

## **Committee Report**

**Item No: 4**

**Reference: DC/17/03568**

**Case Officer: John Pateman-Gee**

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**Description of Development:** Outline Planning Application (all matters reserved)

– Residential development of up to 51 dwellings

**Location:** GT. Bricett Business Park

**Parish:** Great Bricett Parish Council

**Ward:** Ringshall

**Ward Member/s:** Cllr David Whybrow

**Site Area:** 2.85 hectares

**Conservation Area:** No

**Listed Building:** No

**Received:** 10<sup>th</sup> July 2017

**Expiry Date:** 15th December 2017

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**Application Type:** Outline Planning Application for residential development of up to 51 dwellings

**Development Type:** Smallscale Major Dwellings

**Environmental Impact Assessment:**

**Applicant:** Mr John Cooper

**Agent:** Mr Ryan Jones, RMJ Services

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## **DOCUMENTS SUBMITTED FOR CONSIDERATION**

List of applications supporting documents and reports

- Planning Application Forms and Certificates;
- Supporting Statement prepared by RMJ Services;
- Ecology Report prepared by Castle Hill Ecology;
- Landscape Appraisal Report prepared by LSDP;
- Transport Statement prepared by Rossi Long Consulting;
- Phase 1 Land Contamination Report prepared by JPC Environmental Services;
- Groundusre Enviro Insight Report
- Topographic Survey
- Agents response to Consultee Comments (received 27 November 2017)
- Plans and other drawings relevant to the planning application (including Exisitng Site Plan, Proposed Site Plan and Typical Elevations all received 10<sup>th</sup> July 2017);

The application, plans and documents submitted by the Applicant can be viewed online AT [BLANK] via the following link <http://planning.baberghmidsuffolk.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=OSXIOUSH00K00>

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

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## **PART ONE – REASON FOR REFERENCE TO COMMITTEE**

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

- It is a “Major” application for:-

More than 15 dwellings.

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## **PART TWO – APPLICATION BACKGROUND**

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### **History**

2. The site has been the subject of a number of applications in the past, most related to the use of the site for employment purposes and the lateration/extension of the existing buildings. These are not directly relevant to this proposal, other than setting the context of this being an established employment site/business park.

### **All Policies Identified As Relevant**

3. The local and national policies relevant to the application site are listed below and form part of the consideration of your officers. Detailed assessment of specific policies in relation to the recommendation and specific issues highlighted in this case will be carried out within the assessment:

#### **Summary of Policies**

NPPF - National Planning Policy Framework  
FC1 Presumption In Favour Of Sustainable Development  
FC1.1 Mid Suffolk Approach To Delivering Sustainable Development  
FC2 Provision And Distribution Of Housing  
FC3 Supply Of Employment Land  
CS1 Settlement Hierarchy  
CS2 Development in the Countryside & Countryside Villages  
CS3 Reduce Contributions to Climate Change  
CS4 Adapting to Climate Change  
CS5 Mid Suffolk’s Environment  
CS6 Services and Infrastructure  
CS7 Brown Field Target

CS9 Density and Mix  
SB2 Development appropriate to its setting  
GP1 Design and layout of development  
H7 Restricting housing development unrelated to needs of countryside  
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  
CL8 Protecting wildlife habitats  
E2 Industrial uses on allocated sites  
E4 Protecting existing industrial/business areas for employment generating uses  
T4 Planning Obligations and highway infrastructure  
T9 Parking Standards  
T10 Highway considerations in development  
T11 Facilities for pedestrians and cyclists  
T12 Designing for people with disabilities  
RT12 Footpaths and bridleways

#### **Details of Previous Committee / Resolutions**

4. None

#### **Details of member site visit**

5. None

#### **Details of any Pre Application Advice**

6. The applicant engaged in pre-application discussions with the local highway authority, local planning authority and attended some meetings in the community.

#### **List of other relevant legislation**

7. Below are details of other legislation relevant to the proposed development.

- 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.

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## PART THREE – ASSESSMENT OF APPLICATION

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### Summary of Consultations

8. The responses below relate to the initial consultation carried out on the proposal;

**Great Bricett Parish Council** – The Parish Council feel they have no option but to oppose the current scheme without a road widening scheme with pavements and/or footpaths servicing the entire village's current Highways and Infrastructure are already not coping with the current quota of vehicles and people using them and they cannot sustain the significant increase in population such as large development would create.

**BMSDC Economic Development** – Objection. The site has been in economic use over many years, I have seen no attempt to market the site for alternative employment uses. There is no evidence to show there is no demand for the site for commercial/economic use. Many of the smaller, rurally based employment sites such as Tollemache Business Park have high levels of occupancy suggesting that there is local demand. Alternatively, there is no provision to develop the site for mixed use to retain some form of employment within the area.

**BMSDC Environmental Management (Noise and Other Issues)** – No objection.

**BMSDC Environmental Management (Contamination)** – No objection, but recommend that the following Planning Condition be attached to any planning permission, 'Proposed Condition: Standard Contaminated Land Condition (CL01)'.

**BMSDC Environmental Management (Sustainability)** – Recommend refusal or that the applicant produces more information to address issues under Core Strategy SO8.

**BMSDC Infrastructure Support Officer** – This development site lies within the high value zone for MSDC CIL Charging, and, if granted planning permission, would be subject to CIL at a rate of £115m<sup>2</sup> (subject to indexation). The CIL Liability is calculated on approval of details submitted under Reserve Matters. The Developer should ensure they understand their duties in relation to compliance with the CIL Regulations 2010 (as amended).

**BMSDC Landscape (Place Services)** – The proposals will have an impact on the rural setting of the surrounding landscape. The main development constraint is the requirement to retain the natural landscape character and appearance, and mitigate the impact on the surrounding farmland.

**Natural England** – No comments on this application.

**NHS England** – No objection to the proposed development. NHS England and the CCG look forward to working with the applicant and the Council to satisfactorily address the issues raised in this consultation response.

**SCC Archaeology** – This site lies in an area of archaeological potential recorded on the County Historic Environment Record. It is situated north of a medieval priory site with an associated moated site, which is a Scheduled Ancient Monument (BCG 001 and 002). A Roman Road is recorded to the north (RGL 006) and Roman roadside occupation was identified to the north-west (BCG 004). Surrounding the proposed development area, finds scatters of Roman, Saxon and medieval date have also been recorded (BCG 006, 007, 018, 020, 025). 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 will damage or destroy any archaeological remains which exist.

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 the National Planning Policy Framework (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.

Recommends conditions.

**SCC Development Contributions Manager** - Sets out the infrastructure requirements which arise, most of which will be covered by CIL apart from site specific mitigation. The main issues covered are set out below;

#### Education.

SCC anticipates the following minimum pupil yields from a development of 51 dwellings, namely:

- a. Primary school age range, 5-11: 5 pupils. Cost per place is £12,181 (2017/18 costs).
- b. Secondary school age range, 11-16: 4 pupils. Cost per place is £18,355 (2017/18 costs).
- c. Secondary school age range, 16+: 1 pupil. Costs per place is £19,907 (2017/18 costs).

The local catchment schools are Ringshall Primary School, and Stowmarket High School.

Based on existing forecasts SCC will have no surplus places available at the catchment primary and secondary schools. On this basis, a minimum future CIL funding bid of £363,362 (2017/18 costs) will be made.

Pre-school Provision. From these development proposals SCC would anticipate up to 6 pre-school children at a cost of £8,333 per place.

This development falls within the ward of Ringshall and there is a predicted deficit of 44 places in September 2017. Therefore, the 6 child arising from this development will require a future CIL contribution for early years of £49,998 (based on £8,333 per child).

#### Libraries.

A CIL contribution of £216 per dwelling is sought i.e. £5,616, which will be spent on enhancing provision at the nearest library. A minimum standard of 30 square metres of new library space per 1,000 populations is required. Construction and initial fit out cost of £3,000 per square metre for libraries (based on RICS Building Cost Information Service data but excluding land costs). This gives a cost of (30 x £3,000 = £90,000 per 1,000 people or £90 per person for library space. Assumes average of 2.4 persons per dwelling.

#### Waste

SCC requests that waste bins and garden composting bins should be provided before occupation of each dwelling and this will be secured by way of a planning condition. SCC would also encourage the installation of water butts connected to gutter down-pipes to harvest rainwater for use by occupants in their gardens.

#### Superfast broadband

Refer to the NPPF paragraphs 42-43. SCC would recommend that all development is equipped with high speed broadband (fibre optic). This facilitates home working which has associated

benefits for the transport network and also contributes to social inclusion; it also impacts educational attainment and social wellbeing, as well as improving property prices and saleability.

As a minimum, access line speeds should be greater than 30Mbps, using a fibre based broadband solution, rather than exchange based ADSL, ADSL2+ or exchange only connections. The strong recommendation from SCC is that a full fibre provision should be made, bringing fibre cables to each premise within the development (FTTP/FTTH). This will provide a network infrastructure which is fit for the future and will enable faster broadband.

**SCC Flood and Water** – Recommend holding objection at this time. The reason for recommending an objection is because the applicant has failed to demonstrate that they have a method of disposing of the surface water, in line with national and local policy/guidance. Requires further information to be submitted.

**Suffolk Fire and Rescue Service** - Access to buildings for fire appliances and firefighters must be in accordance with Building Regulations, and fire hydrants will be required.

**SCC Local Highway Authority** – Recommends conditions.

## **Representations**

9. 10 representations have been received making the following comments (summarised);

- The village street is very narrow and broken in many places it is currently unable to cope with the weight and volume of traffic.
- No speed restrictions such as speed ramps and little signage.
- Development has the potential of another 100 plus vehicles which saturate the problem.
- Footpath mentioned to access the school at Ringshall is rough unintended footpath across fields, not lit or level to allow for safe passage.
- No footpath access from the proposed development.
- Future closure of Wattisham Airfield will result in 250 empty houses which will more than satisfy any future housing needs. Many are empty already.
- Closure of Wattisham will no longer guarantee the shop remaining open or the need for a bus service.
- No activities for children of any age in the village.
- A sustainable development is development that meets the needs of the present, without compromising the ability of future generations to meet their own needs.
- Do not agree with the high number of houses being proposed. We have not got the infrastructure.
- Average of 2 cars per house which far exceeds the capacity of the road and in parts, is not wide enough, and there is no room for a footpath.
- Lighting is insufficient.
- There is trouble with speeding and there have been accidents in The Street.
- No employment which means commuting by road. The bus service is practical(ly) non-existent.
- Take issue with the traffic report, this is not a lightly used road as it carries Wattisham commuters and airbase lorries.
- Families will need to drive children to nursery/school.
- SCC may be withdrawing buses to High Schools.
- New bus stop would be better closer to the entrance of this proposed development.
- No urgent requirement for additional housing of any type in the area as there are certainly no opportunities for additional employment locally/posts waiting to be filled.
- If business park is reallocated to residential usage there is a lower chance of employment coming to Great Bricett.

- Three dimensions to sustainable development cannot be satisfied in Great Bricett for planning, such as, economic role, social role, and environmental role.
- Current bus services are not geared to support commuting to Ipswich or surrounding areas. There a large increase in car usage, impacting the environment.
- Proposed location is a valuable area of countryside and natural habit although business development should be encouraged.
- No paths or safe route to walk to local shop.
- No close children's playground.
- More children to add to the costs of providing school bus spaces.
- Not against development where it can be provided to be vital and appropriate. Typically where there is employment on the door step at all income levels and are part of the Propose Local Plan.
- Number of houses proposed is disproportionate to the size of small village.
- The street traffic is already busy due to the stationed MOD staff and employees.
- Very concerned that a development of this size cannot be supported by the infrastructure afforded to this village.
- Doctors surgery is over 4 miles in either direction, getting an appointment is hard and adding the proposed amount of new residents will make it impossible.
- People travelling to and from the village during peak hours including those in Military Housing, has not been included in the transport report. This will increase with an extra 51 dwellings.
- Local school only has capacity for 108 students. There are no park areas for children to safely play.
- The Street is very narrow as it comes off of the B1078 (national speed limit road) often vehicles have not reduced their speed accordingly.
- Accident earlier this year due to visibility/speeding issues.
- Only two street lights.
- Should not be approved unless Suffolk County, MSDC and Parish can fund the additional needs in relation to the infrastructure.
- Lose views and peace and quiet as all residents on Wixfield Park are elderly.
- Questions would like answered about the landscaping of the perimeter of the development; will the back be landscaped and grassed over to make it more attractive.
- Proximity of the bio sewerage tank from houses on Wixfield Park. Concerns about sewerage smell. Requesting for it to be sited further away on the other side.
- Not every dwelling has provision for 2 cars to park near or next to each house.
- Existing problem with cars parking on The Street at Three Releet Close which is very dangerous next to the blind junction not far from this proposal.
- Further strain on the access road – especially around the junction with Meadow Valley where the width on the bridge opposite Riverside Cottage is only wide enough for a single car or bus.
- Provision for pavements is essential.

### **The Site and Surroundings**

10. Great Bricett Business Park consists of a cluster of nissen style buildings located in a cluster to the eastern end of the site. The site is served by an existing access off Pound Hill.
11. Over half of the site, primarily to the western end, is an area of open space which includes the site frontage directly onto Pound Hill. The frontage is defined by a maintained hedgerow which returns along the northern side of the access road and provides a soft edge to the site. The buildings themselves are located some distance from Pound Hill and are not, therefore, prominent in the streetscene.
12. To the north of the site is the residential park known as Wixfield Park, which abuts the Buisness Park and is accessed off Pound Hill to the north of a short run of residences which front Pound Hill. To the east and south of the site are agricultural fields. Further north lies RAF Wattisham, along with the associated dwellings and commercial buildings.

13. The site is currently in use for archive storage, which occurs within some of the buildings on the land.
14. The site is not subject of any landscape designations and is not within the setting of listed buildings or a Conservation Area.

### **The Proposal**

15. The application proposes a residential redevelopment of the entirety of the site. It is made in outline form with all matters reserved.
16. Submitted with the application are a number of supporting documents (covering matters such as Ecology, Contamination, Transport and Other Environmental Matters) along with an indicative layout plan and typical elevations. These seek to demonstrate how a development of 51 dwellings could be accommodated on the land, including the access, internal roads and footpath connections.
17. Included with the application, in recognition of the need to provide connectivity and accessible public transport, are proposals to provide an additional parcel of footway along the western edge of Pound Hill (from the site access heading north) and upgrading of bus stops in the locality.
18. The proposal would result in the loss of the existing nissen hut buildings and the development of a significant area of the land overall. The indicative layout shows development proposed on the site frontage to Pound Hill to continue the linear form of development along this road.
19. The density of the proposal equates to approximately 17.5 dwellings per hectare, which the applicant identifies as recognising the rural setting of the site.

### **Main Considerations**

20. The following are identified as the main considerations in assessing this application.

### **The Principle Of Development**

21. In considering the principle of this proposal, it is noted that the proposal brings about a number of issues which the decision taker will need to balance and weigh accordingly in reaching a decision. These issues are loosely summarised below, though this list is not exhaustive;
  - The loss of an existing employment site.
  - The delivery of housing in an area where there is an absence of a five year housing supply.
  - The reuse of previously developed (“brownfield”) land.
  - The location of the site outside any settlement boundary
  - The scale of the development relative to existing facilities and services, and its impact on local communities.
  - The amount of local objection to the development.
  - The provision of a range/mix of housing, including 35% affordable housing.
  - The comparable traffic generation resulting from the existing and proposed uses.
22. This list demonstrates that there are a number of factors to consider in reaching this decision and that many of these pull in differing directions. For example, the delivery of housing would result in some economic benefit through both the construction of the dwellings and subsequent spend from the occupants of the properties, but this needs to be weighed against the loss of an



employment site which itself currently contributes to the local economy. In the same way, whilst the reuse of previously developed land is one of the core planning principles in the NPPF, such sites do not always lend themselves to reuse for residential development and can often be isolated from day-to-day facilities and services, as the uses upon them do not have the same needs/reliance on the services that a residential use would. It is not difficult to perceive, therefore, that there will be elements of this proposal which are likely to be in accordance with the development plan, and elements which may not.

23. What follows is, therefore, an assessment of these issues and the considerations which require to be balanced in making a decision. That balance will be made within the conclusion (Part Four) of this report.

### **Delivery of Housing (5 Year Land Supply)**

24. The National Planning Policy Framework (NPPF) requires Councils to identify and update on an annual basis a supply of specific deliverable sites sufficient to provide for five years worth of housing provision against identified requirements (paragraph 47). For sites to be considered deliverable they have to be available, suitable, achievable and viable.
25. Relevant policies for the supply of housing should not be considered up-to-date if the local planning authority cannot demonstrate a five year supply of deliverable housing sites (as stated in paragraph 49 of the NPPF). Where policies cannot be considered up-to-date, the NPPF (paragraph 14) cites the presumption in favour of sustainable development and states that planning permission should be granted unless i) any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF taken as a whole; or ii) specific policies in the NPPF indicate development should be restricted. The presumption in paragraph 14 also applies where a proposal is in accordance with the development plan, where it should be granted permission without delay (unless material considerations indicate otherwise).
26. The precise meaning of 'relevant policies for the supply of housing' has been the subject of much case law, with inconsistent results. However, 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. In applying the 'tilted balance' required by this paragraph, the Council must decide what weight to attach to all of the relevant development plan policies, whether they are policies for the supply of housing or restrictive 'counterpart' policies such as countryside protection policies.
27. In accordance with National Planning Policy Guidance paragraph 030 (Reference ID: 3-030-20140306) the starting point for calculating the 5 year land supply should be the housing requirement figures in up-to-date adopted Local Plans. It goes on to state that '...considerable weight should be given to the housing requirement figures in adopted Local Plans, which have successfully passed through the examination process, unless significant new evidence comes to light....Where evidence in Local Plans has become outdated and policies in emerging plans are not yet capable of carrying sufficient weight, information provided in the latest full assessment of housing needs should be considered. But the weight given to these assessments should take account of the fact they have not been tested or moderated against relevant constraints...' The NPPF (Paragraph 49) 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.

28. Case Law suggests a "narrow" interpretation of 'relevant policies for the supply of housing', but that the decision maker must decide what weight to attach to all of the relevant development plan policies, whether they are policies for the supply of housing or restrictive 'counterpart' policies such as countryside protection policies.
29. In accordance with National Planning Policy Guidance paragraph 030 (Reference ID: 3-030-20140306) recommends that the starting point for calculating the 5 year supply is the housing requirement figures in adopted Local Plans, unless significant new evidence comes to light. The Ipswich and Waveney Housing Market Areas Strategic Housing Market Assessment (SHMA) is significant new evidence for the emerging Babergh and Mid Suffolk Joint Local Plan. It is for the decision taker to consider appropriate weight to be given to these assessments.
30. A summary of the [MSDC] Council's 5 year land supply position is:
  - i. Core Strategy based supply for 2017 to 2022 = 3.9 years
  - ii. SHMA based supply for 2017 to 2022 = 3.9 years
31. The NPPF looks for local planning authorities to 'boost significantly' the supply of housing. The delivery of 51 dwellings, of which 18 would be affordable properties and a further 8 would be 2-bedroom market homes, would make a positive contribution to the housing supply in the district.
32. Paragraph 50 of the NPPF states that to deliver a wide choice of high quality homes, widen opportunities for home ownership and create sustainable, inclusive and mixed communities, local planning authorities should:
  - plan for a mix of housing based on current and future demographic trends, market trends and the needs of different groups in the community (such as, but not limited to, families with children, older people, people with disabilities, service families and people wishing to build their own homes);
  - identify the size, type, tenure and range of housing that is required in particular locations, reflecting local demand; and
  - where they have identified that affordable housing is needed, set policies for meeting this need on site, unless off-site provision or a financial contribution of broadly equivalent value can be robustly justified (for example to improve or make more effective use of the existing housing stock) and the agreed approach contributes to the objective of creating mixed and balanced communities. Such policies should be sufficiently flexible to take account of changing market conditions over time.
33. Given that the proposal would seek to deliver a mix of housing including some smaller units, and would deliver a policy compliant affordable housing provision, it is considered that the delivery of housing proposed by this application should be given significant weight in reaching a decision on this proposal.

### **Countryside Location/Isolation**

34. 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. Great Bricett falls within the category of countryside and, therefore, the following policies are directly relevant to this proposal.

35. 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
36. Policy H7 of the Local Plan seeks to restrict housing development in the countryside in the interests of protecting its existing character and appearance.
37. 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 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.
38. 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 they contribute 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. This is not consistent with the NPPF.
39. Furthermore, paragraph 55 of the NPPF sets out that local planning authorities should avoid isolated homes in the countryside, except in special circumstances. Paragraph 55 of the NPPF states that:

*“To promote sustainable development in rural areas, housing should be located where it will enhance or maintain the vitality of rural communities. For example, where there are groups of smaller settlements, development in one village may support services in a village nearby.”*
40. As such, paragraph 55 does not preclude development in the countryside in the way that policies CS2 and H7 do. When considering the principles of whether a development is isolated, it is appropriate to consider both the extent to which the development is related to existing built development, and the relationship to facilities and services.
41. The site lies immediately to the south of an estate of residential properties and close to RAF Wattisham. It is not isolated from existing buildings in this sense, and the site currently forms a cohesive part of this built up part of the countryside. It has, therefore, a close functional relationship with existing built development and would not be isolated in the terms suggested by NPPF paragraph 55.
42. With regards to the relationship that the site has to facilities and services, the Supporting Statement submitted with the application identifies that;

*“Great Bricett has some local facilities itself, including a pub/restaurant located relatively nearby (The Red Lion), a church and a village hall (situated close to the site).*

*Within Wattisham Airfield (outside the secured compound area) there is a small general store with post office and a garage (Base Garage) for car sales and vehicle maintenance. There is also a church at the airfield. These facilities are within easy walking distance of the proposal site.*

*Neighbouring Ringshall Stocks has a primary school, which is located relatively close to the site. The rights of way network provides footpath access to reach the school from the proposal site.*

*The Street/Pound Hill is served by rural bus services, providing 3 services a day to Ipswich (service 111) from Monday to Saturday; with 1 daily to Stowmarket, from Monday to Friday (service 405). A twice weekly service links the locality with Hadleigh and Stowmarket (service 462).*

*The site is located 5 miles from Needham Market (via the B1078), where a good range of facilities and services is available, including a railway station. In the other direction, Bildeston is 4 miles away (via the B1078) and also offers a relatively good range of facilities and services. Hadleigh is 7 miles away and offers a comprehensive range of facilities and services”.*

43. At face value, this would appear to demonstrate that the site is reasonably well connected to the required day-to-day facilities and services. However, local objectors identify that the footpath from the site to the school is unmade, across fields, unlit and unlevel, and would not offer convenient access to the school for those reasons. They identify that there is no safe route to the shop from the site, that there is no nearby children’s playground and that there can be no guarantees as to the sustainability of the shop and other facilities if the airbase is to close. It is also noted that Great Bricett does not, currently, have a settlement boundary, although the village and Wattisham Airfield are the subject of proposed new settlement boundaries within the Joint Local Plan consultation which closed in November 2017. Both of these proposed settlement boundaries would be close to, but not include, the application site.
44. In concluding on the matter of isolation, it is considered that whilst there would need to be some reliance on the car for some facilities and services, there is access to a range of facilities in the locality, and to some opportunity to travel by means other than the car, such that your Officers would not conclude that this site is isolated. The proposed settlement boundaries result from a more up-to-date assessment of the facilities and services in the locality and, thereby, the sustainability of this area such that to reach a differing conclusion would conflict with the recent evidence base upon which the Local Plan consultation was based. As such, it is considered that the special circumstances required by paragraph 55 are not engaged in this case.
45. As such, the location of the site outside the settlement boundary does not weigh heavily against the proposal, and needs to be considered in the context of the three dimensions of sustainable development.

### **Loss of Employment Land**

46. The supporting statement makes clear that the extent of the area of land utilised by the nissen-style buildings on the site is approximately 1.34 hectares. This equates to 46% of the overall site area.
47. The Council’s Economic Development Officer has objected to the proposal, identifying that the site has been in economic use over many years, that there has been no attempt to market the site for alternative employment uses and that there is no evidence to show that there is not demand for the site for economic/commercial use. They also refer to the absence of any proposal for a

mixed use here, as the application seeks to lose all of the employment use on the land without considering whether a mixed use may be viable.

48. The application submission considers the extent of both the NPPF and the development plan in respect of how they consider the protection of, or redevelopment of, employment sites. It identifies saved policy E4 of the Local Plan as being relevant, and provides that;
- The existing buildings are 'Nissen' hut style buildings, most of which pre-date 1945. Their suitability for modern business (except storage) is questionable. This is supported by the fact that the current occupants are intending to relocate to more modern premises in early 2018.
  - That the likely interest in the site for commercial purposes would be low due to the restrictive public highway connections and rural location.
  - There are other small rural employment sites locally.
  - Residential use of the site could be positive to supporting other businesses in the locality.
49. Whilst the information provided in the application is not supported by any form of market assessment, viability appraisal or local employment unit availability assessment, the points above are considered to be reasonable in many regards. For example, the age of the buildings and their condition may not be such that would be attractive to a number of businesses, particularly given other employment units in the locality. Furthermore, it is noted that objections have been raised with regards to the highway network and its inability to cope with the traffic generated by the proposed development. It could be equally applicable that it would not be desirable to have to cope with large business vehicles accessing this site on a regular basis. It is also noted that objectors raise the potential closure of some of the local facilities, particularly the shop, if the airbase was to close. The delivery of housing would be likely to provide more custom for the local shop than the existing, limited, employment use of the site, thereby potentially providing more support for its continued operation. The points raised are not, therefore, considered to be without merit.
50. However, notwithstanding this assessment, it remains the case that the proposal would not accord with the development plan in this regard. The applicant has failed to demonstrate that the use of the site for employment use is no longer viable and the proposal would therefore be contrary to saved policy E4 which states that proposals will be refused for *"development adjacent to or within existing industrial/business areas which would be likely to prejudice the continued use of those areas for primarily industrial or commercial purposes"*.
51. Whilst the NPPF does provide (at paragraph 22) that *"Planning policies should avoid the long term protection of sites allocated for employment use where there is no reasonable prospect of a site being used for that purpose"* and that *"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"*, as stated above the applicant has not demonstrated that there is no reasonable prospect of this site being used for those purposes. Therefore, whilst they have suggested reasons why that may be the case, this matter weighs against the proposal and should be balanced accordingly.

## **Reuse of Previously Developed (Brownfield) Land**

52. One of the core planning principles set out in the NPPF is to encourage the effective use of land by reusing land that has been previously developed (brownfield land), provided that it is not of high environmental value. This principle is set as policy within paragraph 111 of the NPPF, which also identifies that local planning authorities may continue to consider the case for setting a locally appropriate target for the use of brownfield land.
53. Whilst the applicant acknowledges that approximately 46% of the site is previously developed land, this would result in over half of the site being land which is not previously developed and, therefore, which would not comply with this aim.
54. The land is not of high environmental value and is not set within any designated landscapes or derives any particular ecological benefits. It is contained to the south by the access road into the business park but, at its eastern edge, terminates adjacent to Pound Hill where it provides a green edge adjacent to the short run of houses which sit to the south of Wixfield Park. The site is, therefore, less sensitive in development terms than other, more valued landscapes and better quality agricultural land.
55. To this end, the redevelopment of nearly half of the site (as brownfield land) meets the aims of paragraph 111 of the NPPF and, when account is given to the overall character of the site, the absence of any specific landscape designations and the removal of the existing nissen hut buildings from the site, there are environmental benefits that can be achieved from the redevelopment of this site such that it is considered that this matter would weigh in favour of the development. It is considered that as this is a core principle of the NPPF, this can be given substantial weight in the decision making process.

## **Scale of Development**

56. The scale of the development would be similar to that of the development immediately to the north, known as Wixfield Park. It is acknowledged that the proposal would result in a scale of development that would be significant comparable with Great Bricett village itself, but not in relation to the airfield and the surrounding development which borders it. In this sense, an assessment of how the proposal would relate to surrounding development is important so as to understand how the development would relate to its surroundings and, therefore, how its scale would relate to the local environment.
57. Whilst the site lies beyond the southern extremities of the airfield development, it would appear to have more of a relationship with this development than that within the main built up part of the village, which lies some distance to the south and is separated from this area by agricultural fields. This is demonstrated through the Local Plan consultation document, which draws proposed new settlement boundaries around the airfield and Great Bricett separately. The site has a more positive relationship, in terms of both its physical location and its impacts, with the airfield than with the village.
58. In this regard, having reached that conclusion, it is considered that the scale of the development is not out of character with the locality. This area is characterised by estate style development and, in terms of the indicative layout, the proposal would draw references to both Wixfield Park and the linear form of Ringshall Stocks, which lies a short distance to the east.
59. Notwithstanding this, it is apparent that the proposal would result in a significant increase in residency in the local area, and with this would come additional pressure on local facilities and services. The response from the Development Contributions Manager at SCC sets out deficits in educational provision and the need for CIL contributions to fund mitigation. In this regard, whilst

the proposal would exacerbate existing pressures to some extent, the development will provide funding that will mitigate that pressure and also indirectly offset existing deficiencies in provision.

60. In light of this, the scale of development is considered to be appropriate to its surroundings and, whilst some negative effects would result from pressure on services, the proposal offers benefits in terms of CIL contributions, highways improvements (covered in more detail later in this report) and in supporting local services such as the shop which would counteract these negative effects.
61. As such, as a matter of planning judgement, the scale of the development is considered to have a neutral effect in the planning balance.

### **Traffic Generation/Highways Issues**

62. Comments from local residents draw significant attention to the local highway network (as referred to earlier in this report) and its capacity for further traffic, the absence of footpaths and the impacts this would have on both existing and future residents.
63. Submitted with the application is a Transport Statement prepared by Rossi Long Consulting prepared on behalf of the applicant. This statement makes the following points;
  - The existing direct vehicular access would be utilised to the site from Pound Hill to the south west. This junction will accord with current standards, with adequate visibility splays provided in both directions.
  - The requirement for the Transport Statement and principle for development on this area of land has previously been agreed with the Local Planning Authority and Local Highway Authority, and all relevant local and national planning policy and guidance has been followed.
  - In summary, trip generation analysis shows there to be a maximum of 26 two-way trips added to the surrounding highway network during the peak hours. This quantum of traffic is not likely to result in queuing traffic on very lightly trafficked rural road network such as Pound Hill.
  - Additionally, the accident record of the local highway network in the vicinity of the site shows that only one 'slight' accident has occurred during the most recent 5 year period. This accident record for a section of roads including T-junctions and residential roads is not therefore regarded as being of significant safety concern.
  - The site is located within an existing residential area and also within walking and cycling distance of existing facilities / services and public transport services.
  - Pedestrian footpath facilities on the western side of Pound Hill will be upgraded as part of the development proposals, as will the bus stop facilities in the vicinity of the site.
64. It goes on to conclude that the vehicular demands arising from the proposed development would not have a significant adverse impact on the surrounding transport network (both in terms of safety and capacity) and that the Government's adopted policy objective to promote travel by more sustainable forms of transport is fully supported. It highlights that there should, therefore, be no highways or transportation reasons why the development proposals should not be approved.
65. The LPA acknowledges that the proposal would give rise to impacts on the highway network, and that these require careful assessment and consideration in light of the extent of local objections and the requirements of national and local policy.
66. Paragraph 32 of the NPPF requires that all developments that generate significant amounts of movement should be supported by a Transport Statement or Transport Assessment. Plans and decisions should take account of whether:

- the opportunities for sustainable transport modes have been taken up depending on the nature and location of the site, to reduce the need for major transport infrastructure;
- safe and suitable access to the site can be achieved for all people; and
- improvements can be undertaken within the transport network that cost effectively limit the significant impacts of the development. Development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe.

67. The test set out in respect of the cumulative impacts of development is that, for development to be refused on those grounds, those cumulative residual impacts (after any mitigation is provided) would need to be severe. In this case, the applicant has provided a Transport Statement to support the proposal in accordance with the first part of NPPF paragraph 32. The extent to which sustainable transport methods are available to future occupants has, to a large extent, already been considered within the earlier part of this report which addressed whether the site is isolated, and the conclusion drawn was that the site did give rise to reasonable alternatives to the car.
68. The upgrading of footpath facilities on the western side of Pound Hill would assist with site accessibility for those wishing to walk. The Transport Assessment sets out that this would enable future residents of this scheme and those already using the public footpath network to access the open space in the development as well as linking the site with existing footpaths for those travelling out of the development on foot. It is understood this provision, linking the site with Wixfield Park, followed meetings between the Local Highway Authority and the applicants Transport specialists where the provision of such a link was considered to be achievable using either SCC land or land within the applicant's ownership.
69. Furthermore, proposals are included to upgrade the bus stops in the vicinity of the site. This would help to support the use of public transport in this locality which, as identified within the Transport Statement, includes the following;
- Route 111 provides a connection from Ipswich to Hitcham, calling at 13.22, 16.32 and 18.22 Mondays to Saturdays, and 07.28, 09.53 and 13.53 for the reverse journey.
  - Route 405 provides a school bus service from Great Bricett to/from Stowmarket High School.
  - Routes 461 and 462 provide a twice daily community service to/from Hadleigh and Stowmarket on Mondays, Tuesdays, Thursdays and Fridays.
70. Although some distance from the site, it is worth noting that the nearest railway stations are located approximately 6.5 miles to the north of the site at Stowmarket and 10.5 miles to the south-east of the site at Ipswich. These stations can be reached by either cycling or public transport. Stowmarket and Ipswich are situated on the Norwich to London railway line served by Greater Anglia, who operate a half hourly service to both Norwich and London.
71. Guidance for cycle parking is provided within the 'Suffolk Guidance for Parking' dated November 2015. SCC's standards for cycle parking take the form of minimum standards, so as to support cycling as a sustainable mode of transportation. The proposal sets out that where no garage or secure area is provided within the curtilage of the dwelling, a minimum of 2 secure covered spaces will be required per dwelling. The provision of convenient secure cycle parking facilities is fundamental to attracting modal shift to cycling. As such, each dwelling will have the space to provide cycle parking that is safe, secure and convenient to use.
72. In response to the final bullet-point within paragraph 32 of the NPPF, the Local Highway Authority have assessed the impacts of the development and have not raised objection to the proposal. As such, it is recognised that they do not consider that the traffic generation would be such that would result in cumulative residual impacts which would be severe in highway terms. Therefore,



subject to imposition of the conditions recommended by the Local Highway Authority, the principle of this development is acceptable in highway terms.

73. In light of the above, the highway issues resulting from this development do not weigh against the proposal.

### **Design and Layout**

74. The application is made in outline form where the matters of scale, layout, appearance and landscaping are reserved for consideration at a later time.
75. Accompanying the application is an indicative layout plan, a Landscape Appraisal and 'typical' elevations, which are clearly indicative but which provide context to how the site could be developed.
76. Taking the layout and associated landscaping first, the indicative layout identifies properties fronting onto Pound Hill, continuing the linear form of development along the road. This is considered to be an appropriate approach to the layout and development of this parcel of land, which should be carried forward into the detailed design and layout at reserved matters stage. However, it should be noted that the property to the immediate north of the site frontage is a bungalow, so the impacts on this property will need to be carefully considered.
77. The internal layout of the development does not appear cramped and the applicant identifies that the proposal would provide parking at the required standards, cycle parking and provision for waste and refuse storage and presentation. In this regard, whilst the manner in which the final layout will come forward will need to take account of a number of issues, the applicant has demonstrated that a development of this scale can be accommodated on the site appropriately. Care to ensure that the rural character of the site is recognised through appropriate landscaping will need to be taken at the reserved matters stage, though there is sufficient space on site to provide a good quality landscaping scheme.
78. The development would be low density (17.5 dwellings per hectare) which is considered appropriate in this setting.
79. Turning to the indicative elevations provided, these are uninspiring and are not considered to adequately reflect the local distinctiveness of the village. Great Bricett contains a number of good quality buildings and heritage assets and, as this development would provide a gateway development on one of the main approaches to the airfield, opportunities should be taken to provide high quality design that would raise standards in the immediate locality and take design leads from the architectural features of those better-quality buildings in the village. As this is a matter of detail this does not weigh against this application which seeks only to establish development principles. It is correct and necessary, however, to set down a marker at this stage that a better quality of design is necessary than that which has been indicated.
80. For all of these reasons, the application has demonstrated that a development of the type proposed can be appropriately designed and laid out on this site.

### **Residential Amenity**

81. The layout of the development would be brought forward as a reserved matter in the event that outline planning permission is granted in this case. The impacts of the proposed dwellings on existing residential properties would be a matter of detail for consideration at that stage.

82. However, the indicative layout shows that in that case properties would be sited some distance from existing residences and, when coupled with the detailed landscape proposals that will also be the subject of a reserved matters application, it would appear that this development can be accommodated without giving rise to detrimental impacts on the amenities of existing properties.

### **Drainage**

83. The applicant has failed to address the requirements of the Lead Local Flood Authority (LLFA), who have issued a holding objection based on the absence of information to demonstrate that the applicant has a method of disposing of the surface water, in line with national and local policy/guidance.
84. The information required by the LLFA includes a Flood Risk Assessment, Drainage Strategy, Preliminary "Outline" hydraulic calculations, Preliminary landscape proposals, Ground investigation report (for infiltration) and evidence of 3rd party agreement to discharge to their system (in principle/consent to discharge). In response, the applicant has pointed to the costs of providing such information in the absence of any certainty that permission would be forthcoming, and that existing drainage on the site successfully deals with surface water resulting from the employment buildings.
85. While the applicant has not currently provided evidence of a viable surface water drainage strategy for the proposed development their position is understood given the Outline application type. As such, the recommendation on this proposal reflects the need for the applicant to satisfy the LLFA on the viability of a drainage scheme on this site and pro active working supported by the NPPF.

### **Renewable Energy/Sustainable Construction**

86. The Core Strategy expects new development to be of a high standard of design and layout and that it will address the need for energy and resource conservation. Policy CS3 provides principles around low water use, passive design, solar gain and low impact materials which are also relevant to this proposal.
87. Paragraph 35 of the NPPF provides that Plans should protect and exploit opportunities for the use of sustainable transport modes for the movement of goods or people. Therefore, developments should be located and designed where practical to incorporate facilities for charging plug-in and other ultra-low emission vehicles.
88. The proposal is in outline form and does not address the renewable energy/sustainable construction elements to a satisfactory standard. However, as identified by the Council's Sustainability Officer, these matters are directly affected in the design and layout of the proposal and can, therefore, be addressed by a condition which will require these matters to be addressed as part of any reserved matters submissions.

### **Land Contamination**

89. The application is supported by a Land Contamination Assessment which has been scrutinised by the Council's Environmental Protection Team. A condition is recommended to adequately address this matter.

### **Impact on Heritage Assets**

90. The site does not lie within or adjacent to a Conservation Area, and the nearest listed buildings are some distance to the south of the site, set within the built up part of the village.

91. The proposal would not be able to be viewed in the same context as these listed buildings and would not affect their setting, which is clearly identifiable and defined.
92. As such, the proposal does not give rise to harm to above ground heritage assets and, therefore, the provisions of paragraphs 132-134 of the NPPF would not be engaged.
93. The Archaeological Service have identified that this site lies in an area of archaeological potential recorded on the County Historic Environment Record. It is situated north of a medieval priory site with an associated moated site, which is a Scheduled Ancient Monument. A Roman Road is recorded to the north and Roman roadside occupation was identified to the north-west. Surrounding the proposed development area, 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 will damage or destroy any archaeological remains which exist.
94. The Archaeological Service response identifies that there are not grounds for refusal on this basis, but that conditions would be required to ensure that archaeology is appropriately dealt with. In this respect, any permission granted on this site would need to ensure that such conditions were included in line with these requirements.

### **Biodiversity and Protected Species**

95. In assessing this application due regard has been given to the provisions of the Natural Environment and Rural Communities Act, 2006, in so far as it is applicable to the proposal and the provisions of Conservation of Habitats and Species Regulations, 2010 in relation to protected species.
96. The application is supported by a Preliminary Ecological Assessment and Botanical Survey. These reports identify that there are no further species surveys required, and that habitat enhancement is recommended, primarily through the management of hedgerows and through the protection (during construction) of areas containing bee orchids.
97. In this regard, a habitat management plan will be required by condition in the event that planning permission is granted.

### **Planning Obligations and CIL**

98. 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 education and libraries.
99. The application, if approved, would require the completion of a S106 agreement to secure the required number of affordable dwellings as set out previously in the report.
100. 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.

### **Crime and Disorder**

101. 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 Financial Benefits / Implications (S155 Housing and Planning Act 2016)**

102. Granting this development will result in the following financial benefits:

- New Homes Bonus
- Council Tax

These are not material to the planning decision. CIL will be applied to the development if approved and this is material in terms of managing any infrastructure burden of the development.

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## **PART FOUR – CONCLUSION**

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### **Planning Balance**

103. This application brings about a number of issues which require careful attention in reaching a decision upon this proposal. What follows, therefore, is a balancing of those issues in light of the assessment carried out within the preceding paragraphs of this report.

104. In accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004 and section 70(2) of the Town and Country Planning Act 1990, applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise. The consideration is, therefore, whether the development accords with the development plan and, if not, whether there are material considerations that would indicate a decision should be taken contrary to the development plan. The development plan includes the Mid Suffolk Core Strategy (2008), Core Strategy Focussed Review (2012) and saved policies in the Mid Suffolk Local Plan (1998).

105. In light of this application relating to a proposal for new housing, a further important consideration in determining this application is that Mid Suffolk does not currently have a five-year supply of deliverable housing sites. Paragraph 47 of the NPPF requires LPAs to identify a 5 year supply of specific deliverable housing sites. 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'.

106. Paragraph 14 of the NPPF states;

*“At the heart of the National Planning Policy Framework is a presumption in favour of sustainable development, which should be seen as a golden thread running through both plan-making and decision-taking.*

*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”.*

107. As such, the effect of paragraphs 47, 49 and 14 are that;
- the local authority should be able to identify a supply of specific deliverable sites sufficient to provide five years worth of housing against their housing requirements;
  - that where such a supply cannot be demonstrated, policies for the supply of housing should not be considered up-to-date, and;
  - where policies are not up-to-date, permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits when assessed against the policies in this Framework taken as a whole or where specific policies in this Framework indicate development should be restricted. Policy FC1 sets out a similar approach where relevant Core Strategy policies are out-of-date.
109. As set out at paragraph 26 above, the Supreme Court in May 2017 has clarified the position with regards to 'policies for the supply of housing' and how that is to be considered. Officers note that the judgement makes it clear that the meaning of that expression is not the real issue, and that the absence of a five year housing land supply triggers the application of paragraph 14 of the NPPF.
110. In considering the three dimensions of sustainable development, the proposal would meet the social dimension through the delivery of housing incorporating a mix that includes both smaller market dwellings and policy compliant affordable housing provision. The proposal thereby demonstrates the social elements of sustainable development.
111. In terms of the environmental dimension, the proposal would result in the redevelopment of an existing brownfield site and the reuse of underused land that is not of high environmental value. The development would incorporate a managed approach to habitat within the site and, by virtue of the removal of the existing nissen buildings on the site, would provide opportunity to enhance the landscape setting of the site through high quality design. Set against this, and weighing against the development, is the loss of a green open space on this main approach to the airbase and the lack of access to some key facilities and services that would be required to make day-to-day living viable without reliance on journeys being made by car. As such, the development would not support the transition to a low carbon future nor would it be consistent with the aims of the NPPF to make the fullest use of non-car modes of transport.
112. However, the site does benefit from reasonable access to rural bus services to key service centres and the scheme would bring about improvements to both bus stops and pedestrian access to services such as the local shop and church. In balancing this element, therefore, the proposal brings about some environmental benefits but would, overall, result in environmental harm arising from future dependency on car borne trips.
113. In economic terms, the scheme would result in the creation of construction jobs and likely ongoing multiplier effects on spending and attendance in/at village businesses and facilities. In this respect, whilst there is no evidence submitted to support this claim, it does not appear unreasonable to consider that the introduction of a further 51 dwellings in the locality would support the viability of the local shop at a time when the potential closure of the airbase (as raised by local objectors) may threaten its existence. This is considered to be a further economic benefit to which weight can be given.
114. These benefits do, however, need to be balanced against the loss of an existing employment site and in light of the absence of substantive evidence within the application that the site is no longer required for this purpose. Notwithstanding this, the weight to be given to this economic harm is reduced due to the limited amount of employment currently in existence on the site and the poor quality of the buildings on the site.

115. Furthermore, the application fails to demonstrate that a suitable surface water drainage can be facilitated on the site. The proposal therefore conflicts with the development plan and the NPPF in this regard.
116. Taking all of these considerations in the round, the development would deliver economic, social and environmental benefits consistent with the NPPF and the development plan. Weighing against the proposal would be the environmental harm arising from future dependency on car borne trips and the economic harm resulting from the loss of employment on the site. Nevertheless, this harm would not 'significantly and demonstrably' outweigh the benefits that have been identified and, accordingly, the scheme would constitute sustainable development for which there is a presumption in favour. It is considered that this is a significant material consideration sufficient to outweigh the conflict with the development plan.
117. A recommendation of approval is therefore made. Whilst such a decision would not be in accordance with the development plan, viewed as a whole, it is an outcome that is envisaged by policy FC1 where the 'tilted balance' and the presumption in favour of sustainable development are engaged.

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

118. 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. In this instance the applicant has worked to address problems and has sought to resolve these wherever possible.

**Identification of any Legal Implications of the decision**

119. 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 2010
  - Town & Country Planning (Listed Buildings & Conservation Areas) Act 1990
  - Natural Environment and Rural Communities (NERC) Act 2006 (any rural site)
  - The Conservation of Habitats and Species Regulations 2010
  - Localism Act
  - Consideration has been given to the provisions of Section 17 of the Crime and Disorder Act, 1998, in the assessment of this application but the proposal does not raise any significant issues.

## **RECOMMENDATION**

That subject to an acceptable drainage scheme being provided to the satisfaction of the Local Planning Authority in consultation with the Local Lead Flood Authority, that authority be delegated to the Corporate Manager - Growth and Sustainable Planning to grant planning permission, subject to the prior completion of a Section 106 or Undertaking on terms to their satisfaction to secure the following heads of terms

- Affordable Housing (in accordance with a mix to be agreed with the Council's Strategic Housing Team)
- Open Space

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

- 1) Time limit for reserved matters (standard)
- 2) Definition of reserved matters
- 3) Approved plans
- 4) Quantum of residential development fixed to a maximum of 51 no. dwellings
- 5) Details of external facing materials
- 6) Proposed levels and finished floor levels details
- 7) Hard landscaping scheme (including boundary treatments and screen/fencing details)
- 8) Soft landscaping scheme (including identification of existing trees and planting and tree protection measures)
- 9) Details of surface water drainage scheme
- 10) Details of implementation, maintenance, and management of surface water drainage scheme
- 11) Details of sustainable urban drainage system components and piped networks
- 12) Details of construction surface water management
- 13) Details of foul drainage
- 14) Programme of archaeological investigation and post investigation assessment
- 15) Sustainability and Energy Strategy
- 16) Fire hydrant provision details
- 17) External Lighting details
- 18) As required by the LHA (including visibility splays)
- 19) Details of a construction management plan
- 20) Details of the areas to be provided for storage of refuse/recycling
- 21) Contamination Investigation
- 22) No burning of waste during construction
- 23) Habitat Management Plan