended Site Location Plan and Site Plan and an additional Ecology Survey.

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

15.1. It is not considered that there will be any adverse Legal Implications for planning consideration should the decision be approved.

15.2. The application has been considered in respect of the current development plan policies and relevant planning legalisation. Other legislation including the following have 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.

16. Planning Balance

16.1. The Council accepts that it cannot currently demonstrate a five year housing land supply in the district, as required by the NPPF. 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).

16.2 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.

16.3 In this instance there are restrictive policies relating to designated heritage assets that should be considered. Paragraph 129 of the NPPF identifies that the impact of a proposal on the significance of a heritage asset should be taken into account, in order to avoid or minimise conflict between the heritage asset's conservation and any aspect of the proposal.

16.4 Officers find that the proposed scheme would lead to 'less than substantial harm' to the setting of the heritage assets of White House Farmhouse (Grade II Listed Building) and a group of Grade II listed farmhouses to the west of Ashfield Road, comprising; Dagwood Farmhouse, Oak Farmhouse, Green Farmhouse and Willow Farmhouse.

16.5 Paragraph 134 of the NPPF states that where a proposal would lead to less than substantial harm to the significance of a designated heritage asset, that harm should be weighed against the public benefits of the proposal.

16.6 Officers have applied the balance required by Paragraph 134 of the NPPF. The outcome of this balancing exercise is that those public benefits identified outweigh the less than substantial harm, even when that harm is given considerable importance and weight, satisfying Paragraph 134.

16.7 Officers conclude that these specific policies do not indicate development should be restricted. Therefore, the proposal in this instance, should proceed to be determined in accordance with the presumption in favour of sustainable development.

16.8 The NPPF advises that the environmental aspect of sustainability includes contributing to protecting and enhancing our natural, built and historic environment; economic and social gains should be sought jointly and simultaneously with environmental improvement.

16.9 In this case the adverse environmental impact, associated with harm to the landscape arising from the introduction of development to an otherwise undeveloped parcel of agricultural land, loss of agricultural land and harm to the setting of designated heritage asset, does not significantly and demonstrably outweigh the benefits of the development, including the significant benefit in helping to meet the current housing shortfall in the district. The proposal would thereby represent sustainable development and should be granted in accordance with the presumption in favour of sustainable development.

16.10 The application is therefore recommended for approval.

RECOMMENDATION

(1) That the Corporate Manager – Growth & Sustainable Planning be authorised to secure a planning obligation under Section 106 of the Town and Country Planning Act, 1990, including to provide:-

- 35% affordable housing
- £6,287.50 for public rights of way improvements
- £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 longest. This is to cover Suffolk County Council officer time working with the Travel Plan Coordinator and agreeing new targets and objectives throughout the full duration of the travel plan.
- Travel Plan Implementation Bond, or cash deposit - £106,105 (£884 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 were to fail to deliver it themselves.
- Implementation of the Interim Travel Plan (when approved).
- Provision of an approved welcome pack to each dwelling on first occupation.
- Approval and full implementation of the Full Travel Plan.
- Monitoring the Travel Plan for a minimum of five years, or one year after occupation of the final dwelling, whichever is longest.
- Securing and implementing remedial Travel Plan measures if the vehicular reduction targets are not achieved, or if the trip rate in the Transport Assessment is exceeded when the site is occupied
- Details of provision, future management, and maintenance of open space, including public open space

(2) Subject to the adequate resolution of outstanding drainage matters, that authority be delegated to the Corporate Manager – Growth & Sustainable Planning to grant planning permission subject to conditions, including: -

- Time limit for reserved matters (standard)
- Definition of reserved matters
- Approved plans
- Quantum of residential development fixed to a maximum of 106 no. dwellings
- Details of external facing materials
- Proposed levels and finished floor levels details
- Hard landscaping scheme (including boundary treatments and screen/fencing details)
- Soft landscaping scheme (including identification of existing trees and planting and tree protection measures).
- Details of surface water drainage scheme
- Details of implementation, maintenance, and management of surface water drainage scheme
- Details of sustainable urban drainage system components and piped networks
- Details of construction surface water management
- Details of foul drainage
- Programme of archaeological investigation and post investigation assessment
- Sustainability and Energy Strategy
- Fire hydrant provision details
- Arboricultural Impact Assessment & Arboricultural Method Statement
- External Lighting details
- Provision of access
- Details of footway
- Details of the estate roads and footpaths
- Parking, manoeuvring, and cycle storage details

- Details of a construction management plan
- Details of the areas to be provided for storage of refuse/recycling
- Provision of estate roads junctions
- Provision of visibility splays
- Provision of carriageways and footways
- Contamination Investigation
- Restriction on noise intrusive works
- No burning of waste during construction

(3) That, in the event of the Planning Obligation referred to in Resolution (1) above not being secured the Planning Lead - Growth and Sustainable Planning be authorised to refuse Planning Permission, for reason(s) including:-

- Inadequate provision of infrastructure contributions which would fail to provide compensatory benefits to the sustainability of the development and its wider impacts, contrary to the development plan and national planning policy.